

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

IN RE: )  
 )  
ESAUL PACHECO, ) CASE NO. 10-21447 JPK  
 ) Chapter 13  
Debtor. )

ORDER REGARDING MOTION TO VACATE DENIAL  
OF CONFIRMATION OF PLAN ("MOTION")

The Motion, filed on July 15, 2010, apparently seeks to vacate the court's docket order entered on June 18, 2010 which denied confirmation of the debtor's Chapter 13 plan, and required the debtor to file an amended plan pursuant to an agreed order entered on June 14, 2010. This docket entry was based upon a report by the Chapter 13 Trustee's attorney, and was specifically premised upon the terms of the June 14, 2010 order which required the debtor to file an amended plan within 28 days of the date of entry of that order. Vacation of the June 18, 2010 docket order will have no effect on the June 14, 2010 order, and no relief has been requested with respect to that order. If the debtor and the Trustee desire to effect their apparent present agreement that an amended plan is not necessary, and that further proceedings with respect to confirmation may proceed with respect to the plan filed on April 6, 2010 as amended by the agreed immaterial modification filed as record entry #22 on July 15, 2010 – then the parties should file a motion to amend the June 14, 2010 order to that effect, together with a proposed form of amended order to supplant that entered on June 14, 2010. Upon the filing of that motion, the court will review both the Motion to which this order relates and the subsequent motion and determine the course of further proceedings appropriately.

IT IS ORDERED that the court will take no action with respect to the Motion until the debtor and the Trustee undertake further proceedings in accordance with the terms of this order.

Dated at Hammond, Indiana on August 5, 2010.

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

Distribution:  
Debtor, Attorney for Debtor, Trustee, US Trustee