

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
THIRD DIVISION

IN RE:

Civil File No. 3-94-1200

Bky. File No. 3-94-0437

Charles W. Ries, Trustee,

Appellant

ORDER

v.

Linda C. Thiesse,

Debtor/Appellee.

This matter is before the court upon appellant/trustee Charles W. Ries' appeal from Bankruptcy Judge Dennis D. O'Brien's order and final judgment dated July 20, 1994. On appeal to the district court, the bankruptcy court's legal conclusions are subject to de novo review. In re Apex Oil, 884 F.2d 343 (8th Cir. 1989). The bankruptcy court's findings of fact are subject to a clearly erroneous standard of review.

Bankruptcy Rule 8013.

Based on a review of the record and consideration of the submissions of the appellant and appellee, the court concludes that Bankruptcy Judge O'Brien's order is neither clearly erroneous nor contrary to law.

Accordingly, IT IS HEREBY ORDERED that:

Bankruptcy Judge Dennis D. O'Brien's order and final judgment dated July 20, 1994, is AFFIRMED.

Dated: November 16, 1994.

/s/ Paul A. Magnuson

Paul A. Magnuson  
United States District  
Court Judge

