

Rule 7055-2

Dismissal for Want of Prosecution

(a) Grounds. In any adversary proceeding in which no action has been taken by any party during the preceding six (6) months, the court may enter an order giving notice to all persons who have entered their appearance that the adversary proceeding will be dismissed thirty (30) days from the date of the order, subject to the provisions of subsection (c) of this LBR.

(b) Dismissal. Subject to the provisions of subsection (c) of this LBR, after the thirtieth (30th) day following the entry of the order the court will enter an order of dismissal without prejudice and serve the order upon the appearing parties.

(c) Avoiding Dismissal. An adversary proceeding will not be dismissed for want of prosecution under this LBR if a party to the proceeding files a motion within thirty (30) days of the entry of the order.

(d) Effect of Dismissal. The dismissal of an adversary proceeding pursuant to this LBR is without prejudice and without the imposition of costs, unless the court orders otherwise.