

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

MAY 28 2008

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In the Matter of: PEPI SCHAFLER,

Debtor,

No. 07-15265

BAP No. NC-06-01051-SJB

PEPI SCHAFLER,

Appellant,

MEMORANDUM *

v.

RICHARD J. SPEAR, Trustee,

Appellee.

Appeal from the Ninth Circuit
Bankruptcy Appellate Panel
Smith, Jury, and Brandt, Bankruptcy Judges, Presiding

Submitted May 20, 2008 **

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument and therefore denies appellant's request. *See* Fed. R. App. P. 34(a)(2).

Before: PREGERSON, TASHIMA, and GOULD, Circuit Judges.

Pepi Schafler appeals pro se from the Bankruptcy Appellate Panel's ("BAP") decision affirming the bankruptcy court's final report and discharge order. We have jurisdiction under 28 U.S.C. § 158(d). We review the BAP's decision de novo. *Renwick v. Bennett (In re Bennett)*, 298 F.3d 1059, 1063 (9th Cir. 2002). We affirm.

The BAP properly affirmed the bankruptcy court's orders. Schafler failed to offer cognizable arguments to this court or the BAP that challenge the bankruptcy court's orders. *See* Fed. R. App. P. 28; *United States v. Williamson*, 439 F.3d 1125, 1138 (9th Cir. 2006). Moreover, because disbursement under the final report was not stayed and all disbursements were made to entities that were not party to the appeal, the BAP properly concluded that any challenge to the final report was moot. *See Nat'l Mass Media Telecomm. Sys., Inc. v. Stanley (In re Nat'l Mass Media Telecomm. Sys., Inc.)*, 152 F.3d 1178, 1180 (9th Cir. 1998).

Schafler's petition for a writ of mandamus fails to establish circumstances warranting such extraordinary relief and is denied. *See Spencer v. United States Dist. Ct.*, 393 F.3d 867, 869 (9th Cir. 2004).

AFFIRMED.