

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

In re:

Case No. 6:08-bk-08583-ABB
Chapter 13

LESHAWN ROUNDTREE,

Debtor.

LESHAWN ROUNDTREE,

Plaintiff,

vs.

Adv. Pro. No. 6:08-ap-00210-ABB

COUNTRYWIDE HOME LOANS, *et al.*,

Defendants.

ORDER

This matter came before the Court on the Notice of Motion to Reopen (Doc. No. 12), Motion for Clerk to Enter Default Against Defendant (Doc. No. 13), and Notice of Motion for Hearing for Court to Determine Pending Pleadings (Doc. No. 14) filed by Leshawn Roundtree, the *pro se* Debtor herein ("Debtor").

The Debtor filed the above-captioned Chapter 13 case on September 19, 2008. An Order was entered on December 18, 2008 (Doc. No. 76) dismissing the case for the Debtor's failure to make timely plan payments. The effective date of the Order was delayed fourteen days to allow the Debtor to convert the case. The Debtor did not convert the case. He did not appeal or seek reconsideration of the December 18, 2008 Order.

The above-captioned adversary proceeding was closed on January 23, 2009 due to the dismissal of the underlying Chapter 13 case.

The Debtor requests the adversary proceeding be reopened, a default judgment be entered against the defendants, and a hearing be set on his Motions. The December 18, 2008 Order is a final, non-appealable Order. The

Debtor's Chapter 13 case has been dismissed. The Debtor's Motions are due to be denied based upon the dismissal of his Chapter 13 case and the closing of this adversary proceeding.

Accordingly, it is

ORDERED, ADJUDGED and DECREED that the Debtor's Notice of Motion to Reopen (Doc. No. 12), Motion for Clerk to Enter Default Against Defendant (Doc. No. 13), and Notice of Motion for Hearing for Court to Determine Pending Pleadings (Doc. No. 14) are hereby **DENIED**.

Dated this 18th day of February, 2009.

/s/ Arthur B. Briskman
ARTHUR B. BRISKMAN
United States Bankruptcy Judge