

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

LETCHEE BURGESS ELLIS, SR. and)	
LORI LYNN ELLIS,)	
)	
Appellants,)	
)	
v.)	3:13CV690-PPS
)	
J. RICHARD RANSEL, Trustee,)	
)	
Appellee.)	

OPINION AND ORDER

On January 30, 2014, I dismissed for lack of jurisdiction the appeal by bankruptcy debtors Letcher Ellis, Sr. and his wife Lori, based on my determination that their appeal of the bankruptcy judge’s order granting the Trustee’s motion to sell real estate was moot. [DE 9.]

During the pendency of the appeal to the Seventh Circuit, the parties mediated the matter and reached terms of settlement. After obtaining a bankruptcy court ruling indicating an inclination to consider and approve the settlement (an “Indicative Ruling” under Fed.R.App.P. 12.1(b)), the Trustee filed a motion to remand, which the Seventh Circuit has granted, with instructions to remand to the bankruptcy court. [DE 17 at 3.] Following the Court of Appeals’ remand to this court, the Trustee has filed another motion requesting the remand of the case to the bankruptcy court. [DE16.]

ACCORDINGLY:

The Trustee’s motion to remand [DE 16] is GRANTED.

The Opinion and Order [DE 9] and Judgment [DE 10] previously entered dismissing this appeal are VACATED.

Pursuant to the February 13, 2015 Order of the Seventh Circuit Court of Appeals [DE 17 at 3], this matter is REMANDED to the United States Bankruptcy Court to consider and approve, if appropriate, the parties' settlement of the contested matter.

ENTERED: March 16, 2015.

s/ Philip P. Simon
CHIEF JUDGE
UNITED STATES DISTRICT COURT