

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

IN RE:)
)
“AUTOMATIC” DISMISSAL)
PURSUANT TO 11 U.S.C. 521(i)(1)) General Order 06-0001
_____)

ORDER

No case shall be dismissed pursuant to § 521(i)(1) except upon entry by the Court of an order of dismissal.

If a party-in-interest moves for dismissal pursuant to 11 U.S.C. § 521(i)(2) and if such motion specifically requests immediate dismissal, the Court may dismiss the case within five days of the request without further notice or hearing if the docket is patently missing one or more of the six items identified in Code § 521(a)(1)(A) and (a)(1)(B)(i) through (v). If the docket indicates a filing denominated as one of these six items, but which the movant argues fails to include all that is required by the Code, Federal Rules of Bankruptcy Procedure, Interim Rules of Federal Bankruptcy Procedure, Local Rules or Official Forms, the motion shall identify the alleged deficiency. The movant shall serve the motion on the debtor, trustee and United States Trustee, along with a notice requiring that the debtor either cure the deficiency and/or file an objection within fifteen days of service. If no objection is filed or if the deficiency is not adequately cured, then the Court may dismiss the case without further notice or hearing.

Nothing in the above order shall prevent the Court from dismissing a case pursuant to 11 U.S.C. § 521(i)(1) on its own motion.

Dated: January 6, 2006

FOR THE COURT:

/s/Basil H. Lorch III
Basil H. Lorch III, Chief Judge
United States Bankruptcy Court