

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION
www.flmb.uscourts.gov

In re: Case No. 9:11-bk-07194-FMD
Chapter 7

Gregory Andrew Stranger,

Debtor.

Elizabeth B. Ross,

Plaintiff,

vs. Adv. Pro. No. 9:11-ap-1115-FMD

Gregory Andrew Stranger,

Defendant.

**ORDER DIRECTING APPELLANT TO FILE
AMENDED DESIGNATION OF THE
RECORD ON APPEAL**

THIS PROCEEDING came on for consideration, without a hearing, of the Notice of Designation of the Record on Appeal (“Designation”) (Doc. No. 155). The Designation indicates that Appellant, Gregory Andrew Stranger (“Appellant”), wishes to designate “all motions, filings and orders of the court in this adversary proceeding,” as well as “transcripts as available” and “[a]ny other documents or transcripts required by Fed. R. Bank. P. 8006” [sic]¹ as the record on appeal to be transmitted by the Clerk to the United States District Court.

Federal Rule of Bankruptcy Procedure 8009 requires appellants to file a designation of items to be included in the record on appeal. The designation must not be unreasonably broad and must enable a meaningful appellate review of the order being appealed. *In re Ki Chang Park*, 2013 WL 414223, at *3 (W.D. Wash. Feb 1, 2013).

¹ Effective December 1, 2014, Fed. R. Bankr. P. 8006 was renumbered to Fed. R. Bankr. P. 8009.

Appellant’s Designation is unreasonably broad. It lists nearly every paper docketed in this proceeding (Doc. Nos. 1 – 145), including many papers that are clearly irrelevant to the issues on appeal. Such a designation places an undue burden upon the Clerk. Accordingly, it is appropriate for the Court to direct Appellant to file an amended designation, designating only those papers that relate specifically to the appeal. Appellant’s amended designation shall include the docket number and name of the document of each document to be transmitted to the District Court.² In addition, Fed. R. Bankr. P. 8009(b) places the burden of ordering desired transcripts – that are not already docketed – on the appellant. If Appellant wishes to designate any such transcripts, he shall comply with Fed. R. Bankr. P. 8009 and the Letter/Memorandum re: Notice of Appeal (Doc. No. 150).

Accordingly, it is

ORDERED that Appellant shall file an amended designation of the record on appeal within 14 days of the date of this Order. In the event Appellant fails to file an amended designation of the record, the Court will issue an Order to Show Cause why the appeal should not be dismissed.³ Because Appellee, Elizabeth B. Ross, has already filed her designation of the record (Doc. No. 158), she need not, but may, file a supplemental designation within 14 days of the filing of Appellant’s amended designation.

DATED: June 3, 2015.

/s/ Caryl E. Delano

Caryl E. Delano
United States Bankruptcy Judge

The Clerk’s Office is directed to serve a copy of this order via CM/ECF and on Appellant Gregory Stranger via U.S. Mail.

² See Fed. R. Bankr. P. 8009(a)(4).

³ An appellant’s failure to file a proper designation may result in dismissal of the appeal. *In re Ki Chang Park* at *3.