

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
DAVE E. MATTHEWS,) CASE NO. 08-23717
) Chapter 13
Debtor.)

ORDER ON OBJECTION TO CLAIM #1 FILED BY LAKE COUNTY TREASURER
["OBJECTION"]

_____The Objection was filed by the debtor on May 2, 2009. Proper notice of the objection was provided to the Lake County Treasurer, and no response or request for hearing was filed with respect to the objection.

The Objection is to claim #1 of the Lake County Treasurer. In that claim, the Lake County Treasurer asserts a secured claim with respect to property identified as 3622 Oakdale Drive, Gary, Indiana. This is the only claim that the Lake County Treasurer has filed in this case. The Objection states that the claim "relates to real property being surrendered which is situated at: "4344 Johnson Street, Gary, Indiana 46408". The claim on its face does not appear to relate to that property. The property to which the claim apparently relates is property which is not surrendered by the Debtors' Chapter 13 plan, but which is retained as his residence. The Lake County Treasurer has filed no claim identified as relating to property located at 4344 Johnson Street, Gary, Indiana. The Court recognizes that perhaps the key number utilized in claim #1 does not correspond to 3622 Oakdale Drive, Gary, Indiana. On its face, however, the claim relates to that property and the objection has no basis in law or in fact.

IT IS ORDERED as follows:

1. Within 10 days of the date of entry of this order, Attorney George P. Galanos, as counsel for the debtor, shall do one of the following:
 - (a) Withdraw the objection to claim #1; or,
 - (b) File an amended objection to claim #1, with notice of the objection provided

pursuant to N.D.Ind.L.B.R. B-3007-1, which objection specifically states that the key number identified in claim #1 as being related to property located at 3622 Oakdale Drive, Gary, Indiana 46403, is in fact related to a property which the debtor is seeking to abandon pursuant to paragraph 4(a) of his amended Chapter 13 plan.

Dated at Hammond, Indiana on July 8, 2009.

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

Distribution:
Debtor, Attorney for Debtor
Trustee, US Trustee