

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

IN RE: )  
 )  
JUAN JESUS BARRERA, ) CASE NO. 10-24129 JPK  
 ) Chapter 13  
Debtor. )

ORDER DENYING MOTION TO RECONSIDER DISMISSAL  
OF CASE AND REINSTATE AUTOMATIC STAY ("MOTION")

The Motion, filed on October 22, 2010, requests that dismissal of the case effected on October 19, 2010 be set aside, and that the case be reinstated.

The case was not dismissed by order of the court, but rather by operation of 11 U.S.C. § 521(i)(1): the document docketed as record entry #10 on October 19, 2010 merely affirmed what the foregoing statute had already effected: 11 U.S.C. § 521(i)(1) provides for automatic dismissal effective on the 46<sup>th</sup> day after the filing of the petition, if certain required documents are not filed – in this case the Statement of Financial Affairs, as required by 11 U.S.C. § 521(a)(1)(B)(iii). The 45-day deadline established by § 521(i)(1) may only be extended under sub-sections (3) or (4) of 11 U.S.C. § 521(i), both of which require a request for extension of the 45-day deadline which is made before the passage of the 45-day period. The court thus determines that the Motion states no grounds for relief, and that it must be denied.

IT IS ORDERED that the Motion is denied.

Dated at Hammond, Indiana on November 4, 2010.

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

Distribution:  
Debtor, Attorney for Debtor  
Trustee, US Trustee