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06/20/05

UNITED STATES BANKRUPTCY COURT DISTRICT OF VERMONT

In re:

VANESSA LYNN VINCENT, Debtor.

Chapter 7 Case # 05-10624

<u>ORDER</u>

DIRECTING DEBTOR TO FILE REMAINING SCHEDULES, APPEAR AT 341 MEETING AND ATTEND HEARING ON MOTION TO DISMISS

WHEREAS, on April 29, 2005, the above referenced debtor filed a voluntary petition for relief under chapter 7 (doc. # 1); and

WHEREAS the Court issued a deficiency notice alerting the Debtor that her Notice of Amendment Cover Sheet, Signature on Declaration Concerning Debtor's Schedules, Signature on Declaration Concerning Statement of Financial Affairs, Schedules A, C through H, Statement of Financial Affairs and Summary of Schedules (collectively, the "Missing Documents") were due on or before May 16, 2005 (doc. #2); and

WHEREAS, on May 20, 2005, the Debtor had not yet filed the Missing Documents and the Court issued a notice of hearing for a June 7th hearing to show cause why the Debtor's case should not be dismissed for failure to file the Missing Documents (doc. #6); and

WHEREAS, on May 31, 2005, the Debtor filed a letter with the Court purportedly withdrawing her bankruptcy filing (doc. # 10) (the "Motion to Dismiss"); and

WHEREAS Raymond J. Obuchowski, in his capacity as chapter 7 trustee (the "Trustee"), filed an objection to the Motion to Dismiss (doc. # 12) asserting that the Trustee did not have enough information to determine whether the dismissal of the Debtor's bankruptcy case would or might impair the interests of her creditors; and

WHEREAS, on June 7th, the Court held a hearing on the notice of hearing to show cause (doc. # 6), the Motion to Dismiss (doc. # 10) and the Trustee's objection thereto (doc. # 12) and the Debtor failed to appear at the hearing;

UPON CONSIDERATION of the record in this case and the Trustee's arguments at the June 7th hearing, IT IS HEREBY ORDERED as follows:

- 1. The Debtor shall file all missing schedules by June 27, 2005;
- The Debtor shall appear at the 341 meeting of creditors on <u>July 6, 2005</u> as a condition of the Court considering her motion to dismiss;

- 3. The Debtor's letter dated May 31, 2005, shall be treated as a Motion to Dismiss and the Clerk's office shall send notice thereof to all creditors; and
- The Debtor shall appear at a hearing for the Court to address the Motion to Dismiss on <u>July 19</u>, <u>2005 at 9:45 A.M.</u> at the United States Bankruptcy Court, Federal Building, 11 Elmwood Avenue, Burlington, VT.

SO ORDERED.

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June 20, 2005 Rutland, Vermont

Colleen A. Brown United States Bankruptcy Judge