

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 27 2017

FOR THE NINTH CIRCUIT

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

PAUL DEN BESTE,

Plaintiff-Appellant,

v.

PATRICK BULMER, AKA California
Receivership Services,

Defendant-Appellee.

No. 15-15612

D.C. No. 2:13-cv-01893-TLN

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Troy L. Nunley, District Judge, Presiding

Submitted March 8, 2017**

Before: LEAVY, W. FLETCHER, and OWENS, Circuit Judges.

Paul Den Beste appeals pro se from the district court's order denying a motion for rehearing of its order dismissing his bankruptcy appeal for failure to prosecute. We have jurisdiction under 28 U.S.C. §§ 158(d) and 1291. We review for an abuse of discretion the district court's denial of a motion for rehearing.

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

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

United States v. Fowler (In re Fowler), 394 F.3d 1208, 1214 (9th Cir. 2005). We affirm.

The district court did not abuse its discretion in denying Den Beste's motion for rehearing because Den Beste did not show that the district court erred in dismissing his appeal for failure to prosecute after it provided multiple opportunities to comply with its orders and warned Den Beste that a failure to do so would result in dismissal. *See* Fed. R. Bankr. P. 8022(a)(2); *Fowler*, 394 F.3d at 1214-15 (a motion for rehearing must state with particularity each point of law or fact the court overlooked); *see also Moneymaker v. CoBen (In re Eisen)*, 31 F.3d 1447, 1451 (9th Cir. 1994) ("A reviewing court will give deference to the district court to decide what is unreasonable because it is in the best position to determine what period of delay can be endured before its docket becomes unmanageable." (citation and internal quotation marks omitted)).

AFFIRMED.