

ORIGINAL

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

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.

2014 DEC -9 A 9:47

IN RE: SARALAND, LLLP, \*  
Debtor. \*

Case No. 314-091 \*  
(Bankr. Case No. 12-30113) \*

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O R D E R

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On July 16, 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.) Mr. Harrell is appealing the Bankruptcy Court's Order of June 27, 2014, which denied his motion to continue a hearing. (Bankr. Doc. No. 666.)

Mr. Harrell's appeal from this Order, dated July 16, 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. 674.) Mr. Harrell was given seven days to cure the noted deficiencies. (Id.) He failed to do so.

On August 21, 2014, Mr. Harrell's 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 September 8, 2014. Mr. Harrell did not file a brief; indeed, he has never filed anything with this Court in the over three 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