

UNITED STATES BANKRUPTCY COURT **FILED** WESTERN DISTRICT OF WISCONSIN

IN RE:

DEC 21 1990

IN BANKRUPTCY NO.:

PRESTON TAYLOR BAKER,

MM7-89-02725

Debtor.

CLERK, U.S.
BANKRUPTCY COURT
CASE NO.

STATEMENT OF REASONS:

As directed by the District Court upon remand, I have considered, upon their own terms and without evidence or argument except that contained in or accompanying the moving papers, the various motions of Mildred E. DeVries related to the reconsideration or appeal of this matter. For the reasons stated herein, that relief is denied.

1.) Mildred E. DeVries' letter request filed November 23, 1990 seeking an extension for the filing of a motion for leave to appeal order for judgment, although received within 20 days after the November 5, 1990 expiration of the time for filing a notice of appeal, does not show excusable neglect and thus does not satisfy the requirements of Bankruptcy Rule 8002(c); and

2.) Mildred E. DeVries' notice of appeal filed November 23, 1990 was not received within 10 days after the October 26, 1990 entry of the order from which appeal is sought to be taken, and thus does not satisfy the requirements of Bankruptcy Rule 8002(a); and

3.) Mildred E. DeVries' motion filed December 4, 1990 for extension of time to file motion for leave to appeal order for judgment was not received within 20 days after the November 5, 1990 expiration of the time for filing a notice of appeal, and thus does not satisfy the requirements of Bankruptcy Rule 8002(c).

Therefore, it shall be ordered that Mildred E. DeVries' letter request for an extension for the filing of a motion for leave to appeal the order of judgment is denied, her motion accompanying the notice of appeal for leave to appeal the order for judgment is denied, and her motion for extension of time to file motion for

leave to appeal order for judgment is denied.

Dated December 21, 1990.

A handwritten signature in black ink, appearing to read "Robert D. Martin", written over a horizontal line.

ROBERT D. MARTIN
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF WISCONSIN

IN RE:

IN BANKRUPTCY NO.:

PRESTON TAYLOR BAKER,

MM7-89-02725

Debtor.

ORDER:

FILED
DEC 21 1990
CLERK, U.S.
BANKRUPTCY COURT
CASE NO. _____

The court having this day entered its statement of reasons in the above-entitled matter,

IT IS HEREBY ORDERED that Mildred E. DeVries' letter request for an extension for the filing of a motion for leave to appeal the order of judgment is denied; and

IT IS FURTHER ORDERED that the motion accompanying the notice of appeal for leave to appeal the order for judgment is denied; and

IT IS FURTHER ORDERED that the motion for extension of time to file motion for leave to appeal order for judgment is denied.

Dated December 21, 1990.



ROBERT D. MARTIN
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT

WESTERN DISTRICT OF WISCONSIN

IN RE:

IN BANKRUPTCY NO.:

PRESTON TAYLOR BAKER,

MM7-89-02725

Debtor.

STATEMENT OF REASONS AND ORDER:

A copy of this statement of reasons and order was mailed on
December 21, 1990 to the following parties:

Ms. Mildred E. DeVries
7401 Mesa Dr.
Austin, TX 78731

Mr. Thomas R. Glowacki
Harris, Hill & Glowacki
2037 Winnebago St.
Madison, WI 53704-5398

U.S. Trustee's Office
14 W. Mifflin St., Ste. 310
Madison, WI 53703