

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT LAUDERDALE DIVISION

In Re:

Case No. **25-14028-PDR**

Ch. 13

Eliot Bernstein,

US District Court 25-cv-61397-AHS

Debtor,

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**DEBTOR RULE 8009 DESIGNATION TO CLERK OF RECORD ON  
APPEAL AND DESIGNATION OF ISSUES**

Eliot Bernstein, the Debtor herein, respectfully shows this Court as follows:

1. I am the Debtor Pro Se.
2. I am still under Emergency Medical Treatment outlined in my prior request for an Extension filed under DE No. 15 and granted by this Court and other filings and notice to this Court.
3. I make this Designation to the US Bankruptcy Clerk in the Southern District of Florida under Federal Rules of Bankruptcy Procedure Rule 8009.
4. This designation is timely filed within 14 days of the Notice of Appeal that is pending in the US District Court under Case No. 25-cv-61397-AHS

**DESIGNATION OF RECORD ON APPEAL**

5. Debtor designates all documents entered in this case as shown below.

4/14/2025	<a href="#">1</a> (11 pgs)	Chapter 13 Voluntary Petition Proofs of Claim due by 6/23/2025. (Thompson, Luctricia) (Entered: 04/14/2025)
04/14/2025	2	Photograph Identification Document as required pursuant to Local Rule 1002-1(B)(1)(d) for pro se Debtor, <i>[Document Image Available ONLY to Authorized Users]</i> (Thompson, Luctricia) (Entered: 04/14/2025)
04/14/2025	3	Statement of Debtor(s) Social Security Number(s) <i>[Document Image Available ONLY to Court Users]</i> Filed by Debtor Eliot Ivan Bernstein . (Thompson, Luctricia) (Entered: 04/14/2025)
04/14/2025	<a href="#">4</a> (1 pg)	Certification of Budget and Credit Counseling Course by Debtor Filed by Debtor Eliot Ivan Bernstein . (Thompson, Luctricia) (Entered: 04/14/2025)
04/14/2025	<a href="#">5</a> (2 pgs)	Notice of Incomplete Filings Due . Chapter 13 Plan due by 4/28/2025. Summary of Your Assets and Liabilities and Certain Statistical Information due 4/28/2025. Schedules A-J due 4/28/2025. Statement of Financial Affairs Due 4/28/2025.Declaration Concerning Debtors Schedules Due: 4/28/2025.Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period Form 122C-1 Due 4/28/2025. Payment Advices due for Debtor 4/28/2025. [Incomplete Filings due by 4/28/2025]. (Thompson, Luctricia) (Entered: 04/14/2025)
04/14/2025	<a href="#">6</a> (2 pgs)	Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors & Notice of Appointment of Trustee Robin R Weiner. Meeting of Creditors to be Held on 5/20/2025 at 09:30 AM at www.Zoom.us - Weiner: Meeting ID 641 184 3541, Passcode 9807786714, Phone (954) 399-6624. Last Day to Oppose Discharge or Dischargeability is 7/21/2025.Confirmation Hearing to be Held on 7/1/2025 at 09:00 AM Flagler Waterview Building, 1515 N Flagler Dr Room 801 Courtroom B, West Palm Beach, FL, 33401. Objection to Confirmation Deadline: 6/17/2025. (Graster-Thomas, Tanesha) (Entered: 04/14/2025)
04/14/2025		Receipt of Chapter 13 Filing Fee - \$313.00 by LT. Receipt Number 500737. (admin) (Entered: 04/14/2025)
04/14/2025	<a href="#">7</a> (1 pg)	Clerk's Notice of Pro Bono Resources. (admin) (Entered: 04/14/2025)
04/16/2025	<a href="#">8</a> (1 pg)	<b>Order Transferring Case. Involvement of Erik P. Kimball Terminated. (Fleurimond, Lucie)</b> (Entered: 04/16/2025)

04/16/2025	<a href="#">9</a> (1 pg)	***Disregard; Entered in error.*** Notice of Reassignment. Judge Mindy A Mora Assigned to Case. Judge Erik P Kimball Removed from Case. (Fleurimond, Lucie) Modified on 4/16/2025 - edited text, no notice served (Cradic, Cameron). (Entered: 04/16/2025)
04/16/2025	10	Notice of Corrective Entry (Re: <a href="#">9</a> ***Disregard; Entered in error.*** Notice of Reassignment. Judge Mindy A Mora Assigned to Case. Judge Erik P Kimball Removed from Case. (Fleurimond, Lucie) Modified on 4/16/2025 - edited text, no notice served .) (Cradic, Cameron) (Entered: 04/16/2025)
04/17/2025	11	<b>Clerk's Evidence of Repeat Filings for debtor BERNSTEIN, ELIOT IVAN. Case Number <a href="#">23-12630</a>, Chapter 13 filed in Florida Southern on 04/03/2023 was Closed on 04/04/2023.</b> (Cohen, Diana) (Entered: 04/17/2025)
04/17/2025	<a href="#">12</a> (2 pgs)	Amended Notice of Chapter 13 Case and Meeting of Creditors. Meeting of Creditors to be Held on 5/21/2025 at 09:00 AM at www.Zoom.us - Weiner: Meeting ID 641 184 3541, Passcode 9807786714, Phone (954) 399-6624. Last Day to Oppose Discharge or Dischargeability is 7/21/2025. Confirmation Hearing to be Held on 7/7/2025 at 09:00 AM U.S. Courthouse, 299 E Broward Blvd Courtroom 301 (PDR), Fort Lauderdale, FL. Objection to Confirmation Deadline: 6/23/2025. (Cradic, Cameron) (Entered: 04/17/2025)
04/19/2025	<a href="#">13</a> (4 pgs)	BNC Certificate of Mailing (Re: <a href="#">12</a> Amended Notice of Chapter 13 Case and Meeting of Creditors. Meeting of Creditors to be Held on 5/21/2025 at 09:00 AM at www.Zoom.us - Weiner: Meeting ID 641 184 3541, Passcode 9807786714, Phone (954) 399-6624. Last Day to Oppose Discharge or Dischargeability is 7/21/2025. Confirmation Hearing to be Held on 7/7/2025 at 09:00 AM U.S. Courthouse, 299 E Broward Blvd Courtroom 301 (PDR), Fort Lauderdale, FL. Objection to Confirmation Deadline: 6/23/2025.) Notice Date 04/19/2025. (Admin.) (Entered: 04/20/2025)
04/28/2025	<a href="#">14</a> (2 pgs)	Payment Advices by Debtor Filed by Debtor Eliot Ivan Bernstein . (Wilson, Melissa) (Entered: 04/28/2025)
04/28/2025	<a href="#">15</a> (6 pgs)	Emergency Motion to Extend Time to File Required Information Pursuant to 11 USC Section 521a, Filed by Debtor Eliot Ivan Bernstein (Wilson, Melissa) (Entered: 04/28/2025)
04/29/2025	<a href="#">16</a> (2 pgs)	<b>Order Granting in Part Motion to Extend Time to File Schedules/Plan/Required Information. Deadline Extended through 5/12/2025. (Re: # <a href="#">15</a>) [Incomplete Filings due by 5/12/2025]. Summary of Your Assets and Liabilities and Certain Statistical Information due 5/12/2025. Schedules A-J due 5/12/2025. Statement of Financial Affairs Due 5/12/2025. Declaration Concerning Debtors Schedules Due: 5/12/2025. Chapter 13 Plan due by 5/12/2025. Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period Form 122C-1 Due 5/12/2025. (Wilson, Melissa) (Entered: 04/29/2025)</b>

05/01/ 2025	<a href="#">17</a> (3 pgs)	BNC Certificate of Mailing - PDF Document (Re: <a href="#">16 Order Granting in Part Motion to Extend Time to File Schedules/Plan/Required Information. Deadline Extended through 5/12/2025.</a> (Re: <a href="#">15</a> ) [Incomplete Filings due by 5/12/2025]. <b>Summary of Your Assets and Liabilities and Certain Statistical Information due 5/12/2025. Schedules A-J due 5/12/2025. Statement of Financial Affairs Due 5/12/2025. Declaration Concerning Debtors Schedules Due: 5/12/2025. Chapter 13 Plan due by 5/12/2025. Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period Form 122C-1 Due 5/12/2025.</b> (Wilson, Melissa) ) Notice Date 05/01/2025. (Admin.) (Entered: 05/02/2025)
05/06/ 2025	<a href="#">18</a> (23 pgs)	Renewed Motion for Relief from Stay <i>for In Rem Stay Relief</i> [ <a href="#">Consent for the 30 day Waiver</a> ] [Fee Amount \$199] Filed by Creditor Charles Revard, Guardian (Shraiberg, Bradley) (Entered: 05/06/2025)
05/06/ 2025		Receipt of Motion for Relief From Stay( <a href="#">25-14028-PDR</a> ) [motion,mrlfsty] ( 199.00) Filing Fee. Receipt number A46010262. Fee amount 199.00. (U.S. Treasury) (Entered: 05/06/2025)
05/08/ 2025	<a href="#">19</a> (29 pgs)	Amended Motion ( <a href="#">18</a> Renewed Motion for Relief from Stay <i>for In Rem Stay Relief</i> [ <a href="#">Consent for the 30 day Waiver</a> ] [Fee Amount \$199]) Filed by Creditor Charles Revard, Guardian (Shraiberg, Bradley) (Entered: 05/08/2025)
05/08/ 2025	<a href="#">20</a> (16 pgs)	Exhibit List <i>Exhibits F and G</i> Filed by Creditor Charles Revard, Guardian (Re: <a href="#">19</a> Amended Motion ( <a href="#">18</a> Renewed Motion for Relief from Stay <i>for In Rem Stay Relief</i> [ <a href="#">Consent for the 30 day Waiver</a> ] [Fee Amount \$199]) filed by Creditor Charles Revard, Guardian). (Pendergraft, Eric) (Entered: 05/08/2025)
05/09/ 2025	<a href="#">21</a> (1 pg)	Notice of Hearing (Re: <a href="#">19</a> Amended Motion ( <a href="#">18</a> Renewed Motion for Relief from Stay <i>for In Rem Stay Relief</i> [ <a href="#">Consent for the 30 day Waiver</a> ] [Fee Amount \$199]) Filed by Creditor Charles Revard, Guardian) Chapter 13 Hearing scheduled for 06/02/2025 at 10:00 AM U.S. Courthouse, 299 E Broward Blvd Courtroom 301 (PDR), Fort Lauderdale, FL. (Weldon, Melva) (Entered: 05/09/2025)
05/12/ 2025	<a href="#">22</a> (3 pgs)	Certificate of Service by Attorney Bradley S Shraiberg (Re: <a href="#">19</a> Amended Motion ( <a href="#">18</a> Renewed Motion for Relief from Stay <i>for In Rem Stay Relief</i> [ <a href="#">Consent for the 30 day Waiver</a> ] [Fee Amount \$199]) filed by Creditor Charles Revard, Guardian, <a href="#">20</a> Exhibit Register/List filed by Creditor Charles Revard, Guardian, <a href="#">21</a> Notice of Hearing). (Shraiberg, Bradley) (Entered: 05/12/2025)
05/12/ 2025	<a href="#">23</a> (47 pgs; 2 docs)	Initial Schedules Filed: [Summary of Your Assets/Liabilities,Schedule A/B,Schedule D,Schedule E/F,Schedule G,Schedule H,Schedule I,Schedule J,Statement of Financial Affairs,Declaration re Schedules,] Filed by Debtor Eliot Ivan Bernstein . (Attachments: # <a href="#">1</a> Local Form 4) (Wilson, Melissa) (Entered: 05/12/2025)
05/12/ 2025	<a href="#">24</a> (3 pgs)	Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period for 3 Years Form 122C-1. Disposable Income Is Not Determined Filed by Debtor Eliot Ivan Bernstein . (Wilson, Melissa) (Entered: 05/12/2025)

05/12/2025	<a href="#">25</a> (3 pgs)	Chapter 13 Plan Filed by Debtor Eliot Ivan Bernstein. (Wilson, Melissa) (Entered: 05/12/2025)
05/12/2025	<a href="#">26</a> (3 pgs)	Notice of Transmittal of PDF Document to BNC for Noticing (Re: <a href="#">25</a> Chapter 13 Plan Filed by Debtor Eliot Ivan Bernstein.) (Wilson, Melissa) (Entered: 05/12/2025)
05/14/2025	<a href="#">27</a> (5 pgs)	BNC Certificate of Mailing - PDF Document (Re: <a href="#">26</a> Notice of Transmittal of PDF Document to BNC for Noticing (Re: <a href="#">25</a> Chapter 13 Plan Filed by Debtor Eliot Ivan Bernstein.)) Notice Date 05/14/2025. (Admin.) (Entered: 05/15/2025)
05/23/2025	28	Trustee's Request for Entry of Order Dismissing Case for Failure to Make Pre-Confirmation Plan Payments Filed by Trustee Robin R Weiner. (Weiner, Robin) (Entered: 05/23/2025)
05/30/2025	<a href="#">29</a> (257 pgs; 8 docs)	Debtor's Emergency Submittal Under 11 U.S.C. § 105(A) for Temporary Stay or Continuance of Hearing on: [RE:( <a href="#">19</a> Amended Motion)] and Under Local Rule 4001-1 and Rule 5071-1 and Response in Opposition to Amended Motion for Stay Relief, Request for Evidentiary Hearing After Discovery Filed by Debtor Eliot Ivan Bernstein (Attachments: # <a href="#">1</a> Exhibit Exhibit 1 # <a href="#">2</a> Exhibit Exhibit 1A # <a href="#">3</a> Exhibit Exhibit 1B # <a href="#">4</a> Exhibit Exhibit 2 # <a href="#">5</a> Exhibit Exhibit 3 # <a href="#">6</a> Exhibit Exhibit 4 # <a href="#">7</a> Exhibit Exhibit 5) (Williams, Antowanette) (Entered: 05/30/2025)
05/30/2025	<a href="#">30</a> (1 pg)	Re- Notice of Hearing (Re: <a href="#">19</a> Amended Motion ( <a href="#">18</a> Renewed Motion for Relief from Stay <i>for In Rem Stay Relief</i> [ <a href="#">Consent for the 30 day Waiver</a> ] [Fee Amount \$199]) Filed by Creditor Charles Revard, Guardian) Chapter 13 Hearing scheduled for 06/02/2025 at 10:30 AM U.S. Courthouse, 299 E Broward Blvd Courtroom 301 (PDR), Fort Lauderdale, FL. (Weldon, Melva) (Entered: 05/30/2025)
05/30/2025	<a href="#">31</a> (2 pgs)	Notice of Hearing (Re: <a href="#">29</a> Debtor's Emergency Submittal Under 11 U.S.C. § 105(A) for Temporary Stay or Continuance of Hearing on: [RE:( <a href="#">19</a> Amended Motion)] and Under Local Rule 4001-1 and Rule 5071-1 and Response in Opposition to Amended Motion for Stay Relief, Request for Evidentiary Hearing After Discovery Filed by Debtor Eliot Ivan Bernstein (Attachments: # 1 Exhibit Exhibit 1 # 2 Exhibit Exhibit 1A # 3 Exhibit Exhibit 1B # 4 Exhibit Exhibit 2 # 5 Exhibit Exhibit 3 # 6 Exhibit Exhibit 4 # 7 Exhibit Exhibit 5)) Chapter 13 Hearing scheduled for 06/02/2025 at 10:30 AM U.S. Courthouse, 299 E Broward Blvd Courtroom 301 (PDR), Fort Lauderdale, FL. (Weldon, Melva) (Entered: 05/30/2025)
05/30/2025	<a href="#">32</a> (1 pg)	Certificate of Service Filed by Creditor Charles Revard, Guardian (Re: <a href="#">30</a> Notice of Hearing Amended/Renoticed/Continued, <a href="#">31</a> Notice of Hearing). (Pendergraft, Eric) (Entered: 05/30/2025)
05/30/2025	<a href="#">33</a> (2 pgs)	Certificate of Service by Attorney Bradley S Shraiberg (Re: <a href="#">30</a> Notice of Hearing Amended/Renoticed/Continued). (Shraiberg, Bradley) (Entered: 05/30/2025)

06/01/ 2025	<a href="#">34</a> (3 pgs)	BNC Certificate of Mailing - Hearing (Re: <a href="#">31</a> Notice of Hearing (Re: <a href="#">29</a> Debtor's Emergency Submittal Under 11 U.S.C. § 105(A) for Temporary Stay or Continuance of Hearing on: [RE:( <a href="#">19</a> Amended Motion)] and Under Local Rule 4001-1 and Rule 5071-1 and Response in Opposition to Amended Motion for Stay Relief, Request for Evidentiary Hearing After Discovery Filed by Debtor Eliot Ivan Bernstein (Attachments: # 1 Exhibit Exhibit 1 # 2 Exhibit Exhibit 1A # 3 Exhibit Exhibit 1B # 4 Exhibit Exhibit 2 # 5 Exhibit Exhibit 3 # 6 Exhibit Exhibit 4 # 7 Exhibit Exhibit 5)) Chapter 13 Hearing scheduled for 06/02/2025 at 10:30 AM U.S. Courthouse, 299 E Broward Blvd Courtroom 301 (PDR), Fort Lauderdale, FL.) Notice Date 06/01/2025. (Admin.) (Entered: 06/02/2025)
06/05/ 2025	<a href="#">35</a> (5 pgs)	<b>Order Granting Amended Motion For Stay Relief (Re: # <a href="#">19</a>) (Wilson, Melissa)</b> (Entered: 06/05/2025)
06/06/ 2025	<a href="#">36</a> (3 pgs)	Certificate of Service by Attorney Bradley S Shraiberg (Re: <a href="#">35</a> Order on Amended Motion). (Shraiberg, Bradley) (Entered: 06/06/2025)
06/09/ 2025	<a href="#">37</a> (2 pgs)	<b>Order Denying Debtors Motion For Temporary Stay or Continuance of Hearing (Re: # <a href="#">29</a>) (<a href="#">19</a> Amended Motion (<a href="#">18</a> Renewed Motion for Relief from Stay <i>for In Rem Stay Relief</i> [<b>Consent for the 30 day Waiver</b>] [Fee Amount \$199]) ). (Wilson, Melissa)</b> (Entered: 06/09/2025)
06/09/ 2025	<a href="#">38</a> (2 pgs)	<b>Order Granting Trustee's Request for Order Dismissing Case Upon Denial of Confirmation of Plan (Re: # <a href="#">28</a> ) [Filing Fee Balance Due: \$0.00] (Wilson, Melissa)</b> (Entered: 06/09/2025)
06/11/ 2025	<a href="#">39</a> (4 pgs)	BNC Certificate of Mailing - Order Dismissing Case (Re: <a href="#">38</a> <b>Order Granting Trustee's Request for Order Dismissing Case Upon Denial of Confirmation of Plan (Re: # <a href="#">28</a> ) [Filing Fee Balance Due: \$0.00] (Wilson, Melissa) )</b> Notice Date 06/11/2025. (Admin.) (Entered: 06/12/2025)
06/11/ 2025	<a href="#">40</a> (4 pgs)	BNC Certificate of Mailing - PDF Document (Re: <a href="#">37</a> <b>Order Denying Debtors Motion For Temporary Stay or Continuance of Hearing (Re: <a href="#">29</a>) (<a href="#">19</a> Amended Motion (<a href="#">18</a> Renewed Motion for Relief from Stay <i>for In Rem Stay Relief</i> [<b>Consent for the 30 day Waiver</b>] [Fee Amount \$199]) ). (Wilson, Melissa) )</b> Notice Date 06/11/2025. (Admin.) (Entered: 06/12/2025)
06/18/ 2025	<a href="#">41</a> (10 pgs)	Debtor's Motion to Vacate All Judgments (Re: <a href="#">35</a> <a href="#">37</a> <a href="#">38</a> ) and Orders of Hon. Judge Russin Upon Mandatory Disqualification and Reinstate The Automatic Stay Pending New Trial and Hearing and Other Relief Under Federal Rules of Bankruptcy Procedure 9023 and 9024 and Timely Filed to Extend The Time For Filing an Appeal Under Rule 8002 (B) filed by Debtor Eliot Ivan Bernstein (Williams, Antowanette) (Entered: 06/18/2025)

06/23/ 2025	<a href="#">42</a> (23 pgs)	Debtor's Supplemental Motion And "Newly Discovered Evidence" To Vacate All Judgments And Orders Of Hon. Judge Russin Upon Mandatory Disqualification and Reinstate The Automatic Stay Pending New Trial and Hearing and Other Relief Under Federal Rules of Bankruptcy Procedure 9023 and 9024 and Timely Filed to Extend The Time For Filing an Appeal Under Rule 8002 (B) (Re: <a href="#">35</a> Order on Amended Motion, <a href="#">37</a> Order on Motion to Extend the Automatic Stay, Order on Motion to Continue Hearing, <a href="#">38</a> Order Dismissing Case)) Filed by Debtor Eliot Ivan Bernstein (Graster-Thomas, Tanesha) (Entered: 06/23/2025)
06/26/ 2025	<a href="#">43</a> (9 pgs)	<b>Order Denying Debtors Emergency Motions to Vacate Orders and Disqualify Judge Pursuant to 28 U.S.C. § 455 and Bankruptcy Rules 9023, 9024, and 8002 (Re: # <a href="#">41</a>) and (Re: # <a href="#">42</a>) (Wilson, Melissa)</b> (Entered: 06/26/2025)
06/28/ 2025	<a href="#">44</a> (11 pgs)	BNC Certificate of Mailing - PDF Document (Re: <a href="#">43</a> <b>Order Denying Debtors Emergency Motions to Vacate Orders and Disqualify Judge Pursuant to 28 U.S.C. § 455 and Bankruptcy Rules 9023, 9024, and 8002 (Re: <a href="#">41</a>) and (Re: <a href="#">42</a>) (Wilson, Melissa)</b> ) Notice Date 06/28/2025. (Admin.) (Entered: 06/29/2025)
07/10/ 2025	<a href="#">45</a> (28 pgs)	Emergency Pro-Se Motion On Reconsideration To Vacate De No. 43, No. 35, No. 37, No. 38 To Vacate All Judgments And Orders Of Hon. Judge Russin Upon Mandatory Disqualification And Reinstate The Automatic Stay Pending New Trial AndHearing And Other Relief Under Federal Rules Of Bankruptcy Procedure 9023 And 9024 (Re: <a href="#">35</a> Order on Amended Motion, <a href="#">37</a> Order on Motion to Extend the Automatic Stay, Order on Motion to Continue Hearing, <a href="#">38</a> Order Dismissing Case, <a href="#">43</a> Order on Motion to Vacate, Order on Motion to Impose Automatic Stay, Order on Miscellaneous Motion, Order on Motion to Extend Time, Order on Motion to Vacate, Order on Motion to Impose Automatic Stay, Order on Miscellaneous Motion, Order on Motion to Extend Time) Filed by Debtor Eliot Ivan Bernstein (Spence, Indira) (Entered: 07/10/2025)
07/10/ 2025	<a href="#">46</a> (21 pgs)	Notice of Appeal and Election to Appeal To District Court Filed by Debtor Eliot Ivan Bernstein (Re: <a href="#">35</a> <b>Order Granting Amended Motion For Stay Relief (Re: <a href="#">19</a>) (Wilson, Melissa)</b> , <a href="#">37</a> <b>Order Denying Debtors Motion For Temporary Stay or Continuance of Hearing (Re: <a href="#">29</a>) (<a href="#">19</a> Amended Motion (<a href="#">18</a> Renewed Motion for Relief from Stay for <i>In Rem Stay Relief</i> [<b>Consent for the 30 day Waiver</b>] [Fee Amount \$199]) )</b> ). (Wilson, Melissa) , <a href="#">38</a> <b>Order Granting Trustee's Request for Order Dismissing Case Upon Denial of Confirmation of Plan (Re: # 28 ) [Filing Fee Balance Due: \$0.00] (Wilson, Melissa)</b> , <a href="#">43</a> <b>Order Denying Debtors Emergency Motions to Vacate Orders and Disqualify Judge Pursuant to 28 U.S.C. § 455 and Bankruptcy Rules 9023, 9024, and 8002 (Re: <a href="#">41</a>) and (Re: <a href="#">42</a>) (Wilson, Melissa)</b> ). Appellant Designation due 7/24/2025. (Ferere, Magali) (Entered: 07/10/2025)



07/10/ 2025	<a href="#">47</a> (25 pgs; 2 docs)	Clerk's Notice of Mailing of (Re: <a href="#">46</a> Notice of Appeal and Election to Appeal To District Court Filed by Debtor Eliot Ivan Bernstein (Re: <a href="#">35</a> <b>Order Granting Amended Motion For Stay Relief</b> (Re: <a href="#">19</a> ) (Wilson, Melissa) , <a href="#">37</a> <b>Order Denying Debtors Motion For Temporary Stay or Continuance of Hearing</b> (Re: <a href="#">29</a> ) ( <a href="#">19</a> <b>Amended Motion</b> ( <a href="#">18</a> <b>Renewed Motion for Relief from Stay for In Rem Stay Relief</b> [ <b>Consent for the 30 day Waiver</b> ] [Fee Amount \$199]) ). (Wilson, Melissa) , <a href="#">38</a> <b>Order Granting Trustee's Request for Order Dismissing Case Upon Denial of Confirmation of Plan</b> (Re: # 28 ) [Filing Fee Balance Due: \$0.00] (Wilson, Melissa) , <a href="#">43</a> <b>Order Denying Debtors Emergency Motions to Vacate Orders and Disqualify Judge Pursuant to 28 U.S.C. § 455 and Bankruptcy Rules 9023, 9024, and 8002</b> (Re: <a href="#">41</a> ) and (Re: <a href="#">42</a> ) (Wilson, Melissa) ). Appellant Designation due 7/24/2025.) (Ferere, Magali) (Entered: 07/10/2025)
07/10/ 2025	<a href="#">48</a> (1 pg)	Transmittal to US District Court (Re: <a href="#">46</a> Notice of Appeal and Election to Appeal To District Court Filed by Debtor Eliot Ivan Bernstein (Re: <a href="#">35</a> <b>Order Granting Amended Motion For Stay Relief</b> (Re: <a href="#">19</a> ) (Wilson, Melissa) , <a href="#">37</a> <b>Order Denying Debtors Motion For Temporary Stay or Continuance of Hearing</b> (Re: <a href="#">29</a> ) ( <a href="#">19</a> <b>Amended Motion</b> ( <a href="#">18</a> <b>Renewed Motion for Relief from Stay for In Rem Stay Relief</b> [ <b>Consent for the 30 day Waiver</b> ] [Fee Amount \$199]) ). (Wilson, Melissa) , <a href="#">38</a> <b>Order Granting Trustee's Request for Order Dismissing Case Upon Denial of Confirmation of Plan</b> (Re: # 28 ) [Filing Fee Balance Due: \$0.00] (Wilson, Melissa) , <a href="#">43</a> <b>Order Denying Debtors Emergency Motions to Vacate Orders and Disqualify Judge Pursuant to 28 U.S.C. § 455 and Bankruptcy Rules 9023, 9024, and 8002</b> (Re: <a href="#">41</a> ) and (Re: <a href="#">42</a> ) (Wilson, Melissa) ). Appellant Designation due 7/24/2025.) (Ferere, Magali) (Entered: 07/10/2025)
07/11/ 2025	49	Notice of U.S. District Court Case Assignment. Case Number: 25-cv-61397-AHS (Re: <a href="#">46</a> Notice of Appeal and Election to Appeal To District Court Filed by Debtor Eliot Ivan Bernstein (Re: <a href="#">35</a> <b>Order Granting Amended Motion For Stay Relief</b> (Re: <a href="#">19</a> ) (Wilson, Melissa) , <a href="#">37</a> <b>Order Denying Debtors Motion For Temporary Stay or Continuance of Hearing</b> (Re: <a href="#">29</a> ) ( <a href="#">19</a> <b>Amended Motion</b> ( <a href="#">18</a> <b>Renewed Motion for Relief from Stay for In Rem Stay Relief</b> [ <b>Consent for the 30 day Waiver</b> ] [Fee Amount \$199]) ). (Wilson, Melissa) , <a href="#">38</a> <b>Order Granting Trustee's Request for Order Dismissing Case Upon Denial of Confirmation of Plan</b> (Re: # 28 ) [Filing Fee Balance Due: \$0.00] (Wilson, Melissa) , <a href="#">43</a> <b>Order Denying Debtors Emergency Motions to Vacate Orders and Disqualify Judge Pursuant to 28 U.S.C. § 455 and Bankruptcy Rules 9023, 9024, and 8002</b> (Re: <a href="#">41</a> ) and (Re: <a href="#">42</a> ) (Wilson, Melissa) ). Appellant Designation due 7/24/2025.) (Wilson, Melissa) (Entered: 07/11/2025)
07/12/ 2025	<a href="#">50</a> (5 pgs)	BNC Certificate of Mailing (Re: <a href="#">47</a> Clerk's Notice of Mailing of (Re: <a href="#">46</a> Notice of Appeal and Election to Appeal To District Court Filed by Debtor Eliot Ivan Bernstein (Re: <a href="#">35</a> <b>Order Granting Amended Motion For Stay Relief</b> (Re: <a href="#">19</a> ) (Wilson, Melissa) , <a href="#">37</a> <b>Order Denying Debtors Motion For Temporary Stay or Continuance of Hearing</b> (Re: <a href="#">29</a> ) ( <a href="#">19</a> <b>Amended Motion</b> ( <a href="#">18</a> <b>Renewed Motion for Relief from Stay for In Rem Stay Relief</b> [ <b>Consent for the 30 day Waiver</b> ] [Fee



		Amount \$199)) ). (Wilson, Melissa) , <a href="#">38</a> Order Granting Trustee's Request for Order Dismissing Case Upon Denial of Confirmation of Plan (Re: # 28 ) [Filing Fee Balance Due: \$0.00] (Wilson, Melissa) , <a href="#">43</a> Order Denying Debtors Emergency Motions to Vacate Orders and Disqualify Judge Pursuant to 28 U.S.C. § 455 and Bankruptcy Rules 9023, 9024, and 8002 (Re: <a href="#">41</a> ) and (Re: <a href="#">42</a> ) (Wilson, Melissa) ). Appellant Designation due 7/24/2025.)) Notice Date 07/12/2025. (Admin.) (Entered: 07/13/2025)
07/12/2025	<a href="#">51</a> (22 pgs)	BNC Certificate of Mailing - PDF Document (Re: <a href="#">47</a> Clerk's Notice of Mailing of (Re: <a href="#">46</a> Notice of Appeal and Election to Appeal To District Court Filed by Debtor Eliot Ivan Bernstein (Re: <a href="#">35</a> Order Granting Amended Motion For Stay Relief (Re: <a href="#">19</a> ) (Wilson, Melissa) , <a href="#">37</a> Order Denying Debtors Motion For Temporary Stay or Continuance of Hearing (Re: <a href="#">29</a> ) ( <a href="#">19</a> Amended Motion ( <a href="#">18</a> Renewed Motion for Relief from Stay for In Rem Stay Relief [ <b>Consent for the 30 day Waiver</b> ] [Fee Amount \$199]) ). (Wilson, Melissa) , <a href="#">38</a> Order Granting Trustee's Request for Order Dismissing Case Upon Denial of Confirmation of Plan (Re: # 28 ) [Filing Fee Balance Due: \$0.00] (Wilson, Melissa) , <a href="#">43</a> Order Denying Debtors Emergency Motions to Vacate Orders and Disqualify Judge Pursuant to 28 U.S.C. § 455 and Bankruptcy Rules 9023, 9024, and 8002 (Re: <a href="#">41</a> ) and (Re: <a href="#">42</a> ) (Wilson, Melissa) ). Appellant Designation due 7/24/2025.)) Notice Date 07/12/2025. (Admin.) (Entered: 07/13/2025)
07/17/2025	<a href="#">52</a> (3 pgs)	<b>Order Denying Debtor's Motion For Reconsideration (Doc. No. 45) and Caution Regarding Future Repetitive Filings (Re: # <a href="#">45</a>) (Wilson, Melissa) (Entered: 07/17/2025)</b>
07/19/2025	<a href="#">53</a> (5 pgs)	BNC Certificate of Mailing - PDF Document (Re: <a href="#">52</a> <b>Order Denying Debtor's Motion For Reconsideration (Doc. No. 45) and Caution Regarding Future Repetitive Filings (Re: <a href="#">45</a>) (Wilson, Melissa) )</b> Notice Date 07/19/2025. (Admin.) (Entered: 07/20/2025)

6. From prior Bankruptcy Case No. 23-12630-PDR the Debtor designates:

04/03/2023	<a href="#">7</a> (1 pg)	<b>Order Transferring Case. Involvement of Erik P. Kimball Terminated. (Cradic, Cameron) (Entered: 04/03/2023)</b>
04/03/2023	<a href="#">8</a> (1 pg)	***Disregard; Entered in error.*** Notice of Recusal. Judge Mindy A Mora Assigned to Case. Judge Erik P Kimball Removed from Case. (Cradic, Cameron) Modified on 4/3/2023 - edited text, no notice served (Cradic, Cameron). (Entered: 04/03/2023)

04/03/ 2023	<a href="#">9</a> (1 3 pg s)	Expedited Motion for Relief from Stay <i>Ex Parte</i> [ <a href="#">Consent for the 30 day Waiver</a> ] [Fee Amount \$188] Filed by Creditor Joanna Sahm as personal representative of the Estate of Walter Sahm and Patricia Sahm (Shraiberg, Bradley) (Entered: 04/03/2023)
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04/04/ 2023	<a href="#">13</a> (1 pg )	Notice of Hearing (Re: <a href="#">9</a> Expedited Motion for Relief from Stay <i>Ex Parte</i> [ <a href="#">Consent for the 30 day Waiver</a> ] [Fee Amount \$188] Filed by Creditor Joanna Sahm as personal representative of the Estate of Walter Sahm and Patricia Sahm) Chapter 13 Hearing scheduled for 04/13/2023 at 10:00 AM U.S. Courthouse, 299 E Broward Blvd Courtroom 301 (PDR), Fort Lauderdale, FL. (Weldon, Melva) (Entered: 04/04/2023)
04/04/ 2023	<a href="#">14</a> (3 pg s)	Certificate of Service by Attorney Bradley S Shraiberg (Re: <a href="#">9</a> Expedited Motion for Relief from Stay <i>Ex Parte</i> [ <a href="#">Consent for the 30 day Waiver</a> ] [Fee Amount \$188] filed by Creditor Joanna Sahm as personal representative of the Estate of Walter Sahm and Patricia Sahm, <a href="#">13</a> Notice of Hearing). (Shraiberg, Bradley) (Entered: 04/04/2023)
04/04/ 2023	<a href="#">15</a> (2 0 pg s)	Motion for Relief from Stay <i>in Rem</i> [Fee Amount \$188] Filed by Creditor Joanna Sahm as personal representative of the Estate of Walter Sahm and Patricia Sahm (Shraiberg, Bradley) (Entered: 04/04/2023)
04/04/ 2023		Receipt of Motion for Relief From Stay( <a href="#">23-12630-PDR</a> ) [motion,mrlfsty] ( 188.00) Filing Fee. Receipt number A42302810. Fee amount 188.00. (U.S. Treasury) (Entered: 04/04/2023)
04/05/ 2023	<a href="#">16</a> (1 pg )	Notice of Hearing (Re: <a href="#">15</a> Motion for Relief from Stay <i>in Rem</i> [Fee Amount \$188] Filed by Creditor Joanna Sahm as personal representative of the Estate of Walter Sahm and Patricia Sahm) Chapter 13 Hearing scheduled for 04/13/2023 at 10:00 AM U.S. Courthouse, 299 E Broward Blvd Courtroom 301 (PDR), Fort Lauderdale, FL. (Weldon, Melva) (Entered: 04/05/2023)

04/13/ 2023	<a href="#">20</a> (4 8 pg s)	Debtor's Emergency Submittal Under Local Rule Rule 5005-1 (F)(2) of Debtor's Opposition and Objection to ( <a href="#">9</a> Expedited Motion for Relief from Stay <i>Ex Parte</i> [ <a href="#">Consent for the 30 day Waiver</a> ] [Fee Amount \$188] filed by Creditor Joanna Sahm as personal representative of the Estate of Walter Sahm and Patricia Sahm, <a href="#">15</a> Motion for Relief from Stay <i>in Rem</i> [Fee Amount \$188] filed by Creditor Joanna Sahm as personal representative of the Estate of Walter Sahm and Patricia Sahm) Filed by Debtor Eliot Ivan Bernstein (Weldon, Melva) (Entered: 04/13/2023)
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04/13/ 2023	<a href="#"><u>21</u></a> (1 pg )	Certificate of Service by Attorney Bradley S Shraiberg (Re: <a href="#"><u>16</u></a> Notice of Hearing). (Shraiberg, Bradley) (Entered: 04/13/2023)
04/14/ 2023	<a href="#"><u>22</u></a> (4 pg s)	<b>Order Granting Motion For Relief From Stay Re: <a href="#"><u>15</u></a> And Denying as Moot <a href="#"><u>2</u></a> Motion For Relief From Stay. (Rodriguez, Lorenzo)</b> Modified on 5/19/2023 to Correct Docket Text (Grooms, Desiree). (Entered: 04/14/2023)

05/16/ 2023	<a href="#"><u>35</u></a> (1 pg )	Notice of Voluntary Dismissal Filed by Debtor Eliot Ivan Bernstein . (Grooms, Desiree) (Entered: 05/16/2023)
05/19/ 2023	36	Notice of Corrective Entry to Correct Docket Text (Re: <a href="#"><u>22</u></a> <b>Order Granting Motion For Relief From Stay Re: <a href="#"><u>15</u></a> And Denying as Moot <a href="#"><u>2</u></a> Motion For Relief From Stay. (Rodriguez, Lorenzo)</b> Modified on 5/19/2023 to Correct Docket Text .) (Grooms, Desiree) (Entered: 05/19/2023)
05/19/ 2023	<a href="#"><u>37</u></a> (2 pg s)	<b>Order Granting Notice of Voluntary Dismissal (Re: # <a href="#"><u>35</u></a>). Case is Dismissed. The debtor is prohibited from filing a petition under any chapter of the Bankruptcy Code for a period of 180 days. [Filing Fee Balance Due: \$0.00] (Grooms, Desiree)</b> (Entered: 05/19/2023)

### **DEBTOR'S DESIGNATION OF ISSUES ON APPEAL**

7. Debtor designates the following issues on appeal including but not limited

to:

A. Failure of Bankruptcy Judge to mandatorily Disqualify under 28 USC Sec 455.

B. Abuse of discretion and due process errors in failing to schedule an Evidentiary hearing on Debtor's motion and Defendant's In Rem motion;

- C. Fundamental due process failures by the Bankruptcy Court in failing to provide a fair opportunity to be heard according to due process by a fair, independent and neutral Bankruptcy Judge free from words of bias and prejudice;
- D. Failure of Bankruptcy Judge and US Trustee to comply with federal statutory obligations to even hear from a licensed attorney seeking federal whistleblower protection to show fraud in the bankruptcy proceedings and related state proceedings;
- E. US Bankruptcy Judge issuing materially false statements in official decisions;
- F. US Bankruptcy Judge failing to afford due process to Debtor for the proper scheduling of witnesses;
- G. US Bankruptcy Judge failing to uphold Local Rules and Bankruptcy Rules on proper interested parties entitled to Notice for In Rem relief and Lift Stay relief;
- H. Failure to determine value of real property by proper fact finding determination and evidentiary hearing;
- I. Failure to consider and address Ch. 13 Plan filed and failure to consider any amendments or allow same with total failure of US Trustee to communicate with Debtor on Plan filed and total failure of

Bankruptcy Judge to hear or consider Debtor's Plan and denials of due process;

- J. Abuse of discretion and impropriety of Bankruptcy Judge issuing further relief ex parte after Debtor no longer present in Non evidentiary hearing;
- K. Failure of Bankruptcy Court and US Trustee to consider any of the contingent and other claims of Debtor despite statutory duties;
- L. Failure to consider or communicate on "the missing millions" as part of Debtor's Plan and bankruptcy estate;
- M. Failure to vacate In Rem relief orders and Dismissal;
- N. Total failure to hear Florida Licensed attorney Inger Garcia former Intern Prosecutor seeking federal Whistleblower protection on fraud not heard by US Trustee Weiner or Bankruptcy Judge where attorney not under the direction and control of Debtor;
- O. Failure of Bankruptcy Court to consider estoppel issues as abuse of discretion and contrary to 11th Circuit rulings.

Dated: July 24, 2025

Eliot I. Bernstein, Ch. 13 Debtor Pro Se  
2753 NW 34th Street  
Boca Raton, FL 33434

561-886-7628  
iviesit@gmail.com

**CERTIFICATE OF SERVICE**

I certify that I served by electronic mail the US Trustee and Mr. Shraiberg  
and other parties required for Service as known on this day.

Dated: July 24, 2025

/s/ Eliot I. Bernstein  
Eliot I. Bernstein, Ch. 13 Debtor Pro Se  
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