

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

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Chapter 11

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JCK LEGACY COMPANY, *et al.*,

:

Case No. 20-10418 (MEW)

:

Debtors.

:

(Jointly Administered)
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**ORDER (I) DEEMING THE APPEAL BY MR. COLT-SARMIENTO FROM THE
COURT'S MARCH 21, 2025 ORDER TO BE TIMELY FILED, (II) DENYING THE
MOTION TO EXTEND THE TIME TO FILE RESPONSIVE PAPERS AS MOOT, AND
(III) DENYING THE MOTION FOR TIME TO FILE AN APPEAL AS MOOT**

On February 28, 2025, Mr. Colt-Sarmiento filed a Motion to Reopen [ECF No. 1603]. In that motion he asked the Court to reconsider a decision the Court had issued years earlier, on September 7, 2022 [ECF No. 1522]. A response was filed by the Successor GUC Recovery Trustee [ECF No. 1604]. On March 21, 2025, the Court entered an order [ECF No. 1606] denying the Motion to Reopen. On April 8, 2025, the Clerk docketed Mr. Colt-Sarmiento's Notice of Appeal [ECF No. 1612] from the March 21, 2025 Order. On April 18, 2025, Mr. Colt-Sarmiento filed a Motion to Extend Time to Reply to the Brief of the Successor GUC Recovery Trustee's Response [ECF No. 1615]. The papers also suggest that Mr. Colt-Sarmiento may be requesting an extension of his time to file an appeal from the March 21, 2025 Order.

The Motion to Extend Time for a response to papers filed by the GUC Recovery Trust is unnecessary and moot as the matter has already been addressed in the Court's March 21, 2025, Order, and no further submissions are needed. The Notice of Appeal from the March 21, 2025 Order was filed timely as evidenced by the postmarked date on the accompanying envelope, the original of which has been retained by the Clerk and has been reviewed by the Court and which shows that Mr. Colt-Sarmiento (an inmate) mailed the notice on April 3, 2025. *See* Fed. R. Bankr. P. 8002(c)(1)(A)(ii). To the extent that Mr. Colt-Sarmiento's papers can be construed as a request



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for an extension of time to file an appeal from the March 21, 2005 Order, that request is moot, as an appeal was timely filed.

The Court having fully considered the matter and for the reasons stated herein,

IT IS HEREBY ORDERED:

1. The Motion to Extend Time is denied.
2. The Notice of Appeal from this Court's March 21, 2005 Order [ECF No. 1606] was timely filed.
3. To the extent Mr. Colt-Sarmiento has requested an extension of his time to file an appeal from the March 21, 2025 Order, that request is moot because his appeal from that order was already filed on a timely basis.

Dated: New York, New York
April 29, 2025

s/Michael E. Wiles
Hon. Michael E. Wiles
United States Bankruptcy Judge

Notice Recipients

District/Off: 0208-1

User: admin

Date Created: 4/29/2025

Case: 20-10418-mew

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Recipients submitted to the BNC (Bankruptcy Noticing Center):

unk	Alberto Colt-Sarmiento	Doc. No. 406372	Cedal Hall --- A-15	Washington Corrections
	Center	P O Box No. 900	Shelton, WA 98584	

TOTAL: 1