NOT FOR PUBLICATION

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN RE: CASE NO. 05-17827	)	
	)	
STEVEN M. MYNHIER	)	
GRADENNA A. MYNHIER	)	
	)	
Debtors	)	
	)	
	)	
YVETTE GAFF KLEVEN	)	
	)	
Plaintiff	)	
	)	
vs.	)	PROC. NO. 09-1053
	)	
FARMERS STATE BANK	)	
	)	
Defendant	)	

DECISION AND ORDER

At Fort Wayne, Indiana, on June 11, 2009.

The matter before the court involves a motion to dismiss filed by the defendant on May 19, 2009, which the court construes as having been filed pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. The motion is DENIED for the failure to submit a brief in support thereof as required by the local rules of this court, see, N.D. Ind. L.B.R. B-7007-1(a), and because it asks the court to consider matters outside the pleadings, which the court cannot properly do with a Rule 12(b)(6) motion.

SO ORDERED.

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