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2 **NOT FOR PUBLICATION**

3 **UNITED STATES BANKRUPTCY COURT**  
4 **EASTERN DISTRICT OF CALIFORNIA**

5  
6 In re: ) Case No. 06-22225-D-7  
7 BETSEY WARREN LEBBOS, )  
8 )  
9 Debtor. )  
\_\_\_\_\_ )

10 **This memorandum decision is not approved for publication and may**  
11 **not be cited except when relevant under the doctrine of law of**  
12 **the case or the rules of claim preclusion or issue preclusion.**

12 **MEMORANDUM DECISION**

13 On July 19, 2010, the debtor herein, Betsey Warren Lebbos,  
14 filed an Affidavit in Support of Disqualification of Honorable  
15 Robert Bardwil ("the Motion"), by which she seeks the recusal of  
16 the undersigned as the judge in this case. The debtor has  
17 previously sought the disqualification of the undersigned in this  
18 parent bankruptcy case and in adversary proceedings pending in  
19 this case. Her requests have been denied.

20 The court has reviewed the Motion and concludes that it is  
21 grounded on the debtor's dissatisfaction with the court's prior  
22 rulings in the parent case and in the adversary proceedings. The  
23 cases are uniform that a "judge's adverse rulings in the course  
24 of a judicial proceeding almost never constitute a valid basis  
25 for disqualification based on bias or partiality." 12 James Wm.  
26 Moore, Moore's Fed. Practice § 63.21[4], at 63-39 (3d. ed. 2006)  
27 (citing cases); see also Liteky v. United States, 510 U.S. 540,  
28 554-55 (1994).

1 Further, the court remains persuaded, as it was on the  
2 debtor's earlier requests for disqualification, that the court is  
3 unbiased and impartial. The court also cannot find that "a  
4 reasonable person with knowledge of all of the facts would  
5 conclude that the judge's impartiality might reasonably be  
6 questioned'." See In re Georgetown Park Apts., Ltd., 143 B.R.  
7 557, 559 (9th Cir. BAP 1992), quoting United States v. Nelson,  
8 718 F.2d 315, 321 (9th Cir. 1983) (other citations omitted).

9 For the reasons stated, the court finds that the debtor has  
10 not met her burden under 28 U.S.C. § 455(a) of overcoming the  
11 presumption of impartiality and demonstrating that the  
12 impartiality of the undersigned might reasonably be questioned.  
13 Nor has she demonstrated grounds for disqualification under 28  
14 U.S.C. § 455(b). For these reasons, the Motion will be denied.

15 The court will issue an order consistent with this  
16 memorandum.

17 Dated: August \_\_\_\_, 2010

18 \_\_\_\_\_  
19 ROBERT S. BARDWIL  
20 United States Bankruptcy Judge  
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