

assert that Diversified sold three of her husband's properties at unreasonably low prices constituting constructive fraud. She does not address the grounds for the bankruptcy court's dismissal of her bankruptcy petition nor does she explain the relevance of her constructive fraud claims to the dismissal. In addition, Emanuel has not included the statement of issues referenced in her table of contents further clouding her claims on appeal. Consequently, Emanuel fails to state a basis for challenging the bankruptcy court's decision.

Diversified raises several procedural defenses to Emanuel's appeal alleging that her brief was late filed and incomplete in violation of Bankruptcy Rules 8009 and 8010. Diversified also alleges that Michael Emanuel, not Rita Emanuel, has signed her pleadings in violation of Rule 11(a) of the Federal Rules of Civil Procedure. Because Emanuel's appeal is without merit and I affirm dismissal of the bankruptcy petition on that ground, I need not address the other issues raised by Diversified.

CONCLUSION

For the foregoing reasons, the bankruptcy court's order dismissing the case is affirmed. Diversified's motion to dismiss (document 3), motion to strike motion for extension of time

(document 16), motion to strike pleadings (document 17), and motion for security (document 18) are denied as moot.

SO ORDERED.

Paul Barbadoro
United States District Judge

September 8, 1995

cc: Lawrence Sumski, Esq.
Patricia Mellor, Esq.
George Vannah, USBC