

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:

BRIAN J. ROSS
MARY B. ROSS

Debtors

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CASE NO. 07-13537

DECISION AND ORDER DENYING MOTION TO STAY
THE CLOSURE OF THIS CASE

At Fort Wayne, Indiana, on March 31, 2008.

The debtors received a discharge March 24, 2008. On March 28, 2008, debtors filed a Motion to stay the closure of this case to permit the filing of a reaffirmation agreement.

Reaffirmation agreements which come after the debtor has received a discharge are unenforceable and of no legal significance. In re Herrera, 380 B.R. 446, (Bankr. W.D. Texas 2007); In re Stewart, 355 B.R. 636 (Bankr. N.D. Ohio 2006); In re Whitmer, 142 B.R. 811, 814 (Bankr. S.D. Ohio 1992); In re Brinkman, 123 B.R. 611, 612 (Bankr. N.D. Ind. 1991). In this case, the time to enter into a valid agreement to pay a pre-petition debt has passed, see, 11 U.S.C. §524(c)(1), and the court lacks the authority to approve a belated one. Whitmer, 142 B.R. at 814. Consequently, it would seem that no purpose could be served by holding this case open. The motion to do so is, therefore, DENIED.

SO ORDERED.

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