

The document below is hereby signed.

Signed: September 24, 2013



A handwritten signature in black ink, appearing to read "S. Martin Teel, Jr." with a stylized flourish at the end.

S. Martin Teel, Jr.
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA

In re)	
)	
STEPHEN THOMAS YELVERTON,)	Case No. 09-00414
)	(Chapter 7)
Debtor.)	Not for publication in
)	West's Bankruptcy Reporter.

MEMORANDUM DECISION AND ORDER REGARDING THE TRANSMITTAL
OF THE NOTICE OF APPEAL RE: VACATING JUDGMENT (DKT. NO. 715)

The debtor Yelverton has filed a confusing set of notices of appeal. This *Memorandum Decision and Order* is intended to alert the district court to this court's views regarding the separate nature of the appeal pursued by the first of those notices of appeal, the *Notice of Appeal Re: Vacating Judgment* (Dkt. No. 715). It also provides guidance to the clerk in transmitting the appeal pursued by that filing.

I

SEPARATE NATURE OF THE APPEAL

The *Notice of Appeal Re: Vacating Judgment* (Dkt. No. 715) appealed orders related to Yelverton's efforts to obtain Rule 60 relief to set aside an order approving a settlement. This court denied an application to waive the appeal fees. *See Memorandum Decision and Order Denying Application to Waive Appeal Fees* (Dkt. No. 723). As discussed in a later *Memorandum Decision and Order Denying Application to Waive Appeal Fees* (Dkt. No. 737 entered September 19, 2013), Yelverton has filed three other notices of appeal, characterizing them as amended notices of appeal. They appeal the same orders as did this notice of appeal, but appeal new orders as well. *Id.* at 4-5. Accordingly, the subsequent notices of appeal must be treated as separate appeals. *Id.* at 5-6. Thus, I am directing the clerk to transmit this initial *Notice of Appeal* as an appeal separate from the appeals pursued by the other notices of appeal.

II

THE TRANSMITTAL OF THE NOTICE OF APPEAL

The clerk should transmit the *Notice of Appeal Re: Vacating Judgment* (Dkt. No. 715) as a separate appeal from:

- the later *Amended Notice of Appeal Re: Vacating Judgment* (Dkt. No. 718);
- the later *Amended Notice of Appeal Re: Vacating*

Judgment (Dkt. No. 729); and

- the later *Corrected Amended Notice of Appeal Re: Vacating Judgment* (Dkt. No. 730).

III

It is

ORDERED that, in due course after the time to designate the record under Fed. R. Bankr. P. 8006 has expired, the clerk shall transmit the *Notice of Appeal Re: Vacating Judgment* (Dkt. No. 715) as an appeal of the orders it identifies as being appealed (Dkt. Nos. 681, 682, 695, 696, 703, and 704), and as an appeal separate from any appeal commenced by the later notices of appeal. It is further

ORDERED that as part of the record on appeal, the clerk shall transmit:

- a copy of this *Memorandum Decision and Order*;
- a copy of the *Memorandum Decision and Order Denying Application to Waive Appeal Fees* (Dkt. No. 723);
- a copy of the *Memorandum Decision and Order Denying Application to Waive Appeal Fees* (Dkt. No. 737 entered September 19, 2013); and
- for informational purposes only (and not as appeals in and of themselves) copies of:
 - ▶ the *Amended Notice of Appeal Re: Vacating Judgment* (Dkt. No. 718);

