

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JS-6

**CIVIL MINUTES – GENERAL**

Case No.	5:21-cv-02009-ODW Bankruptcy Ct. Case No. 6:19-bk-10556-MH Adversary Case No. 6:20-ap-01022-MH	Date	May 9, 2022
Title	<i>In re Debtors Timothy Mark Aitken and Esmeralda Aitken</i>		

Present: The Honorable	Otis D. Wright II, United States District Judge		
Sheila English	Not reported		N/A
Deputy Clerk	Court Reporter / Recorder		Tape No.
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:	
Not present		Not present	

**Proceedings (In Chambers):**

On November 30, 2021, Appellant appealed from the United States Bankruptcy Court, Central District of California, and elected to proceed with the appeal before the Ninth Circuit Bankruptcy Appellate Panel. (Notice of Appeal, ECF No. 1.) Appellee objected, and as a result, the case was transferred to the U.S. District Court, Central District of California. (*See* Notice of Transfer, ECF No. 2.)

On December 1, 2021, the Court issued a Notice Regarding Appeal from Bankruptcy Court, notifying Appellant of certain filing requirements and deadlines. (Notice, ECF No. 3.) Specifically, the Court informed Appellant of the requirement to file with the Bankruptcy Court, within fourteen days of filing the notice of appeal, (1) a designation of record, (2) a statement of issues on appeal, and (3) a notice regarding the ordering of transcripts. (Notice 1.) Appellant was informed that “[t]he failure . . . to comply with time requirements as stated in this [N]otice and applicable rules may result in the dismissal of the appeal.” (*Id.* at 2.)

(cont’d)

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On January 7, 2022, the Court issued a Deficiency Notice indicating that Appellant had not filed a Statement of Issues, a Notice of Transcript, and any Transcripts, as required by Federal Rules of Bankruptcy Procedure 8003 and 8009. (Deficiency Notice, ECF No. 6.) A review of the dockets here and before the Bankruptcy Court reveals that, as of today's date, Appellant has not filed any of these required documents with court. Consequently, this appeal is **DISMISSED** for failure to prosecute.

**IT IS SO ORDERED.**

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