UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

In re: Carlean Dates

Case No. 1:17-cv-842

Judge Michael R. Barrett

<u>ORD</u>ER

This matter is before the Court on Appellant's, Carlean Dates, Notice of Appeal from

Bankruptcy Court docketed on December 15, 2017. (Doc. 1). On January 18, 2018, the

bankruptcy clerk certified the record, and the Court set a briefing schedule by docket notation.

(Doc. 2). On May 23, 2018, the Court ordered Appellant to show cause, within fourteen (14) days

of entry of that order, why this appeal should not be dismissed for failure to prosecute, as Appellant

had not filed a brief with the Court per the briefing schedule. (Doc. 3); see Arnold v. G.E. Capital

Auto Lease, Inc., 63 Fed. Appx. 188, 191 (6th Cir. 2003) (affirming dismissal of bankruptcy appeal

for failure to prosecute); Federal Rule of Bankruptcy Procedure 8003(a)(2) (granting the district

court authority to dismiss bankruptcy appeals for non-prosecution). Appellant has failed to

respond to the Court's order or file a brief.

In light of the above, the Court finds that dismissal for failure to prosecute is proper. It is

hereby **ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE**. This matter shall

be **CLOSED** and **TERMINATED** from the Court's active docket.

IT IS SO ORDERED.

/s Michael R. Barrett

Michael R. Barrett

United States District Court

¹ Appellant's brief was due by February 1, 2018. (Doc. 2).