

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA

IN THE MATTER OF:

CLYDE A. NICHOLS
REGINA M. NICHOLS

Debtors

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CASE NO. 25-40196

DECISION AND ORDER DENYING MOTION FOR RELIEF FROM ORDER

On July 1, 2025

The debtors' petition was stricken and this case dismissed on June 25, 2025, as a result of the failure to file a scanned copy of the originally signed signature page, as required by the court's order authorizing electronic case filing. Seventh Amended Order Authorizing Electronic Case Filing ¶ 9(c). Debtors' counsel then filed a motion asking the court to vacate the order of dismissal and to reinstate the case. Contrary to the local rules of this court, the motion was not accompanied by a brief in support thereof. N.D. Ind. L.B.R. B-9023-1. See also, In re King, 2006 WL 1994679 *4 (Bankr. N.D. Ind. 2006) (explaining the court's procedure and the reasons for it).

The motion is DENIED, for the following reasons:

1. The motion was not accompanied by a brief in support thereof as required by the court's local rules. N.D. Ind. L.B.R. B-9023-1. See also, In re King, 2006 WL 1994679 (Bankr. N.D. Ind. 2006) (discussing the purpose of briefs).
2. According to the motion, counsel attempted to file the required signature pages multiple times on June 23, 2025 (the date the petition was filed) but was unable to do so. After being unable to upload the required signatures after trying separate browsers, he believed that the problem must be on the court's end. Yet, the court experienced no problems with its CM/ECF system that day and counsel does not indicate that he contacted the court for assistance or to inquire whether it was experiencing any problems with its CM/ECF system.
3. Finally, the court also notes that the dismissal of this case was without any type of prejudice. See, 11 U.S.C. § 349(a). See also, Johnson v. Indiana Family & Social Service Administration, 2006 WL 978982 (D. N.D. Ind. 2006);

Rodriguez v. Washington, 1995 WL 593081 (D. N.D. Ill. 1995).

SO ORDERED.

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