

**UNITED STATES BANKRUPTCY APPELLATE PANEL  
OF THE NINTH CIRCUIT**

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**Docket No. 14-1526**

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**In re: DANNY WAYNE PRYOR,**

**Debtor**

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**DANNY WAYNE PRYOR,  
Defendant-Appellant  
v.**

**RW INVESTMENT CO, INC.,  
Plaintiff-Appellee**

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**On Appeal from an Order of the United States Bankruptcy Court for the Central District  
of California Circuit  
Honorable Barry Russell, Bankruptcy Judge, Presiding  
09-bk-23842 and 09-ap-2291**

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**APPELLEE'S BRIEF**

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Attorney for Appellee**

**CODE AND CASE LAW**

None

**TABLE OF AUTHORITIES**

None

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**I.**

**THE APPEAL SHOULD BE DENIED BECAUSE THE APPELLANT HAS FAILED AND REFUSED TO CITE ANY LEGAL JUSTIFICATION TO SET ASIDE THE FRAUD JUDGMENT AND THE APPELLANT VIOLATED JUDGE RUSSELL'S VEXATIOUS LITIGANT ORDER.**

The appellant has failed and refused to address any of the reasons cited in Judge Russell's order denying the motion to set aside the fraud judgment. Instead, appellant seeks to restate the entirety of all of the facts already considered and ruled upon by the Trial Court, the Bankruptcy Appellate Panel and the Ninth Circuit. In the order denying the motion to set aside the judgment Judge Russell stated as follows:

“This Motion is the latest is a lengthy series of baseless motions seeking reconsideration of this Court’s rulings. *The Motion is also in direct violation of this Court’s “Order Determining That the Debtor Is a Vexatious Litigant,” entered in this chapter 7 case on July 7, 2014.* In addition, the debtor filed the Motion without first filing a motion and obtaining a court order for approval to file any additional documents in this case, in violation of the July 7, 2014 Order. The Court has considered the Motion and all accompanying exhibits and will deny the Motion because no good cause has been shown for the relief sought therein. *In addition, the Court has determined that it would deny the Motion for this reason even if the debtor had first filed an application and obtained approval to file it, as required by the July 7, 2014 Order.*” (emphasis added)

**I. CONCLUSION**

Appellee agrees with Judge Russell and hereby respectfully requests that this court deny the appeal.

Dated: January 12, 2015

  
Ronald N. Wilson

**III.**

**CERTIFICATION REQUIRED BY BAP RULE 8015(a)-1(b)**

[BAP NUMBER 14-1526, DEBTOR'S NAME: DANNY WAYNE PRYOR]

The undersigned certifies that the following parties have an interest in the outcome of this appeal. These representations are made to enable judges of the Panel to evaluate possible disqualification or recusal: Danny Wayne Pryor, Judgment Debtor; RW Investment Co. Inc. Judgment Creditor; Robert L. Wilson Shareholder RW Investment and Ronald N. Wilson Shareholder RW Investment.

Dated: January 12, 2015

  
Ronald N. Wilson

**CERIFICATION OF SERVICE****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 3415 S. Sepulveda Bl Suite 1100 Los Angeles, California 90034.

On January 12, 2015 I served the foregoing document described as:

**APPELLEE'S BRIEF**

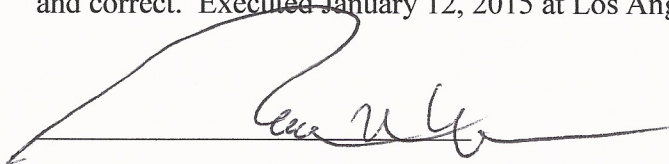
on interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Danny Wayne Pryor  
4742 Lorelei Avenue  
Long Beach, CA 90808

**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.

I declare under penalty of perjury under the laws of the state of California that the above is true and correct. Executed January 12, 2015 at Los Angeles, California

A handwritten signature in black ink, appearing to read 'Ronald N. Wilson', is written over a horizontal line.

Ronald N. Wilson

**CERTIFICATION REQUIRED BY BAP RULE 8015(a)-1(c)**

[BAP NUMBER 14-1526, DEBTOR'S NAME: DANNY WAYNE PRYOR]

The undersigned certifies that the following are known related cases and appeals:

**(1) United States Bankruptcy Appellate Panel of the Ninth Circuit BAP No.: CC-10-**

**1259-PaKiSa:** August 12, 2011 (Order Affirmed in Part, Vacated and Remanded

Judgment of the United States Bankruptcy Court for California Central - Los Angeles.)

**(2) United States Bankruptcy Appellate Panel of the Ninth Circuit BAP No.: CC-10-**

**1259:** Aug 29 2011 (Order Denying Petition for Rehearing.)

**(3) United States Court of Appeals for the Ninth Circuit No. 11-60067:** Oct 23 2013

(Order affirming the Bankruptcy Appellate Panel's judgment affirming the bankruptcy court's decision that Pryor's debt to RW Investment Co., Inc. was non dischargeable).

**(4) United States Bankruptcy Court Central District of California Los Angeles Division**

**Case No.: 2:09-bk-23842-BR:** Jul 07 2014 (Order Determining that the

Debtor [Danny Wayne Pryor] is a Vexatious Litigant)

Dated: January 12, 2015

A handwritten signature in black ink, appearing to read 'Ronald N. Wilson', is written over a horizontal line.

Ronald N. Wilson  
Attorney for RW Investment Co., Inc.