

FEB 10 2012

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

STEPHEN T. HARRIS; DAVID
WOOLSEY,

Petitioners - Appellants,

v.

UNITED STATES BANKRUPTCY
COURT, CENTRAL DISTRICT OF
CALIFORNIA,

Respondent - Appellee.

No. 10-56473

D.C. No. 2:10-cv-02964-JVS-
VBK

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
James V. Selna, District Judge, Presiding

Submitted February 8, 2012**
Pasadena, California

Before: D.W. NELSON, O'SCANNLAIN, and N.R. SMITH, Circuit Judges.

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes that this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Appellants Stephen Harris and David Woolsey seek to compel the bankruptcy court to provide a hearing to challenge a temporary restraining order requiring them to produce certain evidence for imaging. The bankruptcy court's order complied with the requirements for issuing an ex parte temporary restraining order, *see* Fed. R. Civ. P. 65(b), and presents no Fourth Amendment problems. Thus, the district court properly denied appellants' petition for a writ of mandamus. *See Burlington N. & Santa Fe Ry. Co. v. U.S. Dist. Ct.*, 408 F.3d 1142, 1146 (9th Cir. 2005).

Appellants also contend that the district court erred by imposing sanctions on appellants' attorney in the form of attorneys' fees to opposing counsel. The notice of appeal does not list their attorney as an appellant or otherwise make clear that the sanction order is being appealed. *See* Fed. R. App. P. 3(c)(1)(A), (c)(4). We thus lack jurisdiction to disturb the sanction order.

AFFIRMED.