

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF: )  
 )  
CHARLES ALLEN BROWN ) CASE NO. 04-12827  
LAHAPA NOELANI BROWN )  
 )  
Debtor )

**DECISION AND ORDER**

At Fort Wayne, Indiana, on March 17, 2006

The amended notice of motion and opportunity to object which debtors (hereinafter “Movant”) served in connection with their Motion to Approve Modification to Confirmed Chapter 13 Plan does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The amended notice does not adequately “state the relief sought” by the motion. N.D. Ind. L.B.R. B-2002-2(c)(3).
- b. The certificate of service accompanying the amended notice is dated December 12, 2005, the same date the original notice was filed and prior to the court’s order to amend, file and re-serve the notice of the motion and opportunity to object.

Since this is the second time that creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the motion is DENIED, without prejudice to resubmission.

SO ORDERED.

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