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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

In the Matter of: AVRAM MOSHE
PERRY,

Debtor,

AVRAM MOSHE PERRY,

Appellant,

v.

CHASE AUTO FINANCE; KEY AUTO
RECOVERY,

Appellees.

No. 12-55672

D.C. No. 2:12-cv-02599-R

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Manuel L. Real, District Judge, Presiding

Submitted November 18, 2014**

Before: LEAVY, FISHER, and N.R. SMITH, Circuit Judges.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

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

Avram Moshe Perry appeals pro se from the district court's order dismissing his interlocutory appeal of the bankruptcy court's order denying "Debtor-Plaintiff's Notice and Motion for an Order to Show Cause; For Clarification; Why Remand Order Not Be Dismissed, with a Stay and a Restraining Order; Request for Judicial Notice." We review de novo our own jurisdiction and whether a bankruptcy court's decision is final under 28 U.S.C. § 158(d). *Silver Sage Partners, Ltd. v. City of Desert Hot Springs (In re City of Desert Hot Springs)*, 339 F.3d 782, 787 (9th Cir. 2003). We dismiss.

The bankruptcy court's order denying Perry's motion is not a final decision over which we have appellate jurisdiction. *See United States v. Fowler (In re Fowler)*, 394 F.3d 1208, 1211 (9th Cir. 2005) (discussing "pragmatic approach to determining finality" of bankruptcy court orders and setting forth tests to determine finality); *see also Rains v. Flinn (In re Rains)*, 428 F.3d 893, 901 (9th Cir. 2005) (this court has jurisdiction only when both the bankruptcy court order and the decision of the district court acting in its bankruptcy appellate capacity are final orders).

Perry's motion to file supplemental excerpts of record, filed on July 12, 2013, is denied as moot. Perry's requests for judicial notice are denied as moot.

DISMISSED.