In the United States District Court for the Southern District of Georgia Brunswick Division

IN RE:

ON APPEAL FROM:

MARVIN B. SMITH, III and SHARON H. SMITH,

CASE NO. 07-20244-JSD (Chapter 7)

Debtors.

MARVIN B. SMITH, III and SHARON H. SMITH,

Appellants,

CV 211-061

v.

ATLANTIC SOUTHERN BANK and SAPELO SOUTHERN BANK,

Appellees.

ORDER

After an independent review of the record the Court concurs with the Bankruptcy Judge's report and recommendation. Accordingly, the report and recommendation is ADOPTED as the opinion of the Court. Dkt. No. 9. The Appellants' application to proceed in forma pauperis is DENIED. Dkt. No. 2.

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SO ORDERED, this 5th day of March, 2012.

GODBEY WOOD, CHIEF JUDGE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF GEORGIA