

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

LELA WALTER,)
)
 Plaintiff,)
)
vs.)
)
CLARION MORTGAGE CAPITAL,)
INC., et al.,)
)
 Defendants.)

Case No. 08-0536-CV-W-GAF

ORDER

On January 12, 2010, this Court entered a final judgment (the “Judgment”) in this case (Doc. ## 136, 142), whereby Plaintiff Lela Walter (“Plaintiff”) was awarded \$4,600.00 in actual damages and \$95,400.00 in punitive damages against Defendant Clarion Mortgage Capital, Inc. (“Clarion”). On April 27, 2010, the Court issued an Order (Doc. # 171) granting Clarion’s Motion to file a supersedeas bond with the Court in the amount of \$313,395.55 to protect Plaintiff’s interests during the pendency of Clarion’s appeal, which was taken on April 22, 2010 (Doc. # 167). That Order directed Clarion to pay the aforementioned bond to the Clerk of the Court within fifteen (15) days of the date of the Order. Additionally, under the Order, execution was stayed during this fifteen day period. (Doc. # 171). Thus, Clarion had until May 12, 2010, to file its supersedeas bond with the Court and was protected from enforcement of the Judgment until May 13, 2010. As of this date, Clarion has failed to file its supersedeas bond with the Court. Accordingly, the Court’s stay of execution has expired. *See* Fed. R. Civ. P. 62(d). Therefore, it is

ORDERED that the Clerk of the Court provide Plaintiff or her counsel with a certified copy of the Judgment.¹

s/ Gary A. Fenner
Gary A. Fenner, Judge
United States District Court

DATED: May 19, 2010

¹The Clerk of the Court is instructed to insert the following language in the appropriate place on Form AO 451 (Rev. 12/93) Certification of Judgment:

an appeal was taken from this judgment by Defendant Clarion Mortgage Capital, Inc. (“Defendant”); however, Defendant failed to file a supersedeas bond as instructed by the Honorable Judge Gary A. Fenner, and no stay of execution is presently in effect.