

Filed at 4 O'clock & 33 min. P.M.
Date: 2-1-91
IN THE UNITED STATES BANKRUPTCY COURT
FOR THE

SOUTHERN DISTRICT OF GEORGIA
Savannah Division

IN RE:) Chapter 11 Case
) Number 85-40639
DONALD E. AUSTIN)
)
Debtor-in-Possession)
_____)
)
DONALD E. AUSTIN)
)
Plaintiff)
)
vs.) Adversary Proceeding
) Number 90-4041
SIGNET COMMERCIAL CREDIT)
CORPORATION)
)
Defendant)

REPORT AND RECOMMENDATION TO THE DISTRICT COURT

By motion filed January 25, 1991, Donald E. Austin, plaintiff in this adversary proceeding and debtor-in-possession in the underlying Chapter 11 case has complied with the requirements of this court's order of January 10, 1991 by filing a motion seeking my recusal as presiding judge in this case. In addition to recusal in this adversary proceeding, Mr. Austin's motion, though filed only in this case, seeks my removal as presiding judge in "the bankruptcy case of Donald E. Austin and its adversary proceeding, and . . . from the bankruptcy cases of Rose Marine, Inc., case No. 486-00143

and Diamond Mfg. Co., Inc., case No. 485-00555 and their adversary proceedings."

It is therefore the report and recommendation of this court that the United States District Court for the Southern District of Georgia revoke the reference of 28 U.S.C. §157(a) of the motion or disqualification, set hearing and enter final order.

JOHN S. DALIS
UNITED STATES BANKRUPTCY JUDGE

Dated at Augusta, Georgia
this 1st day of February, 1991.