

FILED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

APR 13 1 31 PM '89

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIF.
AT SACRAMENTO
BY DB
DEPUTY

RE:)
)
ORDER ADOPTING)
LOCAL RULE 143)
"APPEALS FROM)
BANKRUPTCY COURT")
_____)

GENERAL ORDER NO. 243

Good cause appearing:

IT IS ORDERED that Local Rule 143, "Appeals from
Bankruptcy Court" detailed in the attachment hereto,
is hereby adopted.

DATED: April 13, 1989



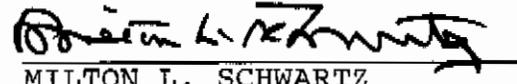
RAUL A. RAMIREZ
U.S. DISTRICT COURT JUDGE



LAWRENCE K. KARLTON, CHIEF
U. S. DISTRICT COURT JUDGE



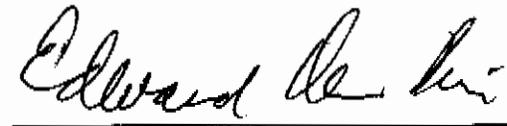
ROBERT E. COYLE
U.S. DISTRICT COURT JUDGE



MILTON L. SCHWARTZ
U.S. DISTRICT COURT JUDGE



EDWARD J. GARCIA
U.S. DISTRICT COURT JUDGE



EDWARD DEAN PRICE
U.S. DISTRICT COURT JUDGE

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

**Local Rule 143
APPEALS FROM BANKRUPTCY COURT**

(a) Motion for Leave to Appeal from Bankruptcy Court. All motions for leave to file an interlocutory appeal from the Bankruptcy Court to the District Court shall comply with Bankruptcy Rule 8003(a) and be addressed to the District Court. Compliance with Rule 8003(a)(3) requires a concise statement of (1) why the appeal is meritorious and (2) why interlocutory review is appropriate. The appropriateness of interlocutory appeal should address: (a) whether further proceedings in the Bankruptcy Court will affect the scope of the order to be reviewed; (b) whether the order determines and seriously affects substantive rights; and (c) whether the denial of immediate review will cause irreparable harm to appellant.

(b) Determination of Reviewability. If a notice of appeal is filed from a judgment, order or decree of the Bankruptcy Court without a motion for leave to appeal, the District Court may partially remand the matter to the Bankruptcy Court for a recommendation concerning the finality of the subject judgment, order or decree. If the Bankruptcy Court advises the District Court that the subject judgment, order or decree is not final but interlocutory, the Bankruptcy Court shall make a recommendation to the District Court whether leave to appeal should be granted. In aid of the Bankruptcy Court's determination on such recommendations, the Bankruptcy Court may order the parties to the appeal to file briefs in support of finality or leave.