

JUN 13 2013

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

In re: LOG & CONVENTIONAL  
HOMES, INC.,

Debtor,

ROBERT DOAN,

Appellant,

v.

LESLIE GLADSTONE, Trustee,

Appellee.

No. 12-60010

BAP No. 11-1000

MEMORANDUM\*

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

Argued and Submitted June 7, 2013  
Pasadena, California

Before: TROTT, LUCERO\*\* and W. FLETCHER, Circuit Judges.

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

\*\* The Honorable Carlos F. Lucero, Circuit Judge for the U.S. Court of Appeals for the Tenth Circuit, sitting by designation.

Robert Doan appeals the bankruptcy court's denial of his motion to remove Leslie Gladstone as Chapter Seven trustee from the bankruptcy case of debtor Log and Conventional Homes, Inc. The bankruptcy court found that Doan had not met his burden to establish "cause" under 11 U.S.C. § 324(a) to remove Gladstone as trustee. The Bankruptcy Appellate Panel ("BAP") affirmed.

We have reviewed the record and the parties' arguments. We agree with the BAP that the bankruptcy court did not abuse its discretion in finding that Doan had not established "cause" under § 324(a). *See In re AFI Holding, Inc.*, 530 F.3d 832, 844 (9th Cir. 2008).

We deny Gladstone's request for judicial notice.

**AFFIRMED.**