

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **CV 16-3565-GW** Date September 15, 2017

Title ***In Re Peli Popovich Hunt*** Page 1 of 2

Present: The Honorable **GEORGE H. WU, UNITED STATES DISTRICT JUDGE**

Javier Gonzalez
Deputy Clerk

None Present
Court Reporter

Attorneys Present for Plaintiff(s)

Attorneys Present for Defendant(s)

None Present

None Present

Proceedings: IN CHAMBERS – RULING ON APPELLANT’S MOTION FOR FULL REMAND WITH RESTITUTION; AND REQUEST FOR SUA SPONTE RECUSAL [17]

Appellant Peli Popovich Hunt (“Appellant”) filed a Notice of Appeal (“NOA”) of a Bankruptcy Court Order approving a settlement agreement in the case of *In Re Peli Popovich Hunt*, 2:11-bk-58222-ER on May 23, 2016. *See* Docket No. 1. The Appellant requested a 30-day extension to file her opening brief, which the Court denied. *See* Motion for Extension of Time, Docket No. 10; July 25, 2016 Minute Order, Docket No. 12. The Appellant then filed a Motion for Reconsideration, Docket No. 13, which the Court denied. *See* August 2, 2016 Minute Order, Docket No. 14. Appellant failed to file an opening brief.

Now pending before the Court is the Appellant’s “Motion for Full Remand with Restitution and Request for Sua Sponte Recusal” (“Mot.”). *See* Docket No. 19. The Appellant’s moving papers are largely indecipherable but the “Motion” appears to be an attempt to appeal and/or renew her appeal of several Bankruptcy Court decisions, including rulings on three motions for summary judgment, in addition to the settlement approval that was the subject of the NOA she filed over a year ago. *See generally* Mot.

Local Bankruptcy Rule 4.4 (8018-4.4) provides that “[i]f an appellant fails to file a brief within the time provided by these rules, the district court may dismiss the appeal on its own motion or upon motion of the appellee.” Given that Appellant failed to file an opening brief and

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Page **2 of 2**

his request for an extension was denied over a year ago, the Court would DISMISS the Appeal on its own motion.

To the extent Appellant’s pending Motion seeks other relief, it fails to “state with particularity the grounds for the motion, the relief sought, and the legal argument necessary to support it.” Fed. R. Bankr. P. 8013. As a result, the Court would DENY the Motion¹.

In sum, the Court would DENY the Motion to Remand and DISMISS the Appellant’s Appeal on its own motion. Further, the Court would find that the matter can be decided without oral argument (*see* Local Rules: Central District of California 7-15) and, hence, the September 18, 2017 hearing is taken off-calendar.

¹ Appellant has been declared a vexatious litigant in the past, and has a habit of submitting incoherent motions and appeals. *See* Appellee’s Opposition to Appellant’s Motion for Extension of Time, Docket No. 11, pp. 2-4.