

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 24- 863 PA Date May 8, 2024

Title In re Fariborz Wosoughkia, et al.

Present: The Honorable PERCY ANDERSON, UNITED STATES DISTRICT JUDGE

Kamilla Sali-Suleyman

None

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None

None

Proceedings: IN CHAMBERS- ORDER TO SHOW CAUSE

The appeal in the above bankruptcy matter has been assigned to this Court. Bankruptcy Rules 8001(a) and 8002 require that Appellant file a notice of the appeal with the Clerk of the Bankruptcy Court within fourteen (14) days of the date of entry of the Order, Judgment or Decree from which the appeal is taken. See 11 U.S.C. § 158(c)(2) (an appeal to the BAP or district court from a bankruptcy court must be taken within the time provided by Fed. R. Bankr. P. 8002). Failure to timely file the notice deprives the Court of jurisdiction. In the Matter of Ramsey, 612 F.2d 1220, 1222 (9th Cir. 1980); see also Anderson v. Mouradick (In re Mouradick), 13 F.3d 326, 327 (9th Cir. 1994) (“The provisions of Bankruptcy Rule 8002 are jurisdictional....”).

The Notice of Appeal was filed by appellant Fariborz Wosoughkia (“Appellant”) on April 18, 2024. According to the Notice of Appeal, Appellant appeals the Bankruptcy Court’s April 4, 2023 Confidential Settlement and Stipulated Judgment Order (“Stipulated Judgment”). Although the Notice of Appeal states that the Stipulated Judgment was entered on April 10, 2024, the document (that is attached to the Notice of Appeal) and the Bankruptcy Court docket show that the Stipulated Judgment was entered on April 4, 2023, more than one year prior to filing of the Notice of Appeal.

The Court therefore orders Appellant to show cause in writing, on or before July 17, 2024 why this appeal should not be dismissed for lack of jurisdiction as untimely. Appellee’s response, if any, shall be filed no later than July 24, 2024. The failure to timely or adequately respond to this order to show cause may result in the imposition of sanctions, including but not limited to dismissal of the action. Nothing in this order modifies the deadlines contained in the Notice Regarding Appeal from Bankruptcy Court issued on April 24, 2024. Failure to comply with the deadlines contained in the Notice Regarding Appeal from Bankruptcy Court may result in the dismissal of this appeal without further warning.

IT IS SO ORDERED.