

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:)
)
CHARLES E. SHIREMAN) CASE NO. 07-11550
)
Debtor)

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

At Fort Wayne, Indiana, on June 13, 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 June 5, 2007. Accompanying the petition was a signed copy of Exhibit D which represented that the debtor had completed credit counseling within the 180 days prior to filing and a copy of the certificate was attached. The certificate which accompanied that exhibit, however, indicates that Roxann Shireman, not the debtor – Charles Shireman – completed credit counseling. Therefore, based upon the present record, it seems that the debtor is not eligible for relief under Title 11. Debtor 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