UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE: Case No. 08-40434

NATHANIEL F. MOORE, *pro se*,   Chapter 13

               Debtor.   Judge Thomas J. Tucker

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ORDER DENYING DEBTOR'S MOTION FOR RECONSIDERATION

This case comes before the Court on a letter from Debtor, filed on January 30, 2008

(Docket # 22), which this Court construes as a motion for reconsideration of the January 25,

2008 Order dismissing this case (Docket # 20).

The Court has reviewed and considered the motion for reconsideration, and finds that the

motion fails to demonstrate a palpable defect by which the Court and the parties have been misled,

and that a different disposition of the case must result from a correction thereof. *See* Local Rule

9024-1(c).

In addition, the Court notes the following: Debtor is not eligible to be a debtor in the case

under 11 U.S.C. § 109(h)(1). That section provides, in relevant part, that

> an individual may not be a debtor under this title unless such
> individual has, *during the 180-day period preceding the date of
> filing the petition by such individual*, received from an approved
> nonprofit budget and credit counseling agency described in section
> 111(a) an individual or group briefing (including a briefing
> conducted by telephone or on the Internet) that outlined the
> opportunities for available credit counseling and assisted such
> individual in performing a related budget analysis.

(italics added). Debtor did not receive credit counseling *during the 180-day period preceding the*

date of the filing of his petition. Rather, the only credit counseling certificate that Debtor filed in

this case, which was filed on January 30, 2008 (Docket # 26), states that Debtor received a credit

counseling briefing on May 15, 2007. That is more than 180 days before the filing of this case, on

January 8, 2008.

Accordingly,

IT IS ORDERED that Debtor's motion for reconsideration (Docket # 22) is DENIED.

Signed on February 04, 2008

> **/s/ Thomas J. Tucker**
> **Thomas J. Tucker**
> **United States Bankruptcy Judge**