

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ALASKA

In re:

BERND D. HOFFMANN,

Debtor.

Case No. A05-00373-DMD
Chapter 7

Filed On
3/29/07

MEMORANDUM REGARDING MOTION TO AMEND ORDER

The debtor has filed a motion to amend an order filed on November 21, 2006. The motion to amend was filed March 14, 2007. Under Rule 9023, *Fed. R. Bankr. Pro.*, Rule 59 of the *Fed. R. Civ. Pro.* governs motions to amend. Rule 59(e) provides: “Any motion to alter or amend a judgment shall be filed no later than 10 days after entry of the judgment.” The ten day limit for filing motions to alter or amend may not be altered, waived, or amended by the court.¹ The debtor has not complied with the ten day requirement. His motion to amend must be denied.

The debtor can seek relief from this court’s November 21, 2006 order. He must follow Rule 9024, *Fed. R. Bankr. Pro.* and Rule 60(b), *Fed. R. Civ. Pro.* in order to do so, however.

¹12-59 MOORE’S FEDERAL PRACTICE - CIVIL § 59.31[2].

DATED: March 29, 2007.

BY THE COURT

/s/ Donald MacDonald IV
DONALD MacDONALD IV
United States Bankruptcy Judge

Serve: W. Artus, Esq.
G. Spraker, Esq.
E. Sleeper, Esq.
W. Barstow, Trustee
U. S. Trustee

03/29/07