

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
ZACHARY W MOORE,) CASE NO. 09-22543 KL
SHARLA A. MOORE,) Chapter 13
Debtors.)

ORDER VACATING PRIOR ORDER, IN PART

This case was initiated by joint petition filing by the debtors Zachary W Moore and Sharla A. Moore. On July 19, 2010, an order was entered – pursuant to a motion filed by the debtors jointly – to sever/deconsolidate the jointly filed case into two cases, by which the case of Zachary W Moore continued as a case under Chapter 13 under case number 09-22543, and the case of the debtor Sharla A. Moore was severed to a case under Chapter 7, and assigned the case number 10-23340. In this latter case, the United States Trustee filed a motion to dismiss, which was resolved by an agreement to allow for the continued separation of the two debtors’ cases, but to provide for the case of Sharla A. Moore to continue as a case under Chapter 13. Because of this court’s interpretation of 11 U.S.C. § 706(a), it is not possible for the debtor Sharla A. Moore to “reconvert” her case to a case under Chapter 13. In order to effectuate the agreement between Sharla A. Moore and the United States Trustee, it is necessary to in part vacate the order entered in case number 09-22543 on July 19, 2010.

IT IS ORDERED that that portion of the order entered on July 19, 2010 which converted the deconsolidated case of Sharla A. Moore (case number 10-23340) to a case under Chapter 7 is vacated; the case of Sharla A. Moore shall continue as a case under Chapter 13 under case number 10-23340, and the case of Zachary W. Moore shall continue as a Chapter 13 case under case number 09-22543.

IT IS FURTHER ORDERED that the portion of the July 19, 2010 order which deconsolidated the two cases remains in effect.

Dated at Hammond, Indiana on December 16, 2010.

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

Distribution:
Debtors, Attorney for Debtors, Trustee, US Trustee