

**UNITED STATES BANKRUPTCY APPELLATE PANEL
OF THE TENTH CIRCUIT**

IN RE MELVIN EUGENE SHARP,
also known as Mel Sharp, doing
business as Aspen Place Outfitters,
LLC,

Debtor.

BAP No. CO-13-053

DOUGLAS E. LARSON, Chapter 7
Trustee,

Appellant,

v.

MELVIN EUGENE SHARP and
UNITED STATES TRUSTEE,

Appellee.

Bankr. No. 12-21611
Chapter 7

DISMISSAL ORDER

August 8, 2013

Before THURMAN, Chief Judge, MICHAEL, and KARLIN, Bankruptcy Judges.

On July 17, 2013, this Court entered a Notice of Deficiency and Order to Show Cause (“Order”), requiring Appellant Douglas E. Larson, Chapter 7 Trustee to do the following within fourteen (14) days, or the appeal would be dismissed:

Appellant must pay to the bankruptcy court the filing and docketing fees for this appeal. 28 U.S.C. § 1930 and 10th Cir. BAP Local Rule 8001-5.

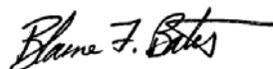
A review of the bankruptcy court docket reflects that on July 18, 2013, Appellant paid a \$5.00 filing fee. However, Appellant did not pay the remainder of the fee due pursuant to 28 U.S.C. § 1930 and 10th Cir. BAP Local Rule 8001-5 before the expiration of the deadline set forth in the Order. As such, this appeal should be dismissed, subject to Appellant’s right to cure during the rehearing period set forth in Federal Rule of Bankruptcy Procedure 8015, after which time

our mandate will issue, divesting this Court of jurisdiction over this appeal.

Accordingly, it is HEREBY ORDERED that:

- (1) This appeal is DISMISSED for failure to prosecute. Fed. R. Bankr. P. 8001(a).
- (2) All deadlines previously set in this appeal are VACATED.

For the Panel:

A handwritten signature in black ink that reads "Blaine F. Bates". The signature is written in a cursive style with a long horizontal stroke at the end.

Blaine F. Bates
Clerk of Court