

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

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

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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 MOTION FOR  
REHEARING (CONSTRUED)  
November 16, 2001

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Before PUSATERI, BOHANON, and MICHAEL, Bankruptcy Judges.

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The matter before the Court is 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," filed November 13, 2001, by Appellant Marjorie Louise Haworth. The Appellant's Objection to the Trustee's motion, which was filed on October 25, 2001, is untimely. The Trustee's motion has already been granted by this Court, and this appeal was dismissed for lack of jurisdiction on November 7, 2001. The Court will construe the Appellant's Objection as a motion for rehearing pursuant to Fed. R. Bankr. P. 8015.

Having reviewed the Appellant's Objection, with all due consideration for the Appellant's pro se status, the Court concludes that the bankruptcy court order that is the subject of this appeal is an interlocutory order and that the Appellant has not shown that this is a case of "exceptional circumstances" justifying

granting leave for appeal. *See Personette v. Kennedy (In re Midgard Corp.)*, 204 B.R. 764, 769 (10th Cir. BAP 1997) (setting out standard for appeal of interlocutory order). The case should remain dismissed.

Accordingly, it is HEREBY ORDERED that the motion for rehearing (construed from Appellant's Objection and Reply to "Trustee's Motion to Dismiss Purported Notice of Appeal from September 13, 2001 Order Denying Motion to Dismiss") is DENIED.

For the Panel:

Barbara A. Schermerhorn, Clerk of Court

By:

Deputy Clerk