

# United States Court of Appeals For the First Circuit

---

No. 08-2457

THREE ANGELS BROADCASTING NETWORK, INC.,  
an Illinois Non-Profit Corporation, Et Al.,

Plaintiffs, Appellees,

v.

GAILON ARTHUR JOY, Et Al.,

Defendants, Appellants.

---

ORDER OF COURT

Entered: December 4, 2009

Appellants move to enlarge the record in this appeal (Appeal No. 08-2457) to include certain documents. As those documents were submitted to the district court after the filing of the notice of appeal, they are not properly considered as part of the record in this appeal and, accordingly, the motion to enlarge the record on appeal is denied.

We note that, in any event, appellants filed a subsequent notice of appeal from the district court's refusal to accept the proffered documents. This new appeal has been docketed in this court as Three Angels Broadcasting Network, Inc. v. Joy, No. 09-2615, and the documents in question are part of the record on appeal in this subsequent appeal. To the extent that appellants intend to argue that the district court erred in refusing to accept the documents in question, that issue may be raised in Appeal No. 09-2615.

By the Court:

/s/ Margaret Carter, Chief Deputy Clerk.

cc:

Gerald Duffy

Jerrie Hayes

Kristen L. Kingsbury

William Christopher Penwell

John P. Pucci

J. Lizette Richards

M. Gregory Simpson

Gailon Arthur Joy

Robert Pickle