

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

IN RE: )  
)  
GALE D. MARSH and )  
ANGELINE M. MARSH, )  
)  
Debtors. )  
)  
FARMERS & MERCHANTS BANK, )  
a banking corporation, )  
)  
Appellant, )  
)  
v. )  
)  
MELVIN MARSH, )  
)  
Appellee. )

CV. 84-0-639 ✓

BK. 84-613  
A. 84-128

IN RE: )  
)  
GALE D. MARSH and )  
ANGELINE M. MARSH, )  
)  
Debtors. )  
)  
FARMERS & MERCHANTS BANK, )  
a banking corporation, )  
)  
Appellants, )  
)  
v. )  
)  
MELVIN MARSH, )  
)  
Appellee. )

CV. 84-0-640  
BK. 84-613  
A. 84-129

**FILED**  
DISTRICT OF NEBRASKA  
AT \_\_\_\_\_ M  
DEC 12 1984  
William L. Olson, Clerk  
By \_\_\_\_\_ Deputy

IN RE: )  
)  
M & M FARMS, INC., )  
)  
Debtor. )  
)  
FARMERS & MERCHANTS BANK, )  
a banking corporation, )  
)  
Appellant, )  
)  
v. )  
)  
MELVIN MARSH, )  
)  
Appellee. )

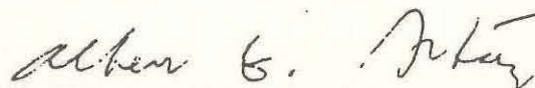
CV. 84-0-641  
BK. 84-640  
A. 84-130

ORDER

This matter is before the Court upon the Court's own motion that the above-captioned appeals should be dismissed as moot. On November 19, 1984, this Court ordered consolidation of the above-referenced appeals and requested the parties to brief the merits. The Court notes that on November 14, 1984, appellant's motions for reconsideration were sustained by the bankruptcy court and that the matters being appealed from were set for a status hearing on January 31, 1985. Therefore, the orders of the bankruptcy court, entered September 19 and 24, 1984, dismissing appellant's adversary proceedings in the respective bankruptcy cases, are no longer final for purposes of appeal. It is within the discretion of this Court to deny leave to appeal non-final orders of the bankruptcy court. See Bankruptcy Rule 8003. Accordingly,

IT IS HEREBY ORDERED that appeals numbered CV. 84-0-639, 84-0-640 and 84-0-641 should be and the same are hereby dismissed.

BY THE COURT:



JUDGE, UNITED STATES DISTRICT COURT