

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

IN RE:) CHAPTER 13
) CASE NO. 96-43037
HEATHER NANCY RAWLS STEWART,)
)
DEBTOR)

ORDER

It appears that the Debtor in the above-captioned case was a debtor in a previous case, Chapter 13 Case Number 96-40917, which previous case was dismissed on August 9, 1996 by an order which dismissed the case with prejudice. The relevant provisions of that prior dismissal order are as follows:

Pursuant to 11 U.S.C. § 1307 this Chapter 13 case is dismissed with prejudice, barring refiling of a petition by the debtor(s) within 180 days of this order due to failure to appear at the Meeting of Creditors assigned for May 24, 1996 and June 21, 1996, and failure to pay the filing fee (filing fee in the amount of \$130.00 is now due and owing).

Contrary to the provisions of that previous order, the Debtor has filed this case within 180 days following the dismissal of the previous case.

Now, therefore it is hereby

ORDERED that the Debtor and her counsel show cause, if any either or both of them can, at a hearing to be held on the **12th** day of **December, 1996** at **9:00 a.m.** in the United States Bankruptcy Court, 125 Bull Street, Savannah, Georgia, why this Chapter 13 case should not be dismissed, and, further why

sanctions against Debtor and/or her attorney should not be imposed as a consequence of the violation of the Court's order of August 9, 1996.

SO ORDERED, this 4th day of December, 1996.

JAMES D. WALKER, JR.
United States Bankruptcy Judge

CERTIFICATE OF SERVICE

I, Cheryl L. Spilman, certify that the attached and foregoing have been served on the following:

Barbara Braziel
Attorney At Law
6606 Abercorn St., Ste. 102
Savannah, GA 31405

Heather Nancy Rawls Stewart
6502 Hwy. 21, Lot 28
Port Wentworth, GA 31407

Chapter 13 Trustee
P. O. Box 10556
Savannah, GA 31412

This 4th day of December, 1996.

Cheryl L. Spilman
Deputy Clerk
United States Bankruptcy Court