

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF: )  
)  
KIRK LAWRENCE CARLISLE ) CASE NO. 08-12145  
JACQUELINE MARIE CARLISLE )  
)  
Debtors )

**DECISION AND ORDER**

At Fort Wayne, Indiana, on October 22, 2008.

This case was closed on October 14, 2008. Two days later, the debtors filed two motions. The first asks to reopen this case in order to file the certification of completion of the personal financial management course which is required for most individual debtors to receive a discharge. See, 11 U.S.C. §§ 111; 727(a)(11); 1328(g)(1). The second motion asks to waive the fee prescribed by the judicial conference for a motion to reopen. See, Bankruptcy Court Miscellaneous Fee Schedule, ¶ 11.

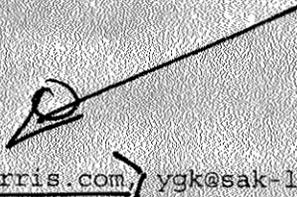
The required fee has already been paid. Because of this, the motion to reopen has already been granted and this order addresses only the motion to waive. Technically, the present motion is moot. To the extent it is not, the facts set out in the motion do not justify a waiver. See, In re Knight, 349 B.R. 681 (Bankr. D. Idaho 2006); In re Miskimon, 2006 WL 3194075. See also, In re Woodworth, Case No. 07-10065, Decision dated May 30, 2007 (Bankr. N.D. Ind. 2007). Counsel attempts to cast the blame for needing to reopen the case on the court, by claiming he was never informed that when his office attempted to file Mrs. Carlisle's certificate of completion of financial management course they actually filed something much different. To begin with, had counsel's office paid attention to the court's frequent admonition – "open the pdf" – they would have noticed

that the document they were about to send to the court was not the one they intended to file and this entire problem could have been avoided. Secondly, the court did advise counsel of the error and attached to this order is a copy of the notice concerning the court's edits to the docket text which was served upon counsel by a "Bcc to kmoss.bankruptcy@mossharris.com." Consequently, the motion to waive the fee to reopen is DENIED.

SO ORDERED.

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

MIME-Version:1.0  
From:ecf\_innb@innb.uscourts.gov  
To:CourtMail@localhost.localdomain  
Bcc: IN41@ecfcbis.com, kmoss.bankruptcy@mossharris.com, ygkesak-law.com  
Message-Id: <10718280@innb.uscourts.gov>  
Subject:08-12145-reg Docket Entry #15 has been updated



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**U.S. Bankruptcy Court  
Northern District of Indiana  
Notice of Electronic Filing**

The following transaction was edited by spf, on 10/6/2008 at 9:12 AM EDT

**Case Name:** Kirk Lawrence Carlisle and Jacqueline Marie Carlisle

**Case Number:** 08-12145-reg

**Document Number:** 12

**Description of changes:**

Date QC changed from blank to 10/6/2008

**Modified Dkt text from:**

Financial Management Course Certificate Filed by Joint Debtor Jacqueline Marie Carlisle (Moss, Kirby)

to:

Exhibit D-Individual Debtor's Statement of Compliance with Credit Counseling Requirement and Certificate of Credit Counseling Certificate Filed by Joint Debtor Jacqueline Marie Carlisle (Moss, Kirby) Modified on 10/6/2008 (spf, ).