

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
BOWLING GREEN DIVISION**

CIVIL ACTION NO.: 1:14-CV-00087-JHM

COREY LEA

APPELLANT

VS.

FARMERS NATIONAL BANK, ET AL.,

APPELLEES

OPINION

This matter is on appeal from the Bankruptcy Court and has been fully briefed. For the following reasons, the appeal is **dismissed**.


The Court is familiar with this continuing saga. The Appellant successfully delayed the foreclosure of property owned by Corey Lea, Inc., for five years, having last made a payment in October of 2008. He has filed numerous lawsuits, none of which have been successful at anything other than further delaying the inevitable. In a last ditch effort, Corey Lea filed a Chapter 13 bankruptcy petition. Lea was told by Farmers National Bank that the sale would proceed because the owner of the property, Corey Lea, Inc., had not filed a bankruptcy petition. In response to that announcement, Corey Lea filed an amended schedule to add Corey Lea, Inc., as an "Alias." Farmers National Bank filed an emergency motion before the Bankruptcy Court for relief from the stay if any automatic stay existed. The foreclosure sale proceeded as scheduled. Hearings were later held before the Bankruptcy Court which concluded that there was no automatic stay in existence since the property sold was not property of the bankruptcy estate. Corey Lea's amended schedule naming Corey Lea, Inc. as an "Alias" was stricken.

The Appellant appealed this decision here. He sought a stay pending the appeal

which the Bankruptcy Court denied. Six days later the Bankruptcy Court dismissed the bankruptcy petition for failure of the Appellant to file the Chapter 13 Plan, and other required filings on or before the deadlines set by the Court.

This Court agrees with the Appellee that this appeal must be dismissed. First, there is no bankruptcy proceeding any longer. For reasons totally unrelated to the issue of the stay, the petition was dismissed for Appellant's failure to follow through. He was on notice that failure to file the required Plan and related information would result in dismissal. His failure indicates he had no real interest in reorganization. He readily admits that the only reason he filed the petition in the first place was to halt the sale of the property.

The Court also agrees with the decision of the Bankruptcy Court. The property foreclosed upon was not a part of the bankruptcy estate. Corey Lea did not file bankruptcy on behalf of the corporation. He could not do so because he is not a licensed attorney. Appellant's argument of a co-debtor stay in his favor is without merit because the loan in question was not a consumer loan. All other arguments and motions of Appellant are rejected and **this appeal is dismissed and all pending motions, from both parties, are overruled.**


Joseph H. McKinley, Jr., Chief Judge
United States District Court

CC: Appellant. Pro se
Counsel

August 5, 2014