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JUN 22 2020

SUSAN M. SPRAUL, CLERK
U.S. BKCY. APP. PANEL
OF THE NINTH CIRCUIT

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

In re:

DARIN DAVIS,

Debtor.

ASPHALT PROFESSIONALS, INC.,

Appellant,

v.

DARIN DAVIS,

Appellee.

BAP Nos. CC-19-1275-FSTa
CC-19-1279-FSTa
(Related Appeals)

Bk. No. 1:10-bk-17214-VK

Adv. No. 1:10-ap-01354-VK

MEMORANDUM*

Argued and Submitted on May 20, 2020

Filed – June 22, 2020

Appeal from the United States Bankruptcy Court
for the Central District of California

Honorable Victoria S. Kaufman, Bankruptcy Judge, Presiding

* This disposition is not appropriate for publication. Although it may be cited for whatever persuasive value it may have, *see* Fed. R. App. P. 32.1, it has no precedential value, *see* 9th Cir. BAP Rule 8024-1.

Appearances: Ray B. Bowen, Jr. argued on behalf of appellant; Alan Wayne Forsley of Fredman Lieberman Pearl, LLP argued on behalf of appellee.

Before: FARIS, SPRAKER, and TAYLOR, Bankruptcy Judges.

After we heard oral argument in these appeals, the Ninth Circuit affirmed two of our prior decisions in appeals taken by Asphalt Professionals, Inc. (“API”) in this case. *Asphalt Professionals, Inc. v. Davis (In re Davis)*, No. 19-60061, --- F. App’x ----, 2020 WL 3259449 (9th Cir. June 16, 2020); *Asphalt Professionals, Inc. v. Davis (In re Davis)*, No. 19-60036, --- F. App’x ----, 2020 WL 3259444 (9th Cir. June 16, 2020). In those decisions, the Ninth Circuit has rejected every argument made by API in these appeals. We could not deviate from the Ninth Circuit’s decisions even if we wanted to (and we would not do so even if we could). Accordingly, we AFFIRM.