

**UNITED STATES BANKRUPTCY APPELLATE PANEL
OF THE TENTH CIRCUIT**

IN RE DAVID JOHN ALLEN,

Debtor.

MARILYN HESS and MARK HESS,

Plaintiffs - Appellees,

and

BANK OF AMERICA FORK, ZIONS
FIRST NATIONAL BANK, and MARY
MARGARET PEGGY HUNT, Trustee,

Appellees,

v.

ANEXUS DEVELOPMENT LC,
CANBERRA DEVELOPMENT
COMPANY, LC, NOD ASSOCIATES,
LLC, FIB, LC, 4250, LC, WESTERN
NATURAL GAS, INC., BSP, LC, SKY
PARK, LLC, ANEXUS ENTERPRISES,
LP, DOMINION, LLC, ANEXUS
PROJECT JOINT VENTURE, UTAH
HOLD'EM, LC, MAXIMIZE, LC, and
WESTERN NATURAL GAS CAPITAL
ASSOC., LLC.,

Defendants - Appellants,

and

BAP No. UT-12-075

Bankr. No. 12-24705
Adv. No. 12-02168
Chapter 7

ORDER TRANSFERRING APPEAL
TO U.S. DISTRICT COURT

October 2, 2012

DAVID JOHN ALLEN, an individual,

Defendant - Appellee,

and

DAVID ALLEN as Trustee of DAVID J.
ALLEN LIVING TRUST, DAVID ALLEN
as Trustee of DJA TRUST, APEX
MANAGEMENT, INC, COMMERCIAL
DEVELOPMENT ASSOCIATES, LLC,
and JOHN DOES 1-10,

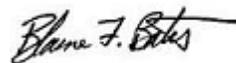
Defendants.

The matter before the Court is the Statement of Election to Have Appeals Heard by District Court (“Election”) filed by Mark Hess and Marilyn Hess (“Appellees”). In the Election, Appellee has timely filed an objection to the disposition of this matter by this Court.

Pursuant to 28 U.S.C. § 158(c)(1) and Fed. R. Bankr. P. 8001(e), it is HEREBY ORDERED that:

- (1) This appeal is transferred to the United States District Court.
- (2) Any deadlines, notices of deficiency, or orders to show cause previously set by this Court are VACATED.
- (3) This Court’s record is transmitted to the United States Bankruptcy Court.

For the Panel:



Blaine F. Bates
Clerk of Court