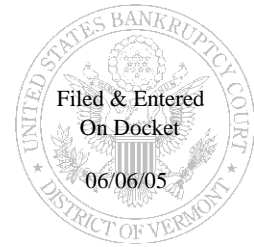


**UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT**



In re:

**ALBERT D. STEBENNE and
PRISCILLA M. STEBENNE,
Debtors.**

**Chapter 13 Case
05-10091**

**ORDER
DENYING MOTION TO DISMISS**

WHEREAS, on May 2, 2005, the United States Trustee (the "UST") filed a Motion to Dismiss the Debtors' Case pursuant to 11 U.S.C. § 707(b) and Federal Rule of Bankruptcy Procedure 1017(e) (doc. # 4) (the "Motion to Dismiss"), alleging that the Debtors could make a meaningful repayment to creditors under chapter 13 and their filing of a case under chapter 7 was an abuse of the bankruptcy system; and


WHEREAS, on May 20, 2005, the Debtors filed a motion to convert their case from chapter 7 to chapter 13 (doc. # 6) and on May 25, 2005 the Court entered an Order granting that motion (doc. # 7);

UPON CONSIDERATION of the record in this case,

IT IS HEREBY ORDERED that the Motion to Dismiss is denied as moot.

SO ORDERED.

June 6, 2005
Rutland, Vermont



Colleen A. Brown
United States Bankruptcy Judge