

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

JS-6

**CIVIL MINUTES -- GENERAL**

Case No. **CV 14-6638-JFW**  
**CV 14-8549-JFW**

Date: May 14, 2015

Title: In re Lofton Ryan Burris  
Lofton Ryan Burris, Appellant -v- Deutsche Bank National Trust Company, et al., Appellees

**PRESENT:**

**HONORABLE JOHN F. WALTER, UNITED STATES DISTRICT JUDGE**

**Shannon Reilly**  
**Courtroom Deputy**

**None Present**  
**Court Reporter**

**ATTORNEYS PRESENT FOR PLAINTIFFS:**

None

**ATTORNEYS PRESENT FOR DEFENDANTS:**

None

**PROCEEDINGS (IN CHAMBERS):**

**DISMISSAL OF CONSOLIDATED APPEALS FOR  
LACK OF PROSECUTION**

On August 22, 2014, Appellant Lofton Ryan Burris ("Debtor") filed a Notice of Appeal regarding an order dismissing his objection to appellee Deutsche Bank and Wells Fargo's claims in his bankruptcy proceeding (the "Bankruptcy Appeal"). On November 4, 2014, Debtor filed a second Notice of Appeal regarding an order dismissing Debtor's adversary proceeding (the "Adversary Appeal"). On December 17, 2014, this Court consolidated the two appeals.

On October 23, 2014, the United States Bankruptcy Court for the Central District of California transmitted an Appeal Deficiency Notice to the Clerk of this Court, advising that Debtor had failed to file a Statement of Issues, Designation of Record, and Notice of Transcript in the Bankruptcy Appeal as required by Federal Rules of Bankruptcy Procedure. On November 25, 2014, the United States Bankruptcy Court for the Central District of California transmitted a second Appeal Deficiency Notice to this Court, advising that Debtor had failed to file a notice of transcript in the Adversary Appeal as required by Federal Rules of Bankruptcy Procedure. Accordingly, on January 26, 2015, the Court issued an Order to Show Cause Re: Dismissal for Lack of Prosecution, and ordered Debtor to show cause, in writing, no later than February 6, 2015, why these appeals should not be dismissed for lack of prosecution. On February 6, 2015, Debtor filed a Response to the Court's Order to Show Cause, stating, in relevant part, that he had timely ordered

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a transcript.<sup>1</sup>

Based on Debtor's response, the Court continued the Order to Show Case to March 27, 2015. As of May 13, 2015, the Court has not received an additional response from Debtor or a Certificate of Readiness and Completion of Record from the Bankruptcy Court.

Accordingly, these consolidated appeals are hereby **DISMISSED** without prejudice for lack of prosecution.

IT IS SO ORDERED.

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<sup>1</sup>However, Debtor apparently requested a transcript for a hearing date of October 29, 2014, which is not the subject of the appeals before this Court.