

Federal Rule of Bankruptcy Procedure 8002(a) requires the appellant to file a notice of appeal “within 10 days of the date of the entry of the judgment, order, or decree appealed from.” See Luedtke v. Nationsbanc Mortgage Corp. (In re Luedtke), 215 B.R. 390, 391 (B.A.P. 8th Cir. 1997). Rule 8002(a)’s ten-day time frame is both mandatory and jurisdictional. Luedtke, 215 B.R. at 391 (citing Crockett v. Lineberger, 205 B.R. 580, 581 (B.A.P. 8th Cir. 1997)). Failure to comply with the ten-day time limit deprives the Bankruptcy Appellate Panel of jurisdiction. Id.

Because the relevant order was entered on October 19, a timely notice of appeal was required on or before October 29. The Plaintiffs’ Notice of Appeal, filed on November 17, was unquestionably out of time. Moreover, the Plaintiffs did not request an extension of time for filing their notice of appeal under Rule 8002(c). Accordingly, we lack subject matter jurisdiction over this appeal.

Based on the foregoing, the Plaintiffs appeal is DISMISSED.

A true copy.

Attest:

CLERK, U.S. BANKRUPTCY APPELLATE PANEL
FOR THE EIGHTH CIRCUIT