

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

IN RE:)
)
VERNON WARNER,) CHAPTER 13 BANKRUPTCY
JOY RENEE WARNER,) CASE NO. 95-50678
)
DEBTORS)

ORDER

The Debtors' attorney, Robert C. Harper, has filed a Motion To Be Relieved As Counsel For Debtors And For Award Of Attorney's Fees. The motion was heard on December 12, 1995. The Debtors appeared at the hearing. Mr. Harper, the movant, did not appear.

Mr. Harper subsequently filed a Withdrawal Of Motion To Be Relieved As Counsel For Debtors. It would appear that this withdrawal was based on correspondence from the Debtors which suggested to Mr. Harper that the Debtors had chosen to dismiss their case. At the hearing, the Debtors reported to the Court that they did not wish to dismiss the case. Instead, they expressed their desire to obtain confirmation of the Chapter 13 plan as proposed.

By way of this order, Mr. Harper will be relieved as counsel for the Debtors. Further, this order will provide that no additional attorney's fees are to be paid to Mr. Harper for his services in this case. He has already been paid the sum of

\$100.00 by the Debtors prior to filing.

If Mr. Harper desires to request additional fees, he should do so by making such a request in writing within ten (10) days prior to the confirmation hearing to be held on February 20, 1996, and, further, appear at the confirmation hearing to further urge his fee application.

Now, therefore it is hereby

ORDERED that Robert C. Harper be and he hereby is relieved as attorney of record for the Debtors in this Chapter 13 case; and it is hereby further

ORDERED that Mr. Harper's request for attorney's fees in this case be and it hereby is denied except that he shall be authorized to retain the sum of \$100.00 previously paid to him as attorney's fees by the Debtors; and it is hereby further

ORDERED that Mr. Harper may apply for additional attorney's fees by making a written application for such fees no later than ten (10) days prior to February 20, 1996, and, further, to appear at the confirmation hearing on that date to urge his application for attorney fees.

DATED this _____ day of December, 1995.

JAMES D. WALKER, JR., Judge
United States Bankruptcy Court

CERTIFICATE OF SERVICE

I, Cheryl L. Spilman, certify that a copy of the attached and foregoing was mailed to the following:

Robert C. Harper
Attorney At Law
405 I St.
Brunswick, GA 31520

Vernon and Joy Renee Warner
Rt. 1, Box 487A
Hortense, GA 31412

Sylvia Ford Brown
Chapter 13 Trustee
P. O. Box 10556
Savannah, GA 31412-0556

This _____ day of December, 1995.

Cheryl L. Spilman
Deputy Clerk
United States Bankruptcy Court