

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

OCT 3 2017

FOR THE NINTH CIRCUIT

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

LEE ANN LOVE,

Plaintiff-Appellant,

v.

JOHNNY OLIVER WISEMAN; et al.,

Defendants-Appellees.

No. 16-16720

D.C. No. 5:15-cv-03884-BLF

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Beth Labson Freeman, District Judge, Presiding

Submitted September 26, 2017**

Before: SILVERMAN, TALLMAN, and N.R. SMITH, Circuit Judges.

Lee Ann Love appeals pro se from the district court's order affirming the bankruptcy court's orders determining Love's secured status, and dismissing in part Love's adversary proceeding against the trustee and the debtors. We review de novo our own jurisdiction and whether a bankruptcy court's decision is final.

* 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). Love's request for oral argument, set forth in her opening brief, is denied.

SilverSage Partners, Ltd. v. City of Desert Hot Springs (In re City of Desert Hot Springs), 339 F.3d 782, 787 (9th Cir. 2003). We dismiss.

This court lacks jurisdiction because the bankruptcy court's orders did not dispose of all claims against all defendants in Love's adversary proceeding. *See Walther v. King City Transit Mix, Inc. (In re King City Transit Mix, Inc.)*, 738 F.2d 1065, 1066-67 (9th Cir. 1984) (bankruptcy court order dismissing one of four counterclaims in adversary proceeding was not final); *see also SS Farms, LLC v. Sharp (In re SK Foods, L.P.)*, 676 F.3d 798, 801-02 (9th Cir. 2012) (district court order affirming interlocutory bankruptcy court order is also interlocutory). Nor did the bankruptcy court direct entry of judgment under Federal Rule of Civil Procedure 54(b) and Federal Rule of Bankruptcy Procedure 7054. *See Walther*, 738 F.2d at 1067.

Love's request to treat this appeal as a petition under 28 U.S.C. § 1651, set forth in her opening brief, is denied.

DISMISSED.