

June 2, 2003

UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III  
Clerk

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No. 02-21346  
Summary Calendar

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In The Matter of: JIMMY W. JONES,  
  
Debtor

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RALPH O'HARA DOUGLAS, SR.,

Appellant.

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Appeal from the United States District Court for the  
Southern District of Texas, Houston  
H-01-CV-2703

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Before BARKSDALE, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Ralph O'Hara Douglas, Sr. (Douglas) appeals from orders of the bankruptcy court granting Jimmy Wayne Jones a default judgment in an adversary proceeding against Douglas and a separate order denying Douglas's motion to set aside the default judgment issued by the bankruptcy court. Douglas properly appealed these orders to

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\*Pursuant to 5TH CIR. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

the district court which affirmed the bankruptcy court.

Our review of the record convinces us that the bankruptcy court did not err in granting the default judgment against Douglas as he did not timely file an answer to the adversary proceeding. Nor did the bankruptcy court err in refusing to set aside the default judgment as Douglas failed to show good cause sufficient to warrant setting aside the default judgment. Nor do we find merit in Douglas's claim that Jones committed fraud upon the court. We affirm the orders and judgment of the bankruptcy court essentially for the reasons set forth in the district court's order of September 26, 2002, affirming the bankruptcy court. The judgment of the bankruptcy court is AFFIRMED.