

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

January 9, 2020

Lyle W. Cayce  
Clerk

\_\_\_\_\_  
No. 19-60265  
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In the Matter of: STEPHEN PAUL SMITH, JESSICA NICHOLE SMITH,

Debtors

STEPHEN PAUL SMITH; JESSICA NICHOLE SMITH, also known as  
Jessica Nichole Miles, also known as Jessica Nichole Burk,

Appellants

v.

MID-SOUTH MAINTENANCE, INCORPORATED, AN OKLAHOMA  
CORPORATION; MID-SOUTH MAINTENANCE, INCORPORATED,  
MEMPHIS, A TENNESSEE CORPORATION; WORLDWIDE STEEL  
WORKS, INCORPORATED, AN OKLAHOMA CORPORATION,

Appellees

\_\_\_\_\_  
Appeal from the United States District Court  
Northern District of Mississippi  
USDC 3:18-CV-111  
\_\_\_\_\_

Before HIGGINBOTHAM, STEWART, and ENGELHARDT, Circuit Judges.

PER CURIAM:\*

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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 R. 47.5, the court has determined that this opinion should not  
be published and is not precedent except under the limited circumstances set forth in 5TH  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.

This appeal comes to us from the district court, which reviewed decisions by the bankruptcy court. “We review a district court’s affirmance of a bankruptcy court decision by applying the same standard of review to the bankruptcy court decision that the district court applied.” *UTSA Apts. L.L.C. v. UTSA Apts. 8, L.L.C. (In re UTSA Apts. 8, L.L.C.)*, 886 F.3d 473, 485 (5th Cir. 2018) (internal quotation marks omitted).

Here, the district court appropriately reviewed the bankruptcy court’s post-trial findings of fact for clear error and its conclusions of law de novo. *Smith v. Mid-S. Maint., Inc.*, 363 F. Supp. 3d 701, 703 (N.D. Miss. 2019); *In re UTSA Apts. 8, L.L.C.*, 886 F.3d at 485 (reviewing district court’s findings of fact for clear error and its conclusions of law de novo). Essentially for the reasons explained by the district court, we agree that the bankruptcy court did not err in denying Stephen and Jessica Smith’s motion to dismiss the adversary complaint filed by the Mid-South creditors in this case. *Burk v. Smith (In re Burk)*, 583 B.R. 655, 674 (Bankr. N.D. Miss. 2018), *aff’d sub nom. Smith*, 363 F. Supp. 3d at 702–10. Nor did the bankruptcy court err in finding—in a thoroughly-reasoned 35-page opinion following a three-day trial—that the Smiths’s debts to the Mid-South creditors are nondischargeable under 11 U.S.C. sections 523(a)(2)(A) and 523(a)(6). *See id.* Accordingly, we AFFIRM.