

NOT RECOMMENDED FOR FULL-TEXT PUBLICATION

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**United States Court of Appeals
FOR THE SIXTH CIRCUIT**

No. 07-4045

Thomas D. Sparks; Dorothy E. Sparks, *
*
Appellants, *
* Appeal from the United States
v. * District Court for the Southern
* District of Ohio.
HSBC Auto Finance, *
*
Appellee. *

Before KEITH, GRIFFIN, and GIBSON,* Circuit Judges.

PER CURIAM.

Debtors Thomas D. and Dorothy E. Sparks appeal from the district court's order affirming the bankruptcy court's order sustaining HSBC's objection to the Debtors' proposed plan. HSBC did not file a brief before this court. However, it appears to the court that the bankruptcy court order in question is not a final, appealable order, in that it merely denied confirmation to a proposed plan and ordered the Debtors to

*The Honorable John R. Gibson, United States Circuit Judge for the Eighth Circuit Court of Appeals, sitting by designation.

file an amended plan. (See JA 127) Under 28 U.S.C. § 158(d), we have jurisdiction to hear appeals from all "final decisions, judgments, orders, and decrees entered under [§ 158(a)]." A bankruptcy court's order denying confirmation of a proposed plan under Chapter 13 without dismissing the case is not a final, appealable order. Jefferson Fin'l Servs. v. Hance, 234 F.3d 1268 (6th Cir. 2000) (unpublished); Zahn v. Fink, 526 F.3d 1140, 1143 (8th Cir. 2008) (collecting Circuit cases). Accordingly, we must dismiss this appeal for lack of jurisdiction.

The appeal is DISMISSED.