UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Briscoe v. Rami et al.

Briscoe · No. 8:25-cv-1184-PX · Decided March 16, 2026

SUMMARY

The United States District Court for the District of Maryland dismissed Maurice Briscoe’s bankruptcy appeal for failing to designate the appellate record and file an opening brief as required by the Federal Rules of Bankruptcy Procedure and applicable local rules. The court found negligence, prejudice to the appellees, and a history of noncompliance, and denied Briscoe’s other pending motions as moot.

CASE DETAILS

COURT	United States District Court for the District of Maryland
WRITING FOR THE COURT	Paula Xinis
JURISDICTION	United States District Court for the District of Maryland
DECIDED	March 16, 2026
DOCKET	8:25-cv-1184-PX
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant sought review of bankruptcy-court orders, including an order favorable to Safe Asset, denial of a summary-judgment motion by Rami, and denial of Briscoe's motion to recuse the bankruptcy judge. Appellees moved to dismiss the bankruptcy appeal because Briscoe failed to designate the record and file an opening brief.
STANDARD OF REVIEW	The district court applied the procedural standards governing dismissal of a bankruptcy appeal for failure to designate the record and file a brief, including consideration of negligence or bad faith, notice and opportunity to explain, prejudice, and the impact of dismissal and available alternatives.
PRECEDENTIAL VALUE	Unpublished memorandum order; precedential status not identified in the source.
PARTIES	Maurice Briscoe v. Pathik Rami, Safe Asset Group Limited Partnership

TOPICS

appellate procedure bankruptcy civil procedure sanctions

PRACTICE AREAS

Bankruptcy Appellate Procedure Civil Procedure

QUESTIONS PRESENTED

1. Whether the bankruptcy appeal should be dismissed because Briscoe failed to designate the record and statement of issues within the time required by Federal Rule of Bankruptcy Procedure 8009.
2. Whether the bankruptcy appeal should be dismissed because Briscoe failed to serve and file an opening brief within the time required by Federal Rule of Bankruptcy Procedure 8018.
3. Whether dismissal was appropriate under Federal Rule of Bankruptcy Procedure 8003(a)(2) after considering negligence, notice and opportunity to explain, prejudice, and the effect of the sanction.

HOLDINGS

1. An appellant's failure to designate the items to be included in the bankruptcy appellate record and the statement of issues, coupled with transmission of the entire bankruptcy docket instead of a proper designation, supports dismissal when the appellant has been given an opportunity to explain and the noncompliance prejudices the proceedings.
2. Failure to serve and file an opening brief within the time prescribed by the bankruptcy appellate rules is an independent basis for dismissal of the appeal when the appellant has received notice and has not sought an extension.
3. Dismissal of a bankruptcy appeal is appropriate under Rule 8003(a)(2) where the appellant's noncompliance reflects at least negligence, the appellant received notice and an opportunity to explain, the appellees suffered prejudice, and dismissal is the appropriate remedy.

KEY QUOTATIONS

> *“An appellant’s failure to take any step other than timely filing a notice of appeal is grounds for the Court “to act as it considers appropriate, including dismissing the appeal.””*

> *“Before dismissing an appeal under Rule 8003(a)(2), however, the Court must take at least one of the following steps: “(1) make a finding of bad faith or negligence; (2) give the appellant notice and an opportunity to explain the delay; (3) consider whether the delay had any possible prejudicial effect on the other parties; or (4) indicate that it considered the impact of the sanction and available alternatives.””*

FACTUAL BACKGROUND

Briscoe filed a bankruptcy petition that was initially under Chapter 7, converted to Chapter 13, and later reconverted to Chapter 7 after he failed to file required monthly reports. Following bankruptcy-court rulings concerning Safe Asset, Rami's summary-judgment motion, and Briscoe's recusal motion, Briscoe noticed an appeal. Rather than designate the relevant portions of the record, he transmitted the entire bankruptcy docket and never filed the required opening brief, despite notice from the district court and the filing of multiple additional motions.

PROCEDURAL HISTORY

Briscoe's Chapter 7 bankruptcy case was converted to Chapter 13 and later reconverted to Chapter 7 after he failed to file required monthly reports. After the bankruptcy court entered the challenged orders, Briscoe filed a notice of appeal on April 9, 2025. He failed to designate the record and file an opening brief, did not respond to a show-cause order, and instead sought transmission of the entire bankruptcy record. The district court granted Appellees' motion to dismiss, dismissed the appeal, denied Briscoe's other motions as moot, and closed the case.

DISPOSITION

dismissed

CASES CITED

- In re Briscoe, No. 23-12106-MCR (D. Md. Bankr.)
- Slavinsky v. Educ. Credit Mgmt. Corp., 362 B.R. 677, 679 (D. Md. 2007)
- In re Serra Builders, Inc., 970 F.2d 1309, 1311 (4th Cir. 1992)
- In re SPR Corp., 45 F.3d 70, 74 (4th Cir. 1995)
- Myers v. Schlossberg, No. CV PX-18-3783, 2019 WL 414875, at *1–2 (D. Md. Feb. 1, 2019)
- Green v. Prince George’s Cnty. Off. of Child Support, No. CV PJM-21-1335, 2022 WL 484938, at *3 (D. Md. Feb. 15, 2022)
- Reid v. Cohen, No. PWG-19-752, 2020 WL 886181, at *3 (D. Md. Feb. 24, 2020)
- Strickland-Lucas v. Herr, 600 F. Supp. 3d 585, 589 (D. Md. 2022)
- Lewis v. U.S. Tr., Civ. No. GJH-16-2440, 2017 WL 772407, at *2 (D. Md. Feb. 27, 2017)
- Pelgrim v. Goldstein, Civ. No. 24-01958-JRR, 2024 WL 4893642 (D. Md. Nov. 26, 2024)