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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

In re: Kenyon K. Kelly  
  
Debtor,

CASE NO. C12-5446 BHS  
  
ORDER DENYING  
APPELLANT’S MOTIONS AND  
TO SHOW CAUSE

This matter comes before the Court on Appellant James J. O’Hagen’s (“O’Hagen”) motion for order denying the debtor’s discharge of debts and dismissing bankruptcy case (Dkt. 16), motion for order relating to any and all automatic stays implied by the debtor’s serial bankruptcy filings (Dkt. 17), application for writ of habeas corpus (Dkt. 18), motion to dismiss case (Dkt. 21), and the bankruptcy clerk’s notice of deficiency (Dkt. 14). The Court has considered the pleadings filed in support of the motions and the remainder of the file and hereby denies the motions and orders O’Hagen to show cause for the reasons stated herein.

On May 14, 2012, O’Hagen appealed an order and judgment for sanctions against O’Hagen entered May 2, 2012, by United States Bankruptcy Judge Bryan D. Lynch.

1 Dkt. 1-1. On June 26, 2012, the bankruptcy clerk issued a notice of deficiency that  
2 O'Hagen had failed to file his designation of record and statement of the issues. Dkt. 12.  
3 On July 14, 2012, O'Hagen responded. Dkt. 13.

4 On August 1, 2012, the bankruptcy clerk issued another notice of deficiency  
5 stating that O'Hagen has failed to request appropriate transcripts for his designations of  
6 record. Dkt. 14. On September 20, 2012, O'Hagen responded and argued that Judge  
7 Lynch does not have jurisdiction over this matter. Dkt. 19. This is not an appropriate  
8 response. Therefore, O'Hagen shall show cause, if any there is, why the Court should not  
9 dismiss this appeal for failure to perfect the appeal. O'Hagen's response is due no later  
10 than November 16, 2012. If O'Hagen shows sufficient cause to proceed with this appeal,  
11 the Court will set a briefing schedule to address the merits of the appeal.

12 With regard to O'Hagen's numerous motions, they are all without merit because  
13 the Court is either without jurisdiction to grant the requested relief or O'Hagen requests  
14 final relief as to the merits of his appeal. Therefore, the Court denies O'Hagen's motions.

15 **IT IS SO ORDERED.**

16 Dated this 6<sup>th</sup> day of November, 2012.

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BENJAMIN H. SETTLE  
United States District Judge