

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 02-1851

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In Re: GRAND RIDGE CORPORATION, successor to  
Enterprize Park Corporation,

Debtor.

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HENRY T. OGLE,

Appellant,

versus

CHW, LLC,

Creditor - Appellee,

CHRYSLER FINANCIAL; DAIMLERCHRYSLER SERVICES  
NORTH AMERICA L.L.C.; FORD MOTOR CREDIT  
COMPANY; AMERICAN EXPRESS CENTURION BANK; CIT  
GROUP/Equipment Financing, Incorporated; THE  
CINCINNATI INSURANCE COMPANY,

Creditors,

and

UNITED STATES TRUSTEE,

Party in Interest.

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Appeal from the United States District Court for the Western District of North Carolina, at Asheville. Lacy H. Thornburg, District Judge. (CA-02-160)

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Submitted: December 31, 2002                      Decided: January 13, 2003

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Before NIEMEYER and TRAXLER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Henry T. Ogle, Appellant Pro Se. David G. Gray, Jr., WESTALL, GRAY, CONNOLLY & DAVIS, Asheville, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Henry T. Ogle appeals from the district court's order dismissing his appeal from the bankruptcy court's order lifting the automatic stay in the underlying bankruptcy proceeding and allowing a foreclosure to proceed. Ogle, an attorney, is not a creditor of the bankruptcy estate as he has never filed a proof of claim and the time for doing so has expired. Moreover, the bankruptcy court denied Ogle permission to appear and represent Grand Ridge Corporation, and sanctioned him for attempting to do so. Therefore, we find that Ogle lacks standing to pursue this appeal and, accordingly, grant the Appellee's motion to dismiss the appeal. See Nationwide Mut. Fire Ins. Co. v. Eason, 736 F.2d 130, 34 (4th Cir. 1984) (challenge to bankruptcy court's disposition must be made by those with requisite stake in the outcome). We deny the Appellee's motion for sanctions and dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED