

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:)
)
ORVETTA MAE LINDSEY) CASE NO. 02-14478
)
)
Debtor)

DECISION AND ORDER

At Fort Wayne, Indiana, on March 13, 2006.

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

- a. The notice does not state the date upon which the motion was filed. N.D. Ind. L.B.R. B-2002-2(c)(2). The motion was filed on January 24, 2006, while the notice refers to a modification filed on January 24, 2006.

Since creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the court cannot grant it 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 the motion being denied without prejudice and without further notice.

SO ORDERED.

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