



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed July 26, 2017

Mark X. Mullin

United States Bankruptcy Judge

BTXN057 (rev. 04/13)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

In Re:
Erath Iron and Metal, Inc.

Debtor(s)

§
§
§
§

Case No.: 17-40693-mxm11
Chapter No.: 11

ORDER DENYING MOTION FOR WANT OF PROSECUTION

The Court, after review of the file and docket in the above entitled and numbered case, finds that on 5/18/2017, Debtor filed a Motion to use cash collateral ("Motion"), document number 196.

Subsequently,

- a Certificate of No Objection has not been filed with respect to the Motion as required by N.D. TX L.B.R. 9007.1(e).
- no hearing has been requested.
- Proposed Order has not been submitted.
- the Court held a hearing on 5/19/2017, at which time counsel announced that an order disposing of the Motion would be submitted
- the matter was removed from the Court's docket on representation of counsel that an order disposing of the Motion would be submitted
- the Court held a hearing on Hearing Date. After considering any evidence presented and the arguments of counsel, the court finds that the Motion is denied.

Other :

The Court further finds that insufficient action has been taken to obtain the relief sought. It is, therefore **ORDERED** that the Motion is **DENIED** without prejudice to refiling.

End of Order