

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

EAST BATON ROUGE TEACHERS
FEDERAL CREDIT UNION

CIVIL ACTION

VERSUS

CONCHITA DYSON GRANT

NO.: 16-00419-BAJ-RLB

ORDER

On June 3, 2016, Appellant East Baton Rouge Teachers Federal Credit Union filed Notice of Appeal in the United States Bankruptcy Court for the Middle District of Louisiana, seeking to appeal an order that requires Appellant to pay \$1,203.06 to Appellee Conchita Dyson Grant. (*See* Doc. 2 at pp. 1-2). On July 28, 2016, the Clerk of Court docketed notice that the record had been transmitted. (Doc. 2). Appellant, however, filed its brief on February 8, 2017, over six months after that notice was docketed. (*See* Doc. 5).

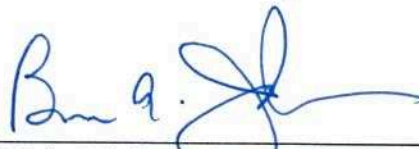
“[U]nless the district court . . . by order in a particular case excuses the filing of briefs or specifies different time limits,” Federal Rule of Bankruptcy Procedure 8018 requires an appellant to “serve and file a brief within 30 days after the docketing of notice that the record has been transmitted or is available electronically.” Fed. R. Bankr. P. 8018(a)(1). “If an appellant fails to file a brief on time . . . the district court . . . , after notice, may dismiss the appeal on its own motion.” Fed. R. Bankr. P. 8018(a)(4).

On January 30, 2017, the Court ordered Appellant to show cause why the appeal should not be dismissed due to its failure to timely file a brief, thereby providing notice of the Court's intention to dismiss the appeal pursuant to Rule 8018(a)(4). (*See* Doc. 4). The Court ordered Plaintiff to appear before the Court on February 15, 2017, to show such cause. (*See id.*). At the hearing, Appellant offered no reasons that amounted to excusable neglect for its failure to timely file a brief.

Accordingly,

IT IS ORDERED that, pursuant to Federal Rule of Bankruptcy Procedure 8018(a)(4), the **appeal** is **DISMISSED WITH PREJUDICE**.

Baton Rouge, Louisiana, this 23rd day of February, 2017.



**BRIAN A. JACKSON, CHIEF JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**