

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

DEC 26 2017

FOR THE NINTH CIRCUIT

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

In re: INGLEWOOD WOMAN’S CLUB,
INC.,

No. 17-60053

Debtor.

BAP No. 16-1084

MARLENE FEARING,

MEMORANDUM*

Appellant.

Appeal from the Ninth Circuit
Bankruptcy Appellate Panel
Jury, Lafferty, and Brand, Bankruptcy Judges, Presiding

Submitted December 18, 2017**

Before: WALLACE, SILVERMAN, and BYBEE, Circuit Judges.

Marlene Fearing appeals pro se from the Bankruptcy Appellate Panel’s (“BAP”) judgment affirming the bankruptcy court’s order dismissing the Inglewood Woman’s Club, Inc.’s Chapter 11 bankruptcy petition. We have jurisdiction under 28 U.S.C. § 158(d). We review de novo BAP decisions, and

* 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).

apply the same standard of review that the BAP applied to the bankruptcy court's ruling. *Boyajian v. New Falls Corp. (In re Boyajian)*, 564 F.3d 1088, 1090 (9th Cir. 2009). We affirm.

The bankruptcy court properly denied Fearing's motion to compel the bankruptcy court to initiate a criminal investigation because the bankruptcy court lacked the authority to do so. *See* 28 U.S.C. §§ 157, 1334(b); *Gruntz v. County of Los Angeles (In re Gruntz)*, 202 F.3d 1074, 1085 (9th Cir. 2000) (recognizing that bankruptcy jurisdiction is limited to civil proceedings).

We reject as without merit Fearing's contentions that the BAP misconstrued the scope of appeal and that the bankruptcy court and BAP violated due process.

We do not consider arguments raised for the first time on appeal or matters not specifically and distinctly raised and argued in the opening brief. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

AFFIRMED.