

FILED

February 7, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-60117

In the Matter of: RICHARD MOORE; BOBBY BROOKS; PIGS TO HOGS INC;
GONE HOG WILD; PIG PALACE INC; JAMES BLISSARD; JERRY MILNER

Debtors

JIM NORMAN; BARBARA NORMAN; LARRY BENNETT; PEGGY BENNETT; CHESTER
BRASSFIELD; ET AL

Appellants

v.

PRESTAGE FARMS INC; JAMES E BLISSARD; BOBBY D BROOKS; JERRY
MILNER; ROBERT MOORE, doing business as Richard Moore Swine
Farms; GONE HOGWILD INC; PIG PALACE INC; PIGS TO HOGS INC

Appellees

Appeal from the United States District Court
for the Northern District of Mississippi, Oxford
USDC No. 3:04-CV-54

Before KING, GARZA, and PRADO, Circuit Judges.

PER CURIAM:*

The order of the district court affirming the order of the
bankruptcy court overruling the motion to remand for lack of
subject matter jurisdiction is AFFIRMED. In so doing, we do not
address (because it is unnecessary to do so) whether diversity
jurisdiction is a proper basis for removal.

AFFIRMED. The mandate shall issue forthwith.

* 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this opinion should not be published and is not precedent except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.