

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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In re the Bankruptcy of

LINDA MUELLER,

Debtor.

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LINDA MUELLER,

Appellant,

v.

BANK ONE, N.A. and  
WILLIAM A. CHATTERTON,  
CHAPTER 13 TRUSTEE,

Appellees.

ORDER

09-cv-137-bbc

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This is an appeal from an order of the United States Bankruptcy Court for the Western District of Wisconsin, brought pursuant to 28 U.S.C. § 158(a). On October 5, 2009, I issued an order giving debtor/appellant Linda Mueller until October 21, 2009 to file her initial brief in support of her appeal. Dkt. #32. The October 21, 2009 deadline was the

fourth deadline extension provided to Mueller; the initial deadline had been March 25, 2009. In the October 5 order, I also made it clear that Mueller would not receive any further extensions and that failure to file her brief by October 21 would result in dismissal of her appeal. October 21 has come and gone with no filing from Mueller.

This case has gone on for more than six months; Mueller has failed to file an initial brief in support of her appeal, although she has been given four opportunities to do so. At this point, I consider that she has abandoned the appeal and will dismiss it.

#### ORDER

IT IS ORDERED that debtor/appellant Linda Mueller's appeal in bankruptcy case number 03-17144-rdm-13 is DISMISSED for her failure to prosecute it. The clerk of court is directed to close this case.

Entered this 23<sup>rd</sup> day of October, 2009.

BY THE COURT:

/s/

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BARBARA B. CRABB  
District Judge