

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 15 2022

FOR THE NINTH CIRCUIT

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

In re: WESTWOOD PLAZA NORTH, a
California general partnership,

Debtor.

SHMUEL ERDE,

Appellant,

v.

IRSFELD, IRSFELD & YOUNGER, LLP,

Appellee.

No. 21-60056

BAP No. 21-1046

MEMORANDUM*

Appeal from the Ninth Circuit
Bankruptcy Appellate Panel
Gan, Heston, and Lafferty III, Bankruptcy Judges, Presiding

Submitted December 8, 2022**

Before: WALLACE, TALLMAN, and BYBEE, Circuit Judges.

Shmuel Erde appeals pro se from the Bankruptcy Appellate Panel's decision

* 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).

affirming the bankruptcy court's order denying Erde's third motion for reconsideration. We have jurisdiction under 28 U.S.C. § 158(d). We review de novo the bankruptcy court's conclusions of law and for clear error its findings of fact. *Decker v. Tramiel (In re JTS Corp.)*, 617 F.3d 1102, 1109 (9th Cir. 2010). We affirm.

The bankruptcy court did not abuse its discretion by denying Erde's third motion for reconsideration of the order denying Erde's motion to vacate the dismissal of Westwood Plaza North's bankruptcy case because Erde failed to demonstrate any basis for relief. *See* Fed. R. Bankr. P. 9024 (making Fed. R. Civ. P. 60 applicable to bankruptcy cases); *Sch. Dist. No. 1J, Multnomah County, Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262-63 (9th Cir. 1993) (setting forth standard of review and grounds for relief under Rule 60(b)).

All pending motions and requests are denied.

AFFIRMED.