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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

No. C-13-3624 MMC

In re

Bankruptcy Case No. 13-30374

KISHORE KRIPALANI,

Debtor

**ORDER DENYING WITHOUT  
PREJUDICE APPELLANT'S REQUEST  
FOR STAY PENDING APPEAL;  
VACATING OCTOBER 18, 2013  
HEARING**

By order filed October 7, 2013, the Court directed appellant Kishore Kripalani ("Kripalani") to show cause why his request for a stay pending appeal should not be denied for failure to comply with Rule 8005 of the Federal Rules of Bankruptcy Procedure, i.e., for failing to first seek a stay from the bankruptcy court.

Before the Court is Kripalani's response, filed October 11, 2013, wherein he states he will seek a stay from the bankruptcy court, and requests this Court grant him a temporary stay in the interim.

Kripalani cites no authority for such temporary interim relief. In any event, a review of the bankruptcy court's docket indicates that Kripalani, on October 14, 2013, filed with the bankruptcy court both a request for a stay and a request that the matter be heard on shortened time and prior to the upcoming Superior Court proceedings of concern to him.


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1           Accordingly, for the reasons stated in the Court's order to show cause, the request  
2 for a stay filed in this Court is hereby DENIED without prejudice to the bankruptcy court's  
3 consideration of the matter presently pending in that forum.

4           In light of the above, the hearing scheduled for October 18, 2013 is hereby  
5 VACATED.

6           **IT IS SO ORDERED.**

7  
8 Dated: October 15, 2013

  
MAXINE M. CHESNEY  
United States District Judge

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