

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

IN RE LYNNETTE RACHELLE
MARINO, also known as Lynnette
Rachelle Witt,

Debtor.

BAP No. CO-14-001

Bankr. No.13-28488
Chapter7

LYNNETTE RACHELLE MARINO,

Appellant.

ORDER OF DISMISSAL

February 21, 2014

Before MICHAEL, SOMERS, and JACOBVITZ, Bankruptcy Judges.

On January 3, 2014, this Court entered a Notice of Deficiency and Order to Show Cause requiring the pro se Appellant Lynnette Rachelle Marino (“Appellant”) to pay the appeal filing and docketing fees (“fees”) to the bankruptcy court within fourteen (14) days after entry of a bankruptcy court order denying Appellant’s fee waiver application. A review of the bankruptcy court docket reflects that on January 28, 2014, the bankruptcy court denied Appellant’s motion seeking a waiver of fees. Appellant has not paid the fees and the time to do so has expired.

Additionally, on January 27, 2014, this Court entered an Order granting the Appellant an extension of time until February 14, 2014, to file an entry of appearance, statement regarding oral argument, status report for Appellant’s fee waiver application, designation of the items to be included in the record on appeal, and a statement of issues to be presented on appeal. Appellant has not

filed any of the aforementioned documents and the time to do so has expired. As such, the appeal must be dismissed for failure to prosecute. The dismissal is subject to Appellant's right to cure the deficiencies 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

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 extending to the right.

Blaine F. Bates
Clerk of Court