

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION AT LAFAYETTE

IN RE: CASE NO. 05-40174 )  
)  
JONATHAN JAMES JENKINSON, SR. )  
)  
Debtor )  
)  
)  
SNAP-ON CREDIT, LLC )  
)  
Plaintiff )  
)  
vs. ) PROC. NO. 05-4021  
)  
JONATHAN JAMES JENKINSON, SR. )  
)  
Defendant )

**DECISION AND ORDER**

At Fort Wayne, Indiana, on September 14, 2005.

Plaintiff's motion for default judgment, filed on September 9, 2005, is DENIED due to Plaintiff's failure to serve the summons and complaint as required by Bankruptcy Rule 7004(b)(9), which requires mailing "the summons and complaint to the debtor. . .and, if the debtor is represented by an attorney, to the attorney. . . ." In this case, debtor is represented by counsel to wit Brad Woolley.

SO ORDERED.

/s/ Robert E. Grant  
Judge, United States Bankruptcy Court