

**MINUTES OF THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA**

Compton v. Crawford

Case No. 3:06-cv-151 -TMB
Bankruptcy Adv. Proc. A05-90020 DMD

By: THE HONORABLE TIMOTHY M. BURGESS

PROCEEDINGS: ORDER FROM CHAMBERS

The Bankruptcy Court has filed a *sua sponte* motion to withdraw reference in this matter. Docket 1. The Report and Recommendation of the Bankruptcy Court indicates that a trial of this matter was held on May 10, 2006, and recommends entry of an order and judgment in favor of the plaintiff for the sum of \$15,000.00 together with interest, costs and attorney's fees. *Id.*

Defendant Crawford has filed objections to the Report and Recommendation, and an Opposition to the Withdrawal of Reference, complaining that he was not provided with notice of the May 10, 2006, trial date, and therefore was not provided the opportunity to attend trial. Defendant requests a new trial.

IT IS THEREFORE ORDERED:

The Motion to Withdraw Reference is DENIED, without prejudice. This matter is REMANDED to the Bankruptcy Court for resolution of the Defendant's objections to the Report and Recommendation and, if appropriate, for a new trial. *See* AK LBR 9023-1.

Entered at the direction of the Honorable Timothy M. Burgess, United States District Judge.

DATE: June 30, 2006