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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

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10 Daniel Lee Liniger,

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12 Debtor/Appellant.

13 vs.

14 BAC Home Loans Servicing LP, f/k/a
15 Countrywide Home Loans Servicing, LP,

16 Appellee.

No. CV10-2075-PHX-DGC

No. 2:09-ap-01706-GBN
No. 2:09-bk-03241-GBN
BAP No. AZ-10-1349

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18 Appellant Daniel Liniger appealed a final judgment entered by the bankruptcy
19 court in favor of BAC Home Loans Servicing, LP on September 9, 2010. Doc. 1 at
20 10-11. After full briefing, the Court entered an order on March 23, 2011, affirming the
21 bankruptcy court's decision and terminating this action. Doc. 12.

22 Appellant has now filed a Motion to Set Aside Judgment. Doc. 13. The motion
23 argues that Appellee misled the bankruptcy court and this Court when it claimed an
24 interest in Appellant's property. Appellant's motion is not properly filed in this Court.
25 This Court had appellate jurisdiction over Appellant's appeal, exercised that jurisdiction,
26 and terminated this case. Doc. 12. As a result, Appellant no longer has a case pending in
27 this Court, and this Court has no jurisdiction to grant the relief Appellant requests. The
28 motion therefore will be denied.

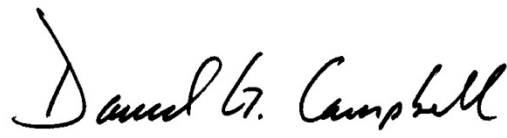
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Appellant has also filed a Motion for Temporary Restraining Order. Doc. 14. The motion asks this Court to enjoin a foreclosure of Appellant's property scheduled for December 2, 2011. Because Appellant has no case pending in this Court, this Court lacks jurisdiction to enter the requested temporary restraining order. The motion will be denied.

IT IS ORDERED:

1. The Motion to Set Aside Judgment (Doc. 13) is **denied**.
2. The Motion for Temporary Restraining Order (Doc. 14) is **denied**.

Dated this 1st day of December, 2011.



David G. Campbell
United States District Judge