

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE: RON AND LARHONDA WILSON

CIVIL ACTION

NO.: 12-882

SECTION: "F"

ORDER AND REASONS

Before the Court is the Bankruptcy Court's reference of proposed findings of fact and conclusions of law, asking that this Court enter sanctions against Lender Processing Services, a party to an ongoing bankruptcy proceeding.


As this is a reference initiated sua sponte by the Bankruptcy Court, and not an appeal by the parties, the Court finds that it has no jurisdiction to hear the matter. See In re Biglari Import & Export, Inc., 142 B.R. 777, 780 (Bankr. W.D. Tex. 1992) ("The reference statute is a "one-way" street from the district court to the bankruptcy court. The district court, upon motion to that court or on its own motion, may withdraw this reference [...] as it sees fit, but the bankruptcy court has no statutory authority to send the case back to the district court."); see also Blackwell v. Zollino (In re Blackwell), 267 B.R. 724, 731 (Bankr. W.D. Tex. 2001) ("Complete or partial withdrawal of the reference, however, is a decision to be made by the district court, not the bankruptcy court.").

Accordingly, IT IS ORDERED: the Bankruptcy Court's reference

is dismissed, and the Court orders that this case be closed.

IT IS FURTHER ORDERED: Lender Processing Services' motion to withdraw reference, motion to stay pending status conference, and motion for expedited consideration are DENIED AS MOOT.

New Orleans, Louisiana, April 20, 2012.



MARTIN L. C. FELDMAN

UNITED STATES DISTRICT JUDGE