

UNITED STATES BANKRUPTCY APPELLATE PANEL
FOR THE FIRST CIRCUIT

BAP No. NH 01-033

IN RE: CHARLES KALANTZIS
Debtor.

CHARLES KALANTZIS,
Appellant,

v.

J. CHRISTOPHER MARSHALL,
United States Trustee,
Appellee.

Appeal from the United States Bankruptcy Court
for the District of New Hampshire
(Hon. J. Michael Deasy, U.S. Bankruptcy Judge)

Before
Votolato, Lamoutte, de Jesus, U.S. Bankruptcy Judges

Marc W. McDonald, Esq., for the Appellant.

Eric K. Bradford, Esq., for the Appellee.

November 14, 2001

PER CURIAM.

Aggrieved by two bankruptcy court orders denying his discharge pursuant to 11 U.S.C. § 727(a)(4)(A), Debtor appeals, offering three arguments as reasons for reversing the bankruptcy court.¹ First, Debtor argues error of law, as the pleadings were not based on section 727(a)(4)(A), so that he was denied due process of law when the court denied his discharge based on a section not included in the complaint. Second, Debtor argues that the record establishes that the questioned transfer was disclosed to the Trustee during the early stages of the case, even though it was not scheduled. Hence, the facts do not support the bankruptcy court's findings and conclusions. Third, even if the transfer were not disclosed to the Trustee, its omission in the schedules was not material, and that the Court abused its discretion by finding otherwise, and denying the discharge.

Under any applicable standard of review, we do not disagree with the bankruptcy court as to any of its findings or conclusions.² To the contrary, it is the opinion of the Panel that the bankruptcy judge gave careful attention to all of the Debtor's arguments, considered them fully and objectively, and gave

¹ See Appellee's Appendix at pp. 395-408 and 459-468.

² See generally, *Remington Rand Corp.-Delaware v. Business Systems, Inc.*, 830 F.2d 1256 (3rd Cir. 1987); *In re Tully*, 818 F.2d 106 (1st Cir. 1987); *Weiss v. Winkler*, 2001 WL 423050 (E.D.N.Y. 2001); *Meridian Bank v. Alten*, 958 F.2d 1226, 1230 n.2 (3rd Cir. 1992); *Prairie Production Credit Association v. Suttles (In re Suttles)*, 819 F.2d 764 (7th Cir. 1987).

thoughtful reasons for all of his rulings, findings, and conclusions. Accordingly, we will follow the lead of those courts which have repeatedly said that where the lower courts determine the measure of a case and author comprehensive, well-reasoned opinions, "an appellate court should refrain from writing at length to no other end than to hear its own words resonate." *Lawton v. State Mut. Life Assur. Co. of America*, 101 F.3d 218, 220 (1st Cir. 1996); accord *Cruz-Ramos v. P.R. Sun Oil Co.*, 202 F.3d 381, 383 (1st Cir. 2000); *Ayala v. Union de Tronquistas de P.R., Local 901*, 74 F.3d 344, 345 (1st Cir. 1996); *Holders Capital Corp. v. Cal. Union Ins. Co. (In re San Juan Dupont Plaza Hotel Fire Litig.)*, 989 F.2d 36, 38 (1st Cir. 1993). This is such a case. Accordingly, the orders entered by the bankruptcy court involved in this appeal are summarily *Affirmed*.