

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 21 2018

FOR THE NINTH CIRCUIT

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

In re: KENNY G ENTERPRISES, LLC,

No. 18-55181

Debtor.

D.C. No. 8:15-cv-00551-GW

KENNETH GHARIB,

MEMORANDUM*

Appellant,

v.

THOMAS H. CASEY, Chapter 7 Trustee,

Appellee.

Appeal from the United States District Court
for the Central District of California
George H. Wu, District Judge, Presiding

Submitted June 12, 2018**

Before: RAWLINSON, CLIFTON, and NGUYEN, Circuit Judges.

Kenneth Gharib appeals pro se from the district court's judgment dismissing his appeal of the bankruptcy court's initial contempt order. We have jurisdiction

* 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).

under 28 U.S.C. § 158(d). We affirm.

The district court properly dismissed Gharib's appeal of the bankruptcy court's initial contempt order after remand from this court. The district court addressed the bankruptcy court's enforcement of monetary sanctions and detention for Gharib's contempt in separate appeals from the bankruptcy court, and the record reflects that no issues remained that required further action from the district court.

We reject as without merit Gharib's contention that the district court should not have dismissed this appeal while his related appeals were still pending.

We do not consider documents not filed with the district court. *See United States v. Elias*, 921 F.2d 870, 874 (9th Cir. 1990).

Gharib's motion to file a corrected opening brief (Docket Entry No. 14) is granted. The Clerk shall file the opening brief and exhibits submitted at Docket Entry No. 15, the answering brief and supplemental excerpts of record submitted at Docket Entry Nos. 9 and 10, and the reply brief and exhibits submitted at Docket Entry No. 13.

Gharib's request for clarification of the briefing schedule (Docket Entry No. 6) is denied as unnecessary.

AFFIRMED.