

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
SHANA CHYON ANTHONY,) CASE NO. 11-23182-jpk
) Chapter 7
Debtor.)

ORDER DENYING MOTION TO SET ASIDE
REVOCATION OF DISCHARGE ["MOTION"], WITHOUT PREJUDICE

The Motion was filed in case number 11-23182 as record number 48, on May 7, 2013.

First, the Motion seeks to obtain relief from a final judgment entered in adversary proceeding number 12-2100, and therefore should have been filed in the adversary proceeding. Moreover, the Motion does not comply with the requirements of N.D.Ind.L.B.R. B-9023-1, in that it was not accompanied by a supporting legal memorandum which specifically addresses the basis provided by applicable statutes or rules for the relief requested by the movant.¹

IT IS ORDERED that the Motion is denied, without prejudice.²

Dated at Hammond, Indiana on May 22, 2013.

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

Distribution:
Debtor, Attorney for Debtor
Trustee, US Trustee

¹ An additional problem is presented by the apparent basis for the Motion, which appears to assert that the turnover order entered by the court - non-compliance with which led to revocation of discharge – was erroneous. The turnover order is a final judgment in and of itself, and that order cannot be collaterally attacked by a motion for relief from the judgment entered in adversary proceeding number 12-2100.

² The denial of the Motion moots the record number 50 Response filed by the Chapter 7 Trustee in case number 11-23182, and the record number 29 Response filed by the Chapter 7 Trustee in adversary proceeding number 12-2100. Lest someone thinks somehow that the court has omitted something from this order, the court has not set a deadline for the filing of anything in replacement of the Motion. If nothing is filed, nothing is done.