

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

MARTIN D. GARCIA,

Appellant,

v.

Office of the Trustee,

Appellee.

No. 10-01487 CW

ORDER DISMISSING
BANKRUPTCY APPEAL

_____/

On April 8, 2010, Appellant Martin D. Garcia filed a notice of appeal from a judgment of the bankruptcy court. On May 13, 2010, United States Bankruptcy Court Judge Alan Jaroslovsky filed a recommendation that the appeal be dismissed due to Appellant's failure to complete the record on appeal with the clerk of the bankruptcy court by supplying a designation of record and a statement of issues as required by Bankruptcy Rule 8006.

Under Bankruptcy Rule 8006, within ten days after filing the notice of appeal, the appellant shall file with the clerk and serve on the appellee a designation of the items to be included in the record on appeal and a statement of the issues to be presented. Because Appellant filed his notice of appeal on April 8, 2010, his designation of record and statement of issues should have been filed no later than April 19, 2010. Because Appellant did not

1 complete the record by the date required by Bankruptcy Rule 8006,
2 the Court adopts the recommendation of the bankruptcy court and
3 dismisses this appeal.

4 CONCLUSION

5 Accordingly, this bankruptcy appeal is dismissed. The clerk
6 shall close the file.

7
8
9 IT IS SO ORDERED.

10
11 Dated: May 27, 2010

Claudia Wilken

CLAUDIA WILKEN
United States District Judge