

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 18 2017

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In re: DUSTIN ROGER CHANTEL;  
ELIZABETH DARLENE CHANTEL,

Debtors.

No. 15-60055

BAP No. 14-1514

DUSTIN ROGER CHANTEL;  
ELIZABETH DARLENE CHANTEL,

Appellants,

MEMORANDUM\*

v.

UNITED STATES TRUSTEE,

Appellee.

Appeal from the Ninth Circuit  
Bankruptcy Appellate Panel  
Pappas, Jury, and Kirscher, Bankruptcy Judges, Presiding

Submitted July 11, 2017\*\*

Before: CANBY, KOZINSKI, and HAWKINS, Circuit Judges.

Chapter 7 debtors Dustin Roger Chantel and Elizabeth Darlene Chantel

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

appeal pro se from a judgment of the Bankruptcy Appellate Panel (“BAP”) affirming the bankruptcy court’s order denying the debtors a discharge. We have jurisdiction under 28 U.S.C. § 158(d). We affirm.

In the opening brief, the debtors fail to address how the bankruptcy court erred in denying them a discharge. As a result, the debtors have waived their challenge to the bankruptcy court’s order. *See Smith v. Marsh*, 194 F.3d 1045, 1052 (9th Cir. 1999) (“[O]n appeal, arguments not raised by a party in its opening brief are deemed waived.”); *Greenwood v. FAA*, 28 F.3d 971, 977 (9th Cir. 1994) (“We review only issues which are argued specifically and distinctly in a party’s opening brief.”).

We reject as without merit the debtors’ contentions concerning their right to a jury trial and court-appointed counsel, and regarding the timeliness of the United States Trustee’s adversary proceeding complaint.

The debtors’ “motion to grant default judgment under Federal Rules of Civil Procedure 55” (Docket Entry No. 20) is denied.

**AFFIRMED.**