

**PUBLICATIONS**

# Appellate Review of a Bankruptcy Court's Preliminary Injunction

## The Bankruptcy Strategist

**January 2023**

In his recent article for *The Bankruptcy Strategist* titled "Appellate Review of a Bankruptcy Court's Preliminary Injunction," Michael L. Cook discusses whether or not a bankruptcy court's preliminary injunction should be subject to appellate review.

"A bankruptcy court preliminary injunction should be reviewable as of right because of Supreme Court precedent, the rulings of other courts and common sense. Sound policy reasons also require appellate review, as explained below, because federal courts have a duty to decide cases. A district court's use of procedural facades to avoid making a decision should not be an option for an Article III court when a preliminary injunction is appealed from a non-Article III bankruptcy court."

Read the article [here](#).

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