

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT

In re:

SHATONYA SHUMARD
Debtor.

Chapter 13 Case
05-10559

ORDER
Amending Prior Dismissal Order and
Setting Conditions for Future Bankruptcy Case Filings

WHEREAS, on April 26, 2005, the Court issued an order scheduling a show cause hearing for May 3, 2005, and ordering the Debtor to appear and to show cause as to why the above-referenced bankruptcy case should not be dismissed based upon the Debtor's serial filings that appear to warrant a presumption that this is not a good faith filing, the Debtor's failure to file a Form 21 in this case, and/or based upon the Debtor's failure to pay all filing fees that are outstanding from her previous filings (doc. # 6); and

WHEREAS the Debtor did not appear at the May 3rd show cause hearing; and

WHEREAS the Debtor and Jonathon Tyler Shumard have filed numerous bankruptcy petitions with the Court that have been previously dismissed, to wit:

1. On August 12, 2002, the Debtor and her co-debtor, filed a Chapter 13 petition (case # 02-11125) which was dismissed on September 16, 2002, because of the Debtors' failure to file the required statements, schedules or a notice of conversion by a date certain. As of September 16, 2002, the Debtor had paid only \$40.00 of the \$200.00 filing fee.
2. On October 1, 2002, the Debtor and her co-debtor filed a Chapter 13 petition (case # 02-11378), which was dismissed on October 31, 2002, because of the Debtors' failure to pay the filing fee in the amount of \$200.00 and file schedules.
3. On July 15, 2003, the Debtor and her co-debtor filed a Chapter 13 petition (case # 03-11059) which was dismissed on September 12, 2003 for, among other reasons, the Debtor and her Co-Debtor's failure to pay the required filing fees in the amount of \$210.00. The Court's September 12, 2003 Order prohibited the Debtors from filing any bankruptcy case in any United States Bankruptcy Court for a period of one year from the date of the Order.
4. On August 15, 2003, the Debtor and her Co-Debtor filed a Chapter 7 voluntary petition (case # 03-11219), which was dismissed by the Court on September 12, 2003 because of the Debtor and her Co-Debtor's failure to pay the required filing fees in the amount of \$200.00 and for violation of the Court's September 12, 2003 Order.
5. On September 12, 2004, the Debtor and her Co-Debtor filed a Chapter 13 petition (case # 04-11249) which was dismissed on September 28, 2004 for the Debtor and her Co-Debtor's failure to pay the required filing fees in the amount of \$194.00.


UPON CONSIDERATION of the Debtor's failure to appear at the May 3rd show cause hearing and the history of the Debtor's serial bankruptcy filings, it does not appear that the instant bankruptcy case is a good faith filing or that this Debtor should be permitted to continue to file cases which she does not complete.

Therefore, IT IS HEREBY ORDERED:

1. the Debtor's current bankruptcy case is dismissed;
2. the Debtor's Application to Pay Filing Fee in Installments is denied as moot; and
3. the Debtor is prohibited from filing any case in any United States Bankruptcy Court unless and until all outstanding filing fees from the Debtor's prior cases are paid in full and then the Debtor may only file a petition if the required schedules and the full filing fee accompany that petition.

SO ORDERED.

May 12, 2005
Rutland, Vermont



Colleen A. Brown
United States Bankruptcy Judge