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**United States Court of Appeals
For the First Circuit**

No. 05-9008

IN RE: PATRICIA BUSHAY,
Debtor,

PATRICIA BUSHAY,
Plaintiff, Appellant,

v.

MARIE MCDONNELL,
Defendant, Appellee.

ON APPEAL FROM THE UNITED STATES BANKRUPTCY
APPELLATE PANEL FOR THE FIRST CIRCUIT

Before

Torruella, Circuit Judge,
Stahl, Senior Circuit Judge,
and Lipez, Circuit Judge.

David G. Baker and Peter C. Lacy on brief for appellant.
Marie McDonnell on brief pro se.

July 5, 2006

Per Curiam. In this appeal from a final decision of the Bankruptcy Appellate Panel ("BAP"), appellant Patricia Bushay, a Chapter 13 debtor, seeks further review of the bankruptcy court's dismissal of her adversary complaint for failure to comply with a discovery order. We review the bankruptcy court's ruling for abuse of discretion. See Bachier-Ortiz v. Colon-Mendoza, 331 F.3d 193, 194 (1st Cir. 2003). Essentially for the reasons stated by the BAP in its thorough decision, see In re Bushay, 327 B.R. 695 (1st Cir. B.A.P. 2005), we affirm. We add only that appellant's lack of notice argument is based on an unreasonably narrow reading of the order to show cause, and her contention that she lacked notice that the court would consider her well-documented history of noncompliance with discovery obligations over the course of the proceedings in addition to her noncompliance with the specific discovery order is belied by the transcript of the proceedings that preceded the show cause order.

To the extent appellant challenges the bankruptcy court's revision of the procedural basis for denying appellee's motion for summary judgment following its initial dismissal of the complaint, we see no error nor discernable harm to appellant.

Affirmed. See 1st Cir. Loc. R. 27(c).