

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

GAYLE O. JENKINS

CIVIL ACTION

VERSUS

NO. 12-2

MARSHALL BROS. LINCOLN
MERCURY, INC.

SECTION "N" (2)

(BNKRTCY. ADV. PROC. NO. 11-01093)

ORDER AND REASONS

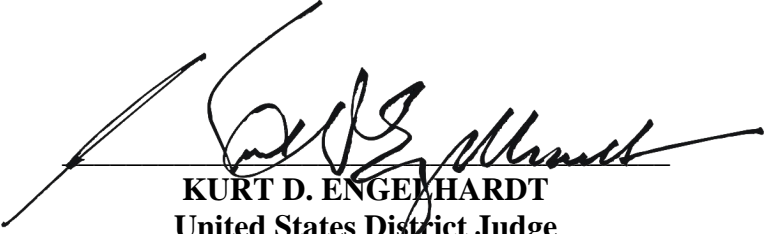
In her appeal of the October 27, 2011 Order from the United States Bankruptcy Court for the Eastern District of Louisiana granting the Motion to Dismiss filed by Marshall Bros. Lincoln Mercury, Inc. ("MBLM"), debtor asserts sums due pursuant to a lease agreement between her and MBLM. Specifically, the debtor claims that, pursuant to the terms of her 25 year lease with MBLM, she is entitled to certain sums as a result of the assignment of the lease by MBLM to a third party. This appeal arises out of the dismissal of her adversary proceeding under F.R.B.P. Rule 12(b)(6).

The Court has reviewed the briefs filed in connection with this appeal, as well as the documentation (specifically the subject lease), and the applicable legal authorities. The undersigned

is of the opinion that the Bankruptcy Court did not err, either factually or legally, in granting the Motion to Dismiss filed by MBLM.

Therefore, **IT IS ORDERED** that the Judgment of October 27, 2011, entered by the Bankruptcy Court on that date, be and is hereby **AFFIRMED**.

New Orleans, Louisiana, this 23rd day of May, 2012.



KURT D. ENGELHARDT
United States District Judge