

# United States Bankruptcy Court

## Middle District Of Florida

In re _____,	)	
Debtor	)	Case No. _____
	)	
	)	Chapter _____
_____	)	
Plaintiff	)	
	)	
v.	)	
	)	Adv. Proc. No. _____
_____	)	
Defendant	)	

### CERTIFICATION OF JUDGMENT FOR REGISTRATION IN ANOTHER DISTRICT

I, clerk of the United States Bankruptcy Court, do certify that the attached judgment is a true and correct copy of the original judgment entered in this proceeding on \_\_\_\_\_ as it appears in the records of this court, and that: (date)

- No notice of appeal from this judgment has been filed, and no motion of the kind set forth in Federal Rule of Civil Procedure 60, as made applicable by Federal Rule of Bankruptcy Procedure 9024, has been filed.
- No notice of appeal from this judgment has been filed, and any motions of the kind set forth in Federal Rule of Civil Procedure 60, as made applicable by Federal Rule of Bankruptcy Procedure 9024, have been disposed of, the latest order disposing of such a motion having been entered on \_\_\_\_\_ (date).
- An appeal was taken from this judgment, and the judgment was affirmed by mandate of the \_\_\_\_\_ issued on \_\_\_\_\_. (name of court) (date)
- An appeal was taken from this judgment, and the appeal was dismissed by order entered on \_\_\_\_\_ (date).

\_\_\_\_\_  
Clerk of the Bankruptcy Court

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Deputy Clerk

## **CERTIFICATION OF JUDGMENT FOR REGISTRATION IN ANOTHER DISTRICT**

### **Purpose of the Form**

This form was developed for use in registering judgments of bankruptcy courts in other districts pursuant to 28 U.S.C. § 1963. Although the statute does not require the use of the form, it was designed so that, when completed, it will notify the clerk's office in the registering court of the status of proceedings in the originating district. Because the form is appropriate only to notify the clerk of the registering court that a judgment is no longer subject to appeal in the original court, it is not necessary to prepare the form when the originating court has entered an order allowing the registration, 28 U.S.C. § 1963. It also is unnecessary to prepare the form when the judgment to be registered is in favor of the United States. *Id.*

Form B 265 is similar to Form AO-451, which was developed for use in registering judgments from district courts in other courts.

Registration and enforcement of judgments of bankruptcy courts in other districts is discussed in the preceding material on Form B 264, Writ of Execution to the United States Marshal. As discussed in the instructions for Form B 264, Form 265 may be used to register a judgment of the bankruptcy court in a state or local court.

### **Applicable Law and Rules**

1. 28 U.S.C. § 1963 provides:

A judgment in an action for the recovery of money or property entered in any . . . bankruptcy court . . . may be registered by filing a certified copy of the judgment in any other district . . . when the judgment has become final by appeal or expiration of the time for appeal or when ordered by the court that entered the judgment for good cause shown. Such a judgment entered in favor of the United States may be so registered any time after judgment is entered. A judgment so registered shall have the same effect as a judgment of the district court of the district where registered and may be enforced in like manner.

A certified copy of the satisfaction of any judgment in whole or in part may be registered in like manner in any district in which the judgment is a lien.

The procedure prescribed under this section is in addition to other procedures provided by law for the enforcement of judgments.

2. As of July 1, 1999, the fee for registering a judgment from another district in the bankruptcy court was \$20. Bankruptcy Court Miscellaneous Fee Schedule, ¶ 7. The fee for registering a "foreign" judgment in the district court also was \$20. District Court Miscellaneous Fee Schedule, ¶ 1.

### **General Information for the Clerk**

Form B 265 was developed to provide the clerk of court with the information that is required to register a judgment of a bankruptcy court in another district pursuant to 28 U.S.C. § 1963. The clerk of the court which originally entered the order completes the form with information on the status of the proceeding. The form also may be used to register the judgment in a state or local court.

It is not necessary to prepare the form when the originating court has entered an order allowing the judgment to be registered pending appeal for good cause shown. 28 U.S.C. § 1963. A certified copy of the order allowing the registration is sufficient. Nor is it necessary to prepare the form when the judgment to be registered is in favor of the United States. Id. The clerk of the originating court need only provide a certified copy of the judgment marked with the "Entry on Docket" date.