

United States District Court  
For the Northern District of California

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E-FILED on 2/3/2011

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

RYAN MELCHER,  
  
Appellant,  
  
v.  
  
JOHN W. RICHARDSON, Trustee in  
Bankruptcy,  
  
Appellee.

No. 11-cv-00342 RMW  
  
ORDER DENYING REQUEST FOR  
EXTENSION OF TIME

Ryan Melcher commenced the above noticed appeal on January 12, 2011. On October 21, 2011, Mr. Melcher was ordered to file adequate designations of the record with the bankruptcy court, to be transmitted to the district court by November 4, 2011. On November 4, 2011, Mr. Melcher filed a notice indicating simply: "I stand by the designation of record on appeal." Dkt. No. 32. On November 8, 2011, Mr. Melcher requested permission from the bankruptcy court to "amend the current record on appeal." See Dkt. No. 33. On December 30, 2011, after the filing of both Mr. Melcher's opening brief and Appellee's responsive brief, and seven days after the deadline for the filing of Mr. Melcher's Reply Brief, Mr. Melcher filed this request for an extension of time to file a reply brief, claiming that there were problems with the designation of record because he had filed his request with the wrong court. Mr. Melcher fails to sufficiently explain his delay of nearly two

1 months in correcting his mistaken filing or his failure to comply with the local rules in filing his  
2 reply. His request for an extension of time is therefore denied. The appeal will proceed on the  
3 current briefing and record as identified by Mr. Melcher in Dkt. No. 15.

4 DATED: 2/3/2011

*Ronald M. Whyte*  
RONALD M. WHYTE  
United States District Judge

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