

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

IN RE MARJORIE LOUISE
HAWORTH, also known as Marge
Haworth, also known as Marge Copp,

Debtor.

BAP No. WY-01-075

MARJORIE LOUISE HAWORTH, also
known as Marge Haworth, also known
as Marge Copp,

Bankr. No. 99-10085
Chapter 7

Appellant,

v.

RANDY ROYAL, Trustee,

Appellee.

ORDER DENYING REQUEST FOR
RECONSIDERATION
OF "ORDER OF DISMISSAL" FILED
NOVEMBER 7, 2001

December 12, 2001

Before PUSATERI, BOHANON, and MICHAEL, Bankruptcy Judges.

The matter before the Court is the Request for Reconsideration of "Order of Dismissal" filed November 7, 2001 ("Request"), filed November 19, 2001, by Appellant Marjorie Louise Haworth. No response to the Request has been filed.

The Court notes that it previously construed the Appellant's Objection and Reply to Trustee's Motion to Dismiss Purported Notice of Appeal from September 13, 2001 Order Denying Motion to Dismiss ("Objection"), filed November 13, 2001, as a motion to reconsider this Court's Order of Dismissal and denied the Objection by order entered November 16, 2001. The Court's local rules prohibit successive motions for rehearing. 10th Cir. BAP L.R. 8015-1. However, the Court will not penalize the Appellant for its construing the Objection as a motion

for reconsideration, and the Court will treat the Request as the Appellant's first motion for reconsideration.

The Court further notes that the Appellant has filed a Memorandum alleging that she was prejudiced by this Court's untimely receipt of her Objection. The Court has considered the allegations of the Memorandum and concludes that the Appellant was not harmed by any delay in this Court's receipt of her Objection. This Court gave full consideration to the Objection when it entered its order denying the Objection, and that order will not be overturned.

Regarding the Request, the Court has reviewed the Request and concludes that it must be denied. The appealed order is interlocutory and is not a proper subject for this Court's jurisdiction.

IT IS THEREFORE ORDERED that the Request for Reconsideration of "Order of Dismissal" filed November 7, 2001 is DENIED.

For the Panel:

Barbara A. Schermerhorn, Clerk of Court

By:

Deputy Clerk