

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-2088

In Re: THOMAS MACEO BRODNAX; VALERIA BRODNAX,

Debtors.

THOMAS MACEO BRODNAX; VALERIA BRODNAX,

Plaintiffs - Appellants,

versus

CITY OF DANVILLE, VIRGINIA,

Defendant - Appellee,

and

LAURENCE P. MORIN; U. S. TRUSTEE,

Trustees.

Appeal from the United States District Court for the Western District of Virginia, at Danville. Jackson L. Kiser, Senior District Judge. (CA-98-15, BK-96-2892-6-WA4-13)

Submitted: March 9, 1999

Decided: April 23, 1999

Before NIEMEYER, MICHAEL, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Thomas Maceo Brodnax, Valeria Brodnax, Appellants Pro Se. Michael Earnest Hastings, DANIEL, VAUGHAN, MEDLEY & SMITHERMAN, P.C., Danville, Virginia, for Appellee. Laurence P. Morin, Lynchburg, Virginia; United States Trustee, OFFICE OF THE UNITED STATES TRUSTEE, Roanoke, Virginia, for Trustees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Thomas and Valeria Brodnax appeal from the district court's order dismissing their bankruptcy appeal for failure to comply with the requirement in Fed. R. Bankr. P. 8006, that a designation of the record on appeal and a statement of issues be filed within ten days of the filing of the notice of appeal. We have reviewed the record and the district court's opinion and find no abuse of discretion and no reversible error. See Fed. R. Bankr. P. 8001(a); In re Serra Builders, Inc., 970 F.2d 1309, 1311 (4th Cir. 1992). Accordingly, we affirm on the reasoning of the district court. See Brodnax v. City of Danville, VA, Nos. CA-98-15; BK-96-2892-6-WA4-13 (W.D. Va. June 22, 1998). Additionally, we deny as moot the Brodnaxes' motion to defer action on this appeal. We 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.

AFFIRMED