

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STEVE DURAN,

Appellant,

No. 1:17-cv-00690-MCA-KRS

v.

CRAIG H. DILL et al.,

Appellees.

ORDER DIRECTING APPELLANT TO CURE DEFECTS

THIS MATTER comes before the Court on the Clerk of the Bankruptcy Court's notice that the Clerk of Court is unable to transmit the record on appeal. In the notice, the Clerk observes that Appellant Steve Duran failed to file a designation of items to be included in the record as well as a statement of issues to be presented, which was required by July 12, 2017 under Federal Rule of Bankruptcy Procedure 8009(a)(1)(A).

Rule 8009(a)(1)(A) provides that "the appellant must file with the bankruptcy 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." An appellant must do so "within 14 days after: (1) the appellant's notice of appeal as of right becomes effective under Rule 8002; or (ii) an order granting leave to appeal is entered." The Court has reviewed the record and **FINDS** Appellant has not complied with his obligation to perfect the record on appeal by submitting the required materials.

IT IS, THEREFORE, ORDERED that Appellant file and serve his designation of the items to be included in the record on appeal as well as a statement of the issues to be presented on or before **August 11, 2017**.

IT IS FURTHER ORDERED that on or before **August 11, 2017**, Appellant shall take any additional steps required by the Clerk of the Bankruptcy Court to cure the defect and file a certificate in this Court reflecting his full compliance with Bankruptcy Rule 8009.

A handwritten signature in cursive script that reads "Kevin Sweazea". The signature is written in black ink and is positioned above a horizontal line.

KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE