

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT



In re:

Sherry S. Newberry
Debtor.

Chapter 13 Case
07-10170

Appearances: Michelle Kainen, Esq.
White River Junction, VT
Attorney for Debtor

Jan Sensenich, Esq.
White River Junction, VT
Chapter 13 Trustee

Jeffrey P. White, Esq.
Rutland, VT
Attorney for Creditor

ORDER
SUSTAINING CREDITOR'S OBJECTION TO DEBTOR'S AMENDED CHAPTER 13 PLAN
DENYING CONFIRMATION OF THE DEBTOR'S AMENDED PLAN
AND ADDRESSING THE HEARING SET FOR AUGUST 16, 2007

For the reasons set forth in the memorandum of decision of even date, the Court sustains the Bank's objection and

IT IS HEREBY ORDERED that confirmation of the Amended Plan filed on May 10, 2007 is denied.

IT IS FURTHER ORDERED that since the continued confirmation hearing in this case is set for August 16, 2007,

- (a) if the Debtor wishes to file a Second Amended Plan she must file and serve a Second Amended Plan by July 30, 2007 and set an objection deadline thereon for August 9, 2007, and
- (b) if the Debtor does not file a Second Amended Plan by July 30, 2007 then, in the absence of an Order to the contrary, the Court will cancel the August 16, 2007 hearing and enter an Order dismissing the case based upon the Debtor's failure to file a plan that meets the requirements of chapter 13.

SO ORDERED.

July 10, 2007
Rutland, Vermont

A handwritten signature in black ink that reads "Colleen A. Brown".

Colleen A. Brown
United States Bankruptcy Judge