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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

In re ROSALIE ALLEN MORGAN,)
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 Debtor.)
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 ROBERT G. HILLSMAN,)
)
 Appellant,)
)
 vs.)
)
 ROSALIE ALLEN MORGAN,)
)
 Appellee.)
 _____)

Case No. 3:13-cv-00256-RCJ
Adv. No. 12-ap-05066-BTB
Bankr. No. 12-bk-51208-BTB

ORDER

Plaintiff/Appellant Robert G. Hillsman filed an adversary proceeding in the Chapter 7 bankruptcy case of Debtor/Defendant/Appellee Rosalie Allen Morgan, listing two claims for non-dischargeable debt under 11 U.S.C. § 523(a). The bankruptcy judge granted a motion to dismiss with prejudice after a hearing. Plaintiff appealed. Appellant has not filed a designation of record on appeal or a statement of issues. On November 11, 2013, the Court ordered Appellant to file an opening brief within fourteen days. He did not do so and has yet filed no opening brief. Appellee has moved to dismiss for the first reason and has moved for summary judgment for the second reason. Appellant has not timely responded to either motion. The Court grants the motions. *See* L.R. Bank. P. 8070(a).

1 **CONCLUSION**

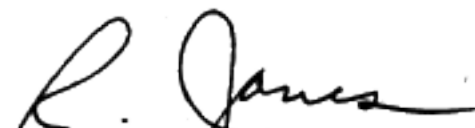
2 IT IS HEREBY ORDERED that the Motion to Dismiss (ECF No. 5) is GRANTED.

3 IT IS FURTHER ORDERED that the Motion for Summary Judgment (ECF No. 7) is
4 GRANTED as a motion to dismiss.

5 IT IS FURTHER ORDERED that the clerk shall close the case.

6 IT IS SO ORDERED.

7 Dated this 17th day of January, 2014.

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10 ROBERT C. JONES
11 United States District Judge
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