

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

**GUIDELINES FOR APPEAL PROCEDURES
THE UNITED STATES BANKRUPTCY APPELLATE PANEL
OF THE TENTH CIRCUIT**

Pursuant to Local Rules of the United States Bankruptcy Appellate Panel of the Tenth Circuit, the following guidelines should be used to facilitate the processing of an appeal. Further information can be obtained from the Bankruptcy Appellate Panel website at www.bap10.uscourts.gov. The forms mentioned below are accessible on the Bankruptcy Court's website www.utb.uscourts.gov.

1. Pursuant to U.S.C. § 158(c)(1), all appeals from Bankruptcy Courts in the Tenth Circuit are heard by the United States Bankruptcy Appellate Panel of the Tenth Circuit, unless the appellant at the time of filing the Notice of Appeal and Statement of Election elects to have the appeal heard by United States District Court District of Utah (District Court), OR any other party elects not later than 30 days after service of the Notice of Appeal and Statement of Election to have such appeal heard by the District Court. Other parties who elect to have the appeal heard by the District Court must file an Optional Appellee Statement of Election to Proceed in District Court with the Bankruptcy Appellate Panel.
2. Within 14 days after the filing of the Notice of Appeal and Statement of Election, the Appellant shall file a Designation of Record and Statement of Issues on Appeal with the Bankruptcy Court and serve a copy on the Appellee. The Appellee has 14 days after the service of Appellant's Designation of Record and Statement of Issues to file his/her own Designation of Record and Statement of Issues with the Bankruptcy Court and serve a copy on the Appellant. Pursuant to 10th Cir. BAP L.R. 8009-1, the designated items of the record on appeal for purposes of Fed. R. Bankr. P. 8009(a)(4) must be presented to the Bankruptcy Appellate Panel by the parties in the appendices as required by Fed. R. Bankr. P. 8018(b) and the 10th Cir. BAP L.R. 8018-1. Parties should not provide copies of the designated items to the bankruptcy court.
3. Timely Requests for Transcripts are necessary to ensure adequate time to reproduce the records. Any party must order the parts of the transcript that will be needed on appeal pursuant to Fed. R. Bankr. P. 8009(b). The Court will not bear the cost of requested transcripts. Please file the transcript order form with the Clerk of the Bankruptcy Court as proof of a timely request.
4. The Bankruptcy Court's Appeals Clerk, as required by 10th Cir. BAP L.R. 8010-1(a), has already transmitted copies of the Notice of Appeal and Statement of Election and other pertinent pleadings to the Clerk of the Bankruptcy Appellate Panel. A Bankruptcy Appellate Panel case number will be assigned, and further instructions to assist you will be forwarded, by the Bankruptcy Appellate Panel Clerk's office.
5. The Bankruptcy Court case docket may be obtained through PACER (<https://www.pacer.gov/>) or by contacting the Bankruptcy Court Clerk's office at 801-524-6687.
6. Contact information for the Bankruptcy Appellate Panel of the Tenth Circuit

U.S. Bankruptcy Appellate Panel of the Tenth Circuit
Office of the Clerk, Byron White U.S. Courthouse
1823 Stout Street, Denver, CO 80257
Tel: 303-335-2900, Fax: 303-335-2999

David A. Sime
Clerk of Court