

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:)
)
JUSTIN LaVERN JONES) CASE NO. 05-13045
NINA LOUISE JONES)
)
Debtors)

DECISION AND ORDER

At Fort Wayne, Indiana, on October 5, 2005

The notice of motion and opportunity to object which debtors (hereinafter "Movant") served in connection with their modification to chapter 13 plan does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notice does not state where objections should be filed. N.D. Ind. L.B.R. B-2002-2(c)(5). This portion of LBF-3 have been left blank.
- b. The notice is not accompanied by a copy of the court's order authorizing notice to creditors and establishing deadlines for filing objections. N.D. Ind. L.B.R. B-2002-2(e).

Since creditors and parties in interest have not been given appropriate notice of the modification to chapter 13 plan and the opportunity to object thereto, the court cannot confirm the plan at this time. Movant shall prepare and serve an Amended Notice of Motion and Opportunity to Object which complies with N.D. Ind. L.B.R. B-2002-2 and file proof thereto within fourteen (14) days of this date. See, N.D. Ind. L.B.R. B-9013-4(a). The failure to do so will result in confirmation of the chapter 13 plan being denied without prejudice and without further notice.

SO ORDERED.

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