

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
DANIEL FRANK ALLEGRA,) CASE NO. 07-23170 JPK
) Chapter 7
Debtor.)

ORDER ON MOTION FOR DISMISSAL

On January 28, 2008, the United States Trustee filed a motion to dismiss, including in that motion the assertion that the case should be dismissed pursuant to 11 U.S.C. § 521(h)(1). The Court's record establishes that the motion is correct, and that the case should have been dismissed pursuant to 11 U.S.C. § 521(h)(i) due to the debtor's failure to comply with 11 U.S.C. § 521(a)(1) by the filing of a Statement of Financial Affairs within 45 days of the date of the filing of the petition. In order to maintain regularity in the manner in which dismissals are effected pursuant to Section 521(h)(1), the Court has directed the Clerk to follow the procedure for automatic dismissal which was inadvertently not followed previously.

IT IS ORDERED that the United States Trustee's motion will be resolved by means of the Court's employment of its procedure regarding Notice of Automatic Dismissal.

Dated at Hammond, Indiana on February 7, 2008.

/s/ J. Philip Klingeberger
J. Philip Klingeberger, Judge
United States Bankruptcy Court

Distribution:
Debtor, Attorney for Debtor
Trustee, US Trustee