

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

WARREN HAVENS

APPELLANT

VS.

No. 4:17cv173

**MARITIME COMMUNICATIONS/LAND
MOBILE LLC**

APPELLEE

ORDER

This is a bankruptcy appeal in which, six months after it was filed, the pro se appellant Warren Havens has filed no appellant brief, even though the first entry in the docket clearly advises him that his appellant brief was due by December 27, 2017. Indeed, appellant has not even placed his contact information on the docket, thus ensuring that any show cause orders will not be mailed to him. Due to the lack of contact information on the docket, this court, through its law clerk, searched for and obtained Mr. Havens' e-mail address and has sent multiple e-mails to that address advising him of the necessity of filing an appellant's brief. In a March 19, 2018 e-mails, this court's law clerk advised Mr. Havens as follows:

This is the law clerk to Judge Mills. I understand you are proceeding pro se and have filed an appeal of the bankruptcy court's order dated November 15, 2017. However, the docket states that you were supposed to file a brief in support of your appeal by December 26, 2017, but I see no indication in the docket that this has occurred. Have you filed a brief somewhere that is not clear from the docket? Judge Mills is very unlikely to reverse the bankruptcy judge if you do not explain to him in a brief how he misapplied the law.

On March 20, 2018, Mr. Havens responded, assuring this court that “[y]es I plan to file an opening appeal brief, and appreciate holding off on an order so I can do so.” In his e-mail, Mr.

Havens also expressed his belief that, notwithstanding the deadline on the docket, he was not required to file a brief until the bankruptcy clerk had finished placing the extensive record in this case on the docket. It is unclear to this court whether that is correct, but, even assuming that it is, the bankruptcy clerk's office has informed this court that the record on the docket is complete and has been since April 12, 2018.

This court has been more than patient with appellant, but that patience is rapidly coming to an end. This is a complex Chapter 11 bankruptcy appeal, which is a subject matter regarding which the bankruptcy court has very extensive experience, and this court's own experience is close to non-existent. That being the case, this court will only consider reversing the bankruptcy court's rulings if appellant sets forth clear arguments in a brief explaining how the bankruptcy judge erred. This court therefore gives appellant until June 4, 2018 to file an appellant's brief, and it is very unlikely to allow any further extensions. This court will, this date, attempt to notify the appellant of this order by e-mail and in the contact phone number he attached to one of his prior e-mails.

It is therefore ordered that Havens has until June 4, 2018 to file an appellant's brief.

This, the 15th day of May, 2018.

/s/ Michael P. Mills
U.S. DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI