

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE:

1:17-cv-10937-NMG

VICENTE PÉREZ ACEVEDO

APPELLANT

**MOTION FOR STAY PENDING APPEAL PURSUANT TO [FEDERAL
RULES OF CIVIL PROCEDURE] 8007(b)**

Banking Rules

NOW COMES Appellant and Debtor in the bankruptcy court (hereinafter Appellant or Debtor), by the undersigned Counsel, and very respectfully requests that this Court issues a stay pending appeal pursuant to Federal Rules of Civil Procedure 8007(b). The Appellant first moved first in the bankruptcy court on May 21, 2017 requesting the stay pending appeal. The Court on May 23, 2017 ruled denying the motion for stay pending appeal (See Attached Exhibit A and B). No entity opposed Appellant's request for stay pending appeal; the Court ruled within 2 days of the motion; and no hearing was scheduled on the matter by the bankruptcy court.

Thus, Appellant moves in this Court for the stay pending appeal. In support thereof of this further request, Appellant states that there are numerous entities attempting to seize, forfeit, and foreclose on the assets of the Debtor. Debtor/Appellant also states as follows:

FACTS

1. On October 10, 2012 Debtor filed for bankruptcy protection under Chapter 13 of the Bankruptcy Code.
2. Debtor filed his bankruptcy schedules listing the Department of Education with a claim in the amount of \$3,978.00. This was the amount that Debtor owed

Because the appellant/debtor is entitled to file in the Bankruptcy Court a motion for contempt for any violation of his discharge, Motion denied without prejudice.

S/M Gorton, USDJ 7/5/17