

April 16, 2003

Charles R. Fulbruge III  
Clerk

UNITED STATES COURT OF APPEALS

For the Fifth Circuit

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No. 02-50930  
Summary Calendar

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In The Matter Of: RODNEY K DANSEREAU; HILTRUDE M DANSEREAU;

Debtors

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CASH-N-ADVANCE

Appellant

v.

RODNEY K DANSEREAU; HILTRUDE M DANSEREAU

Appellees

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In The Matter Of:ROBERT MORGAN; TRACY LYNN KRINGS

Debtors

- - - - -

CASH-N-ADVANCE

Appellant

v.

ROBERT MORGAN; TRACY LYNN KRINGS

Appellees

\*\*\*\*\*

In The Matter Of: MICHAEL ANDREW MADRID; LISELOTTE JENSEN MADRID

Debtors

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CASH-N-ADVANCE

Appellant

v.

MICHAEL ANDREW MADRID; LISELOTTE JENSEN MADRID

Appellees

\*\*\*\*\*

In The Matter Of: CHRISTOPHER HOFFMANN; ROCHELLE DENICE HOFFMANN

Debtors

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CASH-N-ADVANCE

Appellant

v.

CHRISTOPHER HOFFMANN; ROCHELLE DENICE HOFFMANN

Appellees

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In The Matter Of: JOAN L ROSENBROCK

Debtor

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CASH-N-ADVANCE

Appellant

v.

JOAN L ROSENBROCK

Appellee

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In The Matter Of: WILLIE LEE HODGES; DYRENDA TUTAVENA HODGES

Debtor

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CASH-N-ADVANCE

Appellant

v.

WILLIE LEE HODGES; DYRENDA TUTAVENA HODGES

Appellees

\*\*\*\*\*

In The Matter Of: DEMETRIUS DUDLEY DAVIS; MARY ANN DAVIS

Debtor

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CASH-N-ADVANCE

Appellant

v.

DEMETRIUS DUDLEY DAVIS; MARY ANN DAVIS

Appellees

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Appeal from the United States District Court  
 For the Western District of Texas  
 W-02-CV-81, W-02-CV-82, W-02-CV-83, W-02-CV-84  
 W-02-CV-85, W-02-CV-86, W-02-CV-87

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March 17, 2003

Before DAVIS, WIENER and EMILIO GARZA, Circuit Judges

PER CURIAM:\*

Cash-N-Advance asks this court to reverse the order of the district court upholding the bankruptcy court's imposition of sanctions against Cash-N-Advance for classifying unsecured claims as "priority" claims in seven Chapter 13 Bankruptcy proceedings with no arguable legal or factual basis for doing so. We review the Bankruptcy Court's imposition of sanctions for abuse of discretion. We are satisfied that the bankruptcy court did not abuse its discretion in imposing sanctions against Cash-N-Advance and affirm the district court's judgment.

Federal Rule of Bankruptcy Procedure 9011 (the counterpart of Fed. R. Civ. P. 11) authorizes the Bankruptcy Court to impose sanctions against attorneys, law firms or individuals who violate the rule. Section 9011(c) grants authority to the bankruptcy court to impose sanctions on its own initiative. "If after notice and a reasonable opportunity to respond," the court finds a violation of the rule, the court may impose sanctions. Fed. R. Bankr. P. 9011.

As applied to this case, 9011(b) required that an attorney for Cash-N-Advance sign each of the proofs of claim submitted to the court and certify, among other things, that "to the best of the person's knowledge, information, and belief, formed after an

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\*Pursuant to 5<sup>TH</sup> 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 5<sup>TH</sup> CIR. R. 47.5.4.

inquiry reasonable under the circumstances" the claims were warranted by law and the factual contentions had evidentiary support. Fed. R. Bankr. P. 9011(a) and (b). The record amply supports the bankruptcy judge's finding that Cash-N-Advance filed priority status claims without any factual or legal basis. Cash-N-Advance also received the required notice and had more than a reasonable opportunity to respond. Cash-N-Advance filed a Response to the Bankruptcy Court's Show Cause Order and participated in a hearing on the motion for sanctions.

For the reasons given above, we AFFIRM the judgment of the district court.