

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION AT LAFAYETTE

IN THE MATTER OF: )  
 )  
RYAN JAMES BAUGHMAN ) CASE NO. 08-40803  
 )  
Debtor )

**DECISION AND ORDER**

At Fort Wayne, Indiana, on April 3, 2009

The trustee in this chapter 13 case has objected to a claim filed on behalf of Arrow Financial Services, which has been designated by the clerk of this court as Claim No. 8. The trustee asks that the claim be disallowed as being barred by the statute of limitations and asserts that he is entitled to recover his fees and/or other penalties for the time spent preparing and filing the objection.

To the extent that the trustee objects to the claim, that objection is sustained and claim number 8 filed on behalf of Arrow Financial Services is DISALLOWED.

As to the request for fees and penalties, that request is denied, without prejudice for the reasons set forth below:

- a) To the extent the trustee seeks sanctions based upon the provisions of title 18 of the United States Code, this court has no criminal jurisdiction;
- b) To the extent the trustee seeks sanctions based upon § 502, that portion of the Bankruptcy Code does not authorize the imposition of sanctions; and
- c) To the extent the trustee seeks sanctions based upon Rule 9011, such a motion must be filed “separately from other motions or requests.” Fed. R. Bankr. P. Rule 9011(c)(1)(A).

SO ORDERED.

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