

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

IN RE: )  
)  
ROGER CHANDOS and )  
SHARON CHANDOS ) CASE NO. 11-20007-jpk  
) Chapter 7  
)  
Debtors. )  
\*\*\*\*\* )  
CENTIER BANK )  
)  
Plaintiff, )  
)  
v. ) ADVERSARY NO. 11-2011  
)  
ROBER CHANDOS, individually )  
and d/b/a PRECISION CARPET )  
SERVICE and SHARON CHANDOS )  
)  
Defendants. )

ORDER FOR HEARING PURSUANT TO  
FED.R.BANKR.P. 7055/FED.R.CIV.P. 55(b)(2)

This adversary proceeding was commenced by a Complaint/Objection to Discharge filed on January 24, 2011. The record establishes that service of process of the summons and complaint was properly made upon the defendants, and no appearance or response to the complaint was filed. An Entry of Default has been made by the Clerk.

Here are the problems:

1. The complaint designated both Roger Chandos and Sharon Chandos as defendants, but no averments in the complaint are related to Sharon Chandos.
2. No affidavit relating to the provisions of the Soldier's and Sailor's Civil Relief Act has been submitted with respect to either defendant.
3. The complaint refers to a judgment entered in a state court proceeding, apparently entered in the Lake Superior Court, County Division II under Cause No. 45D08-1003-PL-0009 on September 30, 2010. It therefore appears that certain matters related to this

adversary proceeding may have previously been determined by a court of record. However, the record does not include a copy of this judgment, and the court can therefore not determine what may or may not have been previously finally determined for the purposes of collateral estoppel.

4. The complaint is a “scatter gun” complaint, stating conclusory statements that the alleged debt owed by the defendants is excepted from discharge under 11 U.S.C. § 523(a)(2), 11 U.S.C. § 523(a)(4) and 11 U.S.C. § 523(a)(6). The complaint fails to establish facts necessary to support any of these allegations, particularly those asserted under Sections 523(a)(4) and 523(a)(6). With respect to 11 U.S.C. § 523(a)(2), the complaint states only conclusory allegations insufficient to establish a claim for exception from discharge.

It Is Ordered that a hearing will be held on **August 24, 2011, at 9:30 A.M.**, to determine the course of further proceedings in relation to the Motion for Default Judgment filed by the Plaintiff on May 18, 2011.

Dated at Hammond, Indiana on August 4, 2011.

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

Distribution:  
Attorneys of Record