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Susan M. Spraul, Clerk  
U.S. BKCY. APP. PANEL  
OF THE NINTH CIRCUIT

FEB 09 2015

FILED 02/09/15  
DOCKETED 02/09/15 V.J.B.  
DATE INITIAL  
BAP# CC-14-1526

6 UNITED STATES BANKRUPTCY  
7 APPELLATE PANEL OF APPEALS  
8 FOR THE NINTH CIRCUIT  
9

10 In Re RW INVESTMENT COMPANY, INC. ) BAP No.: 12-1526  
11 Appellee )  
12 ) No. 2:09-bk-23842BR  
13 ) ADV. No.: 2:09-ap-02291BR  
14 RW INVESTMENT COMPANY, INC., ) CHAPTER 7  
15 Appellee )  
16 vs. ) Date: February 5, 2015  
17 DANNY W. PRYOR )  
18 Appellate/Debtor )  
19 )  
20 )  
21 )  
22 )  
23 )  
24 )  
25 )

23 To each party and to the attorney of record in this action and the Honorable  
24 Appellate Judges:  
25

1 I am Dan W. Pryor, the Appellant in the above appeal; hereby request that the  
2 Appellate Panel grant my request to be heard. I am a Pro Se Appellant, and under  
3 Rule 8013, which states:

4 ***Rule 8013. Disposition of Appeal; Weight Accorded Bankruptcy Judge's***  
5 ***Findings of Fact***

6 *On an appeal the district court or bankruptcy appellate panel may affirm,*  
7 *modify, or reverse a bankruptcy judge's judgment, order, or decree or*  
8 *remand with instructions for further proceedings. Findings of fact, whether*  
9 *based on oral or documentary evidence, shall not be set aside unless clearly*  
10 *erroneous, and due regard shall be given to the opportunity of the*  
11 *bankruptcy court to judge the credibility of the witnesses.*

12 *(As amended Mar. 30, 1987, eff. Aug. 1, 1987.) NOTES OF ADVISORY*  
13 *COMMITTEE ON RULES—1983*

14 This rule accords to the findings of a bankruptcy judge the same weight given  
15 the findings of a district judge under Rule 52 F.R. Civ. P. See also Rules  
16 7052(a) and 9014.

- 17 1. The Appellate wrote the Opening Brief and Reply Brief and most of the  
18 facts were left out of briefs, due to the fact that my briefs were already  
19 lengthy. There was so much I wanted to address, but in the space allotted,  
20 I felt cramped and limited.
- 21 2. If given the chance, I would strongly argue that these briefs are to be  
22 decided on the merits rather than a technical flaw or procedural violation.  
23 Nothing but the facts should be the rule, when determining the outcome,  
24 regarding these three appeals.
- 25 3. Appellant brief's and papers cover certain aspects of the Court records and  
proceedings, there are three distinct arguments that must be addressed

1 and I would like permission to engage BAP. I would only like to  
2 argument three points and I'll rely on my papers to argue the third. The  
3 \$1 Million dollar judgment along with over \$6 Million in assets lost by  
4 this Appellee actions, it would stand to reason why this Appellant will  
5 need every possible fact and understanding to engage and give the  
6 Bankruptcy Appellate Panel cause to release this Appellant from this  
7 judgment.

- 8  
9  
10  
11 4. I would like every opportunity that the law or this Panel will allow to be  
12 heard. Supreme Court Justice Clarence Thomas stated:

13 *"The decision and opinion are ready decided before we have an oral*  
14 *argument with the litigants, I would always wonder why my fellow*  
15 *colleagues would beat up on the Appellee/Appellant counsel."*

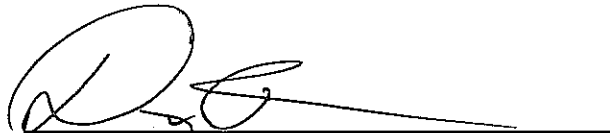
16 This may be the way it is, but this Appellate feels it is important to look a man in  
17 the eyes to determine their resolve. For this reason, this Appellate would like to  
18 hear the explanation of the Appellee and to have an opportunity to address the  
19 Panel regarding this appeal, given that they provide very little understanding in  
20 their 'Opening Brief'.

21 From my past experience with the Panel, subject matters that were in the records  
22 were overlooked and additional appeals were the result. To avoid any possibility  
23 that this may occur again, this Appellate would like to be heard. In life we get very  
24 few- "do overs". I believe that I can present the facts in an orderly fashion that  
25 would aide the briefs and records.

1 For these reasons, I respectfully request this Court grant Appellant an opportunity  
2 to be heard. Under Rule 8013 and to prevent Rule 8015, not to mention the current  
3 events that may have a profound affect on the Panel's decision, whether to vacate  
4 the default judgment. This Appellate feels that these issues should be vetted in all  
5 possible ways.

6  
7 Date: February 5, 2015

8 I respectfully request the court to grant an oral argument.

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12 Danny Wayne Pryor, Pro Se  
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**PROOF OF SERVICE**

1013A (3) C.C.P. Revised 5/1/88  
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is:  
269 S. Beverly Drive, No. 249, Beverly Hills, CA 90212

On February 5, 2015, I served the following documents describe as:

APPELLANT'S POSITION ON ORAL ARGUMENT

On interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Ronald N. Wilson  
3415 South Sepulveda Blvd.  
Suite# 1100  
Los Angeles, CA 90010

X (BY MAIL)

I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collecting and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

— (BY FACSIMILE) I caused such document to be sent via facsimile to the office(s) of the addressee(s).

Executed on February 5, 2015, at Los Angeles, California.

X (FEDERAL COURT) I declare under penalty of perjury under the laws of the UNITED STATES of AMERICA that the above is true and correct.



Jimi Campillo