

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
SUSAN LYNN RUETH,) CASE NO. 11-22372 JPK
) Chapter 13
Debtor.)

ORDER DENYING MOTION TO ALTER OR AMEND
COURT ORDER ENTERED ON JULY 18, 2011 ("MOTION")

The Motion was filed on July 21, 2011, with respect to a final order of the court entered on July 18, 2011.

The Motion does not state the grounds upon which it is based: it could be a motion pursuant to Fed.R.Bankr.P. 9023, or a motion pursuant to Fed.R.Bankr.P. 9024, or something entirely apart from those two rules. If the Motion were deemed to be submitted under either Rule 9023 or 9024, it does not comply with N.D.Ind.L.B.R. B-9023-1(a) in that it is not accompanied by a separate supporting brief. If one were to view it as seeking to invoke Fed.R.Bankr.P. 9023/Fed.R.Civ.P. 59, the Motion does not state any basis for relief: the grounds for a cognizable motion under those rules are essentially that the court made an error of law, or that the court was without jurisdiction to enter the subject order. The court finds that neither of these grounds has been asserted by the Motion, and that neither is supported by the record. The Motion equally fails to state any ground for relief under Fed.R.Bankr.P. 9024/Fed.R.Civ.P. 60(b). The essence of the Motion is that the debtor does not want a wage order issued, on a basis which the court determines does not state any claim for relief under Fed.R.Bankr.P. 9024/Fed.R.Civ.P. 60(b). The July 18, 2011 order reflects the court's determination that the utilization of a wage order was necessary to the court's determination that the debtor's case and Chapter 13 plan had been proposed in good faith, and was a necessary condition for the court's extension of the automatic stay pursuant to 11 U.S.C. § 362(c)(3).

IT IS ORDERED that the Motion is denied.

Dated at Hammond, Indiana on August 12, 2011.

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

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