

ORIGINAL

FILED
U.S. DISTRICT COURT
ATLANTA DIV.

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

2014 DEC -9 AM 9:46

CLERK *J. Hume*
SO. DIST. OF GA.

IN RE: SARALAND, LLLP, *
Debtor. * Case No. 314-018
* (Bankr. Case No. 12-30113)

O R D E R

On January 17, 2014, Mr. Lister W. Harrell filed a notice of appeal in the United States Bankruptcy Court in a Chapter 11 proceeding pertaining to the debtor, Saraland, LLLP. (See Bankr. Case No. 12-30113 (S.D. Ga. Mar. 29, 2012).) Mr. Harrell is a general partner of the debtor. (Bankr. Doc. No. 1, at 3.)

On January 9, 2014, the Bankruptcy Court entered two Orders to sell real property owned by the debtor. (Bankr. Doc. Nos. 448 & 450.) Mr. Harrell's appeal from these Orders, dated January 17, 2014, was deficient in several respects, particularly in its failure to substantially conform to the appropriate Official Form for a notice of appeal and in the failure to pay the \$298.00 filing fee. (See Bankr. Doc. No. 456.) Mr. Harrell was given seven days to cure the noted deficiencies. (Id.) He did not do so.

On February 19, 2014, the appeal was docketed in this district court. However, Mr. Harrell had not filed a

designation of contents for inclusion in the record on appeal or a statement of the issues to be presented on appeal. See Fed. R. Bankr. P. 8006. Also, Mr. Harrell had not paid the filing fee.

This Court informed Mr. Harrell that his appellant's brief was due by March 10, 2014. Mr. Harrell did not file a brief; indeed, he has never filed anything with this Court in the over nine months the appeal has been pending.

The Court readily concludes that Mr. Harrell has not diligently prosecuted this appeal. He has not complied with the procedural rules and has not paid the required filing fee. Accordingly, maintenance of this matter is not warranted. **IT IS ORDERED** that the appeal be **DISMISSED** for failure to prosecute.

ORDER ENTERED at Augusta, Georgia, this 9th day of December, 2014.


UNITED STATES DISTRICT JUDGE