

**UNITED STATES BANKRUPTCY APPELLATE PANEL
OF THE TENTH CIRCUIT**

In re CHRISTOPHER RUSSELL
POWELL, formerly doing business as
Powell Homes, Inc., formerly doing
business as Superior Basement Finish,
Inc., and TRACEY LYNN POWELL,

Debtors.

JAMES MCCARTY,

Plaintiff - Appellant,

v.

CHRISTOPHER POWELL and
TRACEY POWELL,

Defendants - Appellees.

BAP No. CO-07-098

Bankr. No. 05-36499-MER
Adv. No. 05-02024-MER
Chapter 7

ORDER TRANSFERRING
APPEAL
TO U.S. DISTRICT COURT

September 19, 2007

Tracey Powell and Christopher Powell, appellees in this appeal, have timely filed an objection to the disposition of this matter by this Court.

Pursuant to 28 U.S.C. § 158(c)(1) and Fed. R. Bankr. P. 8001(e), it is HEREBY ORDERED that:

- (1) This appeal is transferred to the United States District Court for the District of Colorado.

- (2) Any deadlines, notices of deficiency, or orders to show cause previously set by this Court are VACATED.
- (3) Pending completion of the record, the case file is transmitted to the United States Bankruptcy Court. It is requested that the Bankruptcy Court acknowledge receipt of the case file listed above by returning one copy of this order, signed in the space indicated below.

For the Panel:
Barbara A. Schermerhorn, Clerk of Court

By:



Nicki Brown
Deputy Clerk

Please acknowledge receipt of the case file listed above.

Dated: _____

Signed: _____

Bankruptcy Court Deputy Clerk

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Notice of Docket Activity

The following transaction was entered on 09/19/2007 at 3:39:04 PM MDT and filed on 09/19/2007

Case Name: James McCarty v. Christopher Powell, et al

Case Number: 07-98

Document(s): Document(s)

Docket Text:

[58039] ORDER: Clerk's order filed GRANTING Appellees' Election [58038-2]. Mailed to all parties.

The following document(s) are associated with this transaction:

Document Description: form(s) sent

Original Filename: /opt/ACECF/bap-live/forms/07098_58039_Order-GrantElection_175.pdf

Electronic Document Stamp:

[STAMP acecfStamp_ID=1104938855 [Date=09/19/2007] [FileNumber=58039-0]

[d5b52c367b6f46991380f62086812384a3baebaf27477c0e0abd1854632027310c7b6dfda6e265ca978d77]

07-98 Notice will be mailed to:

Berken, Stephen E.
1159 Delaware Street
Denver, CO 80204

Bolton, Bradford L.
United States Bankruptcy Court, District of Colorado
721 19th Street
Denver, CO 80202-2508

Kleinman, Michael J.
9490 South Aspen Hill Way
Lone Tree, CO 80124

Smith, F. Kelly
216 16th Street, Suite 1210
Denver, CO 80202

The following information is for the use of court personnel:

DOCKET ENTRY ID: 58039

RELIEF(S) DOCKETED:

DOCKET PART(S) ADDED: 44556