

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

10 ||| TIMOTHY DAVID REYNOLDS and  
FAITH DANIELLE REYNOLDS,

CASE NO. CV F 10-1388 LJO

## Appellants,

## **ORDER TO ADMONISH APPELLANTS**

V.

13 FORD MOTOR CREDIT COMPANY,  
14 LLC, and MICHAEL MEYER, CHAPTER  
13 TRUSTEE,

Appellee.

17 On September 15, 2010, this Court ordered appellants Timothy David Reynolds and Faith  
18 Danielle Reynolds (“appellants”) to show cause why this appeal should not be dismissed for failure to  
19 prosecute the appeal. Appellants failed to comply with F.R.B.P. 8006 and , failed to file within 14 days  
20 a designation of record, statement of issues on appeal and a notice regarding the ordering of transcripts  
21 with the bankruptcy court, and failed to take any action to proceed in this case.

On September 17, 2010, appellants responded to the order to show cause. Appellants explain:  
23 (1) the necessary documents were filed on September 16, 2010; (2) they have been attempting to resolve  
24 this matter with appellee's counsel since the appeal was filed; (3) this Court will be bound by a decision  
25 of the Ninth Circuit court of Appeals which has a pending petition for rehearing en banc; and (4) there  
26 has been no prejudice to appellee for the delay because payments are being made by the Chapter 13  
27 Trustee to Appellee pending this appeal.

1 On September 21, 2010, the certificate of record issued, but that order was disregarded on  
2 September 24, 2010.

3           Although appellants have now taken the required action, appellants fail to explain why they took  
4 no action prior to this Court’s show cause order. Appellants have failed to demonstrate good cause why  
5 they failed to comply with the Federal Rules of Bankruptcy Procedure, rules that are necessary to perfect  
6 the appeal. Accordingly, appellants are **ADMONISHED** that further failure to comply with federal  
7 rules, local rules, or a court order **shall** result in sanctions, which may include monetary sanctions and/or  
8 dismissal.

9 IT IS SO ORDERED.

10 | Dated: September 24, 2010

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE