



Dep't of Labor, 200 F.3d 1198, 1201 (8th Cir. 2000); In re Cool Fuel, Inc., 210 F.3d 999, 1001 (9th Cir. 2000), we conclude that the BAP properly dismissed the appeal as moot, see In re Rodriquez, 258 F.3d 757, 759 (8th Cir. 2001) (per curiam) (appellate court cannot modify sale in bankruptcy and must dismiss appeal as moot, if appellant has not received stay pending appeal); United States v. Fitzgerald, 109 F.3d 1339, 1342 (8th Cir. 1997) (debtor who fails to obtain stay of foreclosure sale has no remedy on appeal, and appeal is moot).

Accordingly, we affirm.

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