

MAR 13 2012

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

In re: AVRAM MOSHE PERRY,

Debtor.

No. 11-60011

BAP No. 10-1265

AVRAM MOSHE PERRY,

Appellant,

MEMORANDUM*

v.

KEY AUTO RECOVERY; CHASE
AUTO FINANCE,

Appellees.

Appeal from the Ninth Circuit
Bankruptcy Appellate Panel
Kirscher, Markell, and Pappas, Bankruptcy Judges, Presiding

Submitted March 6, 2012**

Before: B. FLETCHER, REINHARDT, and TASHIMA, Circuit Judges.

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

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

Avram Moshe Perry appeals pro se from the Bankruptcy Appellate Panel's ("BAP") order denying leave to appeal an interlocutory order of the bankruptcy court setting aside the clerk's entry of default in an adversary proceeding. We dismiss.

We lack jurisdiction to review the bankruptcy court's order setting aside the entry of default because it is not an appealable final order. *See Symantec Corp. v. Global Impact, Inc.*, 559 F.3d 922, 923 (9th Cir. 2009) (order) (entry of default is not a final appealable order); *see also Silver Sage Partners, Ltd. v. City of Desert Hot Springs (In re City of Desert Hot Springs)*, 339 F.3d 782, 787-88 (9th Cir. 2003) (no jurisdiction to review BAP's exercise of discretion to construe appeal as interlocutory).

DISMISSED.