

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

IN RE KARI DAWN MORRIS, also
known as Kari Dawn Maddox,

Debtor.

BAP No. CO-13-067

KARI DAWN MORRIS,

Appellant,

Bankr. No. 13-28600
Chapter 7

DISMISSAL ORDER
October 7, 2013

Before MICHAEL, KARLIN, and SOMERS, Bankruptcy Judges.

On September 12, 2013, this Court issued an Order to Show Cause Why Appeal Should Not Be Dismissed as Untimely (“OSC”) and an Order to Show Cause and Notice of Deficiency for Appellant’s failure to pay filing fees (“NOD”). The OSC provided that pro se Appellant must, within fourteen (14) days, file with this Court a memorandum of law as to why this appeal should not be dismissed as untimely and that failure to do so would result in the dismissal of this appeal. The NOD required Appellant to pay filing and docketing fees or obtain a waiver of such fees within fourteen (14) days, or the appeal would be dismissed.

The deadline has expired without response to either the OSC or the NOD. As such, this appeal should be dismissed, subject to Appellant’s right to cure during the fourteen (14) day 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. Any curative filing made by Appellant must be accompanied by a Statement of Issues and Designation of Record (to be filed with the bankruptcy court), and an Entry of Appearance, Statement of Interested Parties, and Statement Regarding Oral Argument.¹

Accordingly, it is HEREBY ORDERED that:

- (1) This appeal is DISMISSED for failure to prosecute. Fed. R. Bankr. P. 8001(a); 10th Cir. BAP L.R. 8001-5.
- (2) All deadlines previously set in this appeal are VACATED.

For the Panel:



Blaine F. Bates

Clerk of Court

¹ The Court issued a Notice of Deficiency on September 25, 2013, after Appellant failed to file a Designation of Record and Statement of Issues with the bankruptcy court, and also on September 27, 2013 after Appellant failed to file an Entry of Appearance, Statement of Interested Parties, and Statement Regarding Oral Argument.