

AUG 18 2008

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

In the Matter of: CHRIS G. BROWN,

Debtor.

No. 07-56698

BAP No. CC-07-01204-PaMoK

CHRIS G. BROWN,

Appellant,

MEMORANDUM \*

v.

AMERICAN EXPRESS TRAVEL  
RELATED SERVICES COMPANY,  
INC.,

Appellee.

Appeal from the Ninth Circuit  
Bankruptcy Appellate Panel  
Pappas, Klein, and Montali, Bankruptcy Judges, Presiding

Submitted August 11, 2008 \*\*

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

Before: CANBY, LEAVY and KLEINFELD, Circuit Judges.

This is an appeal from a dismissal by the Bankruptcy Appellate Panel (“BAP”) for failure to prosecute. The BAP granted appellant three extensions of time to file the opening brief; nevertheless appellant failed to file his opening brief.

We review the dismissal of a bankruptcy appeal for failure to prosecute for an abuse of discretion. *See In re Hill*, 775 F.2d 1385, 1386 (9th Cir. 1985).

A review of the record and the response to the court’s order to show cause indicates that the questions raised in this appeal are so insubstantial as not to require further argument because the BAP did not abuse its discretion in dismissing this appeal. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam).

Accordingly, we summarily affirm the Bankruptcy Panel’s judgment.

All pending motions are denied as moot.

**AFFIRMED.**