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2014 Decisions

Opinions of the United  
States Court of Appeals  
for the Third Circuit

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1-17-2014

## In Re: Murpenter LLC

Precedential or Non-Precedential: Non-Precedential

Docket 13-1234

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 13-1234

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In re: MURPENTER LLC, D/B/A UNIGLOBE WINGS TRAVEL

CARMEN ENTERPRISES, INC.,  
Appellant

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On Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
District Court No. 2-12-cv-05060  
District Judge: The Honorable J. Curtis Joyner

Submitted Pursuant to Third Circuit L.A.R. 34.1(a)  
January 6, 2014

Before: SMITH, SHWARTZ, and SCIRICA, *Circuit Judges*

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JUDGMENT ORDER

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This cause came on to be considered on the record from the United States District Court for the Eastern District of Pennsylvania and was submitted on January 6, 2014. Carmen Enterprises, Inc. (“Carmen Enterprises”) appeals from an order of the United States District Court for the Eastern District of Pennsylvania, affirming an order of the United States Bankruptcy Court for the Eastern District of Pennsylvania that granted in part and denied in part Carmen Enterprises’ motion for sanctions against counsel for Murpenter LLC. Carmen Enterprises argues that the Bankruptcy Court erred in imposing

monetary sanctions based on Murpenter LLC's bad faith filing of its bankruptcy petition in an amount less than the amount of sanctions requested by Carmen Enterprises. Carmen Enterprises also argues that the Bankruptcy Court erred in declining to impose sanctions against Murpenter LLC's counsel based on its response to Carmen Enterprises' motion for sanctions.

The District Court had jurisdiction pursuant to 28 U.S.C. § 158(a). We have jurisdiction pursuant to 28 U.S.C. § 158(d) and 28 U.S.C. § 1291. We review the Bankruptcy Court's legal conclusions *de novo*, its factual findings for clear error, and the imposition of sanctions for abuse of discretion. *In re Miller*, 730 F.3d 198, 203 (3d Cir. 2013). For substantially the same reasons as those given by the District Court, we will affirm.

On consideration whereof, it is now hereby ADJUDGED and ORDERED that the judgment of the District Court entered December 21, 2012, be and the same is hereby AFFIRMED. Costs taxed against Appellant.

By the Court,

s/D. Brooks Smith  
Circuit Judge

ATTEST:

s/ Marcia M. Waldron  
Clerk

Dated: January 17, 2014