

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 21-10205

Non-Argument Calendar

In Re: ROBERT L. WALKER,
TAMIKO N. PEELE,

Debtors.

ROBERT WALKER,
TAMIKO N. PEELE,

Plaintiffs-Appellants,

versus

BARRY S. MITTELBERG,
BARRY S. MITTELBERG, PA,

Defendants-Appellees.

Appeals from the United States District Court
for the Southern District of Florida
D.C. Docket No. 9:20-cv-81366-WPD

Before JORDAN, NEWSOM, and LAGOA, Circuit Judges.

PER CURIAM:

Robert Walker and Tamiko Peele, Chapter 13 debtors proceeding *pro se*, appeal the district court's order affirming the bankruptcy court's orders granting Barry Mittelberg's motions to allow a late-filed claim and for relief from a stay. Their notices of appeal indicate that they also seek to challenge the district court's orders granting various filing extensions.

After Walker and Peale filed this appeal, the bankruptcy court dismissed their Chapter 13 case. We recently dismissed their separate appeal of the district court's denial of their motion to reconsider that Chapter 13 case's dismissal. *Walker v. U.S. Bank Nat'l Ass'n*, No. 21-13937, 2022 WL 5237915, at *1 (11th Cir. Oct. 6, 2022). We also recently affirmed the district court's denial of a temporary injunction against their attorneys in the bankruptcy proceeding. *In re Walker*, No. 21-12114, 2022 WL 4477259, at *1 (11th Cir. Sept. 27, 2022).

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Opinion of the Court

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We now deny as moot¹ Walker and Peale’s appeal of orders related to Mittelberg—Walker’s attorney in a previous personal-injury case. As we explained in our earlier decision, we lack jurisdiction if a case is moot—for example, because the dismissal of a Chapter 13 case makes it impossible to grant the prevailing party any effectual relief. *Id.* at *1 (citing *Neidich v. Salas*, 783 F.3d 1215, 1216 (11th Cir. 2015)). We can provide relief on collateral matters, but we can’t change the completed bankruptcy plan. *Id.*

Here, this appeal is moot because the district court order that Walker and Peale challenge relates to Mittelberg’s claim in the bankruptcy plan—it doesn’t concern a collateral matter. To the extent any of the various grievances and requests for relief that Walker and Peele raise on appeal are collateral matters, those arguments and requests for relief are outside the scope of this appeal.²

DISMISSED AS MOOT.

¹ We review jurisdictional issues *de novo* and can consider jurisdiction *sua sponte*. *In re Donovan*, 532 F.3d 1134, 1136 (11th Cir. 2008).

² Walker and Peele also move for fees and costs and for judicial notice of related proceedings. We conclude that granting that relief would be inappropriate here. Accordingly, we deny those motions as moot.