

UNITED STATES COURT OF APPEALS
for the Fifth Circuit

No. 94-20546

IN THE MATTER OF HARRIS ROTMAN, M.D.
and ROSALINE ROTMAN, Debtors

HARRIS ROTMAN, M.D.,

Appellant,

VERSUS

FEDERAL DEPOSIT INSURANCE CORPORATION,
as Receiver for Northlake Federal Savings
and Loan Association,

Appellee.

No. 94-20547

IN THE MATTER OF: HARRIS ROTMAN, M.D.
and ROSALINE ROTMAN, Debtors,

HARRIS ROTMAN, M.D.,

Appellant,

VERSUS

FEDERAL DEPOSIT INSURANCE CORPORATION, as
Receiver for Alliance Federal Savings
and Loan Association,

Appellee.

Appeal from the United States District Court
for the Southern District of Texas
(CA-H-94-0227 & CA-H-93-3266)

(June 15, 1995)

Before WISDOM, GARWOOD and DAVIS, Circuit Judges.

PER CURIAM:¹

Dr. Rotman, in both of these cases, challenges the sufficiency of the evidence to support the bankruptcy court's findings of fact and conclusions of law supporting its denial of discharge to Dr. Rotman under 11 U.S.C. § 523(a)(2)(B). In the Northlake proceeding, the appellant did not file a complete record of proceedings in the bankruptcy court either with the district court or with us. Consequently, we are unable to review the bankruptcy court's factual findings and must presume that they are correct. See Rule 10(b)(21), Fed. R. App. P.; Powell v. Estelle, 959 F.2d 22 (5th Cir. 1992). Given the factual findings, we find no error of law in the court's legal conclusions.

After reviewing the record in the Alliance proceedings, we are persuaded that the bankruptcy court's findings of fact are supported by the record and that the legal conclusions of the bankruptcy court and the district court are correct. Consequently, we also affirm the judgment of the district court in the Alliance proceeding.

AFFIRMED.

¹ Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the court has determined that this opinion should not be published.