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DEBORAH S. HUNT, Clerk <sup>IN</sup> THE UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

H. THOMAS MORAN, II, RECEIVER,  
Plaintiff/Appellee.

*NOV 12 3534*

-vs.-

*DC CASE NO.  
3:05-cv-00872*

DAVID W. SVETE,  
Defendant/Appellant.

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DEFENDANT/APPELLANT DAVID W. SVETE'S  
STATUS REPORT -OF  
IN RE DAVID WILLIAM SVETE,  
UNITED STATES BANKRUPTCY COURT,  
CENTRAL DISTRICT OF CALIFORNIA,  
CASE NO.: 9:12-BK-11696-RR.

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COMES NOW, the Defendant/Appellant, DAVID W. SVETE, through Pro se representation, pursuant to the Federal Rules of Appellate procedure and the Circuit Rules for the United States Court of Appeals For The Sixth Circuit, and files this his Status Report as this Court has Ordered. In support of which he states as follows:

The Defendant Svete respectfully files the instant Status Report, to appraise the Court on the status of his Federal Bankruptcy Case in the United States Bankruptcy Court For The Central District of California. The Pro se Defendant respectfully prays that this Honorable Court construe his filings liberally, pursuant to the U.S. Supreme Court's dictates in Haines v. Kerner, 404 U.S. 519 (1972)(per curiam), and Estelle v. Gamble, 429 U.S. 97 (1976).

INTRODUCTION:

The instant case has been administratively closed at the District Court, pending the appeal of the District Court's denial of Mr. Svete's Motion To Dismiss, Pursuant To Written Agreements To Arbitrate. A virtually identical Status Report is being contemporaneously filed in both the District Court, and in the Court of Appeals, pursuant to Orders from both Courts.

STATUS OF FEDERAL BANKRUPTCY PROCEEDINGS:

On 04-23-12, Mr. Svete's Federal Bankruptcy Petition was docketed in the United States Bankruptcy Court For The Central District of California, as Case No.: 9:12-BK-11696-RR.

This Federal Bankruptcy Case, under Chapter 7, is currently still pending and proceeding.

The filing fee has been paid in full.

The Case has been assigned to United States Bankruptcy Judge Robin Riblet.

Mr. Jerry Namba, Chapter 7 Trustee, has been assigned to the Case.

On September 27, 2012, Mr. Svete served the completed "Written Examination of Debtor" on the Chapter 7 Trustee [Mr. Namba], along with photocopies of the Amended Bankruptcy Petition and Amended Schedules that were prepared for the Bankruptcy Court.

On October 3, 2012, Mr. Svete filed the Amended Bankruptcy Petition and several Amended Schedules, with the Bankruptcy Court.

On October 16, 2012, Mr. Svete was served with an envelope from the Bankruptcy Court, [postmarked 10-09-12], containing his ORIGINAL AMENDED filings, along with a "Rejection Notice" from the Clerk, dated 10-09-12, noticing Mr. Svete that a \$30.00 Filing Fee is required for "Amending Schedule(s)/List of Creditors".

On October 17, 2012, Mr. Svete filed an Application For Waiver of the \$30.00 Filing Fee, and a Motion For Waiver of the \$30.00 Filing Fee, and re-filed his Amended Petition and Amended Schedules.

Respectfully Submitted:

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal stroke.

David W. Svete  
Defendant/ Pro se  
10-27-12

-CERTIFICATE OF SERVICE-

I DO HEREBY CERTIFY, under the penalty of perjury, under the laws of the United States of America and Title 28 U.S.C. § 1746, that a true and correct ORIGINAL of the foregoing document,

"Defendant/Appellant David W. Svete's Status Report -Of In Re David William Svete, United States Bankruptcy Court, Central District of California, Case No.: 9:12-BK-11696-RR",

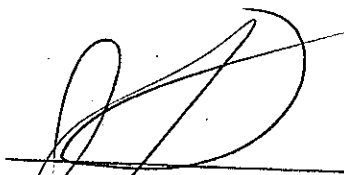
has been filed today, this 27th day of October, 2012, by placing it in an envelope, with First Class United States Postage Prepaid and Affixed, and delivering it to the prison officials at FCI Terminal Island, where I am presently incarcerated, for further delivery to the United States Post Office, for further delivery to the

United States Court of Appeals  
For The Sixth Circuit  
Potter Stewart United States Courthouse  
100 East Fifth Street, Suite #540  
Cincinnati, Ohio 45202  
Attn.: Clerk of the Court

As I am an incarcerated, Pro se litigant, the Pro se Prison Mailbox Rule holds that this document is timely filed today. See Houston v. Lack, 487 U.S. 266 (1988).

Additionally, on this same date, and via the same method described above, a true and correct COPY of said ORIGINAL has been served upon the following parties:

Mr. Joseph C. Oehlers  
Bieser Greer Landis  
6 North Main Street  
Dayton, Ohio 45402  
Counsel For Plaintiff/Appellee

  
\_\_\_\_\_  
David W. Svete  
10-27-12

David W. Svete 05779-017  
Federal Correctional Institution  
P.O. Box 3007  
Terminal Island, CA 90731

↔05779-017↔

Sixth Cir U S Court Appeals  
100 East 5th Street, Room 540  
Potter Stewart U S Ct Hse  
Cincinnati, OH 45202-3988  
United States

