

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

In re Debtor Sam Usamah Khulusi

In re Khulusi · No. 2:25-cv-09152-JLS · Decided January 16, 2026

SUMMARY

The United States District Court for the Central District of California issued an order to show cause why Sam Usamah Khulusi’s appeal from a Bankruptcy Court order should not be dismissed for lack of prosecution. The court stated that the appellant had not filed the required statement of issues, designation of record, or notice of transcripts, and ordered him to respond by February 16, 2026, or alternatively obtain a Certificate of Readiness from the Bankruptcy Clerk.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Josephine L. Staton
JURISDICTION	United States District Court for the Central District of California
DECIDED	January 16, 2026
DOCKET	2:25-cv-09152-JLS
DISPOSITION	other
PROCEDURAL POSTURE	Appeal from an order of the Bankruptcy Court; the district court issued an order to show cause why the appeal should not be dismissed for lack of prosecution.
STANDARD OF REVIEW	Dismissal for failure to prosecute is evaluated under the five-factor standard governing dismissal of a civil action under Federal Rule of Civil Procedure 41(b): the public interest in expeditious resolution, the court's need to manage its docket, the risk of prejudice to opposing parties, the public policy favoring disposition on the merits, and the availability of less drastic sanctions.
PRECEDENTIAL VALUE	Unknown; district court civil minutes order and order to show cause.
PARTIES	Sam Usamah Khulusi

TOPICS

- appellate procedure
- bankruptcy
- civil procedure
- standard of review

PRACTICE AREAS

bankruptcy appellate procedure

civil procedure

QUESTIONS PRESENTED

1. Whether an appellant's failure to file the statement of issues, designation of record, and notice of transcripts required by the Federal Rules of Bankruptcy Procedure authorizes dismissal of the bankruptcy appeal for lack of prosecution.
2. What standard governs dismissal of a bankruptcy appeal for failure to perfect and prosecute the appeal.

HOLDINGS

1. When an appellant fails to perfect a bankruptcy appeal in the manner required by the Federal Rules of Bankruptcy Procedure, dismissal is authorized under Federal Rule of Bankruptcy Procedure 8003(a)(2).
2. A bankruptcy appeal subject to dismissal for failure to perfect is evaluated under the five-factor standard for dismissal of a civil case for failure to prosecute under Federal Rule of Civil Procedure 41(b).

KEY QUOTATIONS

“(1) the public’s interest in expeditious resolution of litigation; (2) the court’s need to manage its docket; (3) the risk of prejudice to the [opposing parties]; (4) the public policy favoring the disposition of cases on their merits; and (5) the availability of less drastic sanctions.”

FACTUAL BACKGROUND

The Bankruptcy Court issued a notice of deficiency informing Appellant that he had failed to file the statement of issues, designation of record, and notice of transcripts required to perfect the appeal. The district court reviewed the underlying bankruptcy docket and found that Appellant had not responded or filed the required materials during the ensuing three months.

PROCEDURAL HISTORY

Sam Usamah Khulusi appealed an order of the Bankruptcy Court. The Bankruptcy Court issued a notice of deficiency stating that Appellant had not filed the statement of issues, designation of record, or notice of transcripts required for the appeal. After approximately three months without the required filings, the district court ordered Appellant to show cause why the appeal should not be dismissed or, alternatively, to take the steps necessary for the Bankruptcy Clerk to issue a Certificate of Readiness.

DISPOSITION

other

CASES CITED

- Nat'l Bank of Long Beach v. Donovan (In re Donovan), 871 F.2d 807, 808 (9th Cir. 1989) (per curiam)
- In re Eisen, 31 F.3d 1447, 1451 (9th Cir. 1994)

- In re Phenylpropanolamine (PPA) Prods. Liab. Litig., 460 F.3d 1217, 1226-29 (9th Cir. 2006)

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