

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF: )  
 )  
SAMANTHA L. HOGUE-FIGGS ) CASE NO. 07-11150  
JERRY L. FIGGS )  
 )  
Debtors )

**DECISION AND ORDER**  
**CONCERNING DEBTOR'S COMPLIANCE WITH § 109(h)**

At Fort Wayne, Indiana, on May 1, 2007

As a result of the bankruptcy reforms of 2005, to be eligible for relief under Title 11 an individual must have received credit counseling from an approved agency during the 180 days prior to filing the petition. 11 U.S.C. § 109(h)(1). The certificate demonstrating completion of this counseling is supposed accompany Exhibit D to the petition. See, Interim Bankruptcy Rule 1007(b)(3), (c).

The petition in this case was filed on April 30, 2007. Accompanying the petition were certificates demonstrating that credit counseling was completed on January 12, 2006. This is more than 180 days prior to the date the case was filed. Therefore, based upon the present record, it seems that the debtors are not eligible for relief under Title 11. Debtors shall have fourteen (14) days to comply with § 109(h) and demonstrate eligibility for relief under Title 11. The failure to do so will result in the dismissal of this case without further notice or hearing.

SO ORDERED.

/s/ Robert E. Grant  
Judge, United States Bankruptcy Court