

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

IN THE MATTER OF )  
 )  
SCOTT OWEN STANTON, ) CASE NO. 07-30063 HCD  
 ) CHAPTER 7  
 )  
DEBTOR. )

ORDER

At South Bend, Indiana, on March 7, 2007.

Before the court is the "Motion for Reconsideration of Waiver of All Fees and Costs" filed on February 15, 2007, by the debtor Scott Owen Stanton, appearing pro se. The debtor seeks a waiver of the chapter 7 bankruptcy case filing fee of \$299 pursuant to 28 U.S.C. § 1930(f)(1), which allows a court to waive the fee

. . . if the court determines that such individual has income less than 150 percent of the income official poverty line . . . applicable to a family of the size involved and is unable to pay that fee in installments. . . .

28 U.S.C. § 1930(f)(1). The 2007 Poverty Level Guidelines issued by the Department of Health And Human Services list the poverty income for a family of one at \$10,210. The motion for reconsideration is granted.

After reviewing the debtor's voluntary chapter 7 petition, application for waiver, statement of current monthly income, schedules, and statement of financial affairs, the court finds that the debtor's monthly expenses of \$954, when deducted from his monthly net take-home pay of \$972, allows him \$18 of monthly discretionary income. He lists assets valued at \$2,225 and debts of approximately \$3,335,000. Considering the totality of the circumstances in this case, the court finds first that the debtor's annual income (\$14,784) is less than 150% of the poverty level guidelines for a single person (\$15,180). It also finds that, if the debtor were to pay all his discretionary income (\$18) each month as an installment payment, it would take 17 monthly installment payments to pay the filing fee. In the view of the court, such a long payment period is untenable. It determines, therefore, that the debtor is unable to pay the chapter 7 filing fee in installment payments.

Having determined that the debtor has clearly established his eligibility for a waiver of the chapter 7 bankruptcy case filing fee pursuant to § 1930(f)(1), the court grants the debtor's Application for Waiver of the Chapter 7 Filing Fee.

SO ORDERED.

/s/ Harry C. Dees, Jr.  
HARRY C. DEES, JR., CHIEF JUDGE  
UNITED STATES BANKRUPTCY COURT