

United States Court of Appeals For the First Circuit

No. 07-8038

IN RE: CUMBERLAND INVESTMENT CORPORATION,

HAROLD F. CHORNEY,

Petitioner.

ORDER OF COURT

Entered: February 28, 2008
Pursuant to 1st Cir. R. 27.0(d)

Upon review of the record in this case, it appears that this court may not have jurisdiction to consider the appeal because of the following. Appellant Harold Chorney has filed in this court a "motion to appeal and/or amend" a bankruptcy court order dated November 3, 2004. That order, inter alia, barred him from filing further pleadings without prior court authorization. Appellant now appears to be complaining about the manner in which that order is being implemented. But absent certification under 28 U.S.C. § 158(d)(2), this court can entertain bankruptcy appeals only from the district court or the bankruptcy appellate panel. See id. § 158(d)(1); see, e.g., In re Wright, 492 F.3d 829, 831 (7th Cir. 2007).

Appellant is ordered either to move for voluntary dismissal under Fed. R. App. P. 42(b) or to show cause why this appeal should not be dismissed. The failure to take either action by March 13, 2008 may lead to dismissal for failure to prosecute.

By the Court:

Richard Cushing Donovan, Clerk.

By: MARGARET CARTER
Chief Deputy Clerk.

[cc: Harold Chorney, John Boyajian, Esq., John Fitzgerald, III, Esq., Matthew McGowan, Esq., Jason Monzack, Esq.]