

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

CHRISTOPHER J. REDMOND,

Appellant,

v.

**DONALD KENTON KESTER and
CHARLOTTE YVONNE KESTER,**

Appellees.

No. 05-2548-CM

MEMORANDUM AND ORDER

Appellant Christopher J. Redmond brings this appeal from the United States Bankruptcy Court for the District of Kansas, Case No. 03-6089, against appellees Donald Kenton Kester and Charlotte Yvonne Kester. On March 19, 2007, the court stayed this case pending resolution of an appeal in a related Tenth Circuit case. In that case, the Tenth Circuit certified a question to the Kansas Supreme Court. On July 31, 2007, appellant notified the court that the Tenth Circuit and the Kansas Supreme Court determined the issues relevant to this case. Consequently, appellant stated, “As there has been a ruling on the homestead exemption issue the Trustee prays this court to dismiss this appeal as moot.”

The court agrees with appellant’s assertion. Based on the Tenth Circuit’s opinion in *In re Kester*, Nos. 06-3114, 06-3116, 2007 WL 1982154 (10th Cir. July 10, 2007), the court dismisses the present appeal as moot.

IT IS THEREFORE ORDERED that the stay entered on March 19, 2007 is lifted.

IT IS FURTHER ORDERED that the present appeal is dismissed as moot.

Dated this 31st day of August, 2007, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge