

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In the matter of:

RICKY DARNELL HALL,

Debtor.

Case No. 07-58148

Chapter 7

Judge Thomas J. Tucker

ORDER DISSOLVING SHOW CAUSE ORDER

This case came before the Court for hearing on October 3, 2007 on the show cause order entitled "Order to Show Cause Why Debtor is Entitled to a Discharge," filed September 13, 2007 (Docket # 8). Debtor appeared at the hearing through counsel, and argued that 11 U.S.C. § 727(a)(9) is not a bar to discharge in this case. The Court has reviewed the file in the Debtor's previous case, a Chapter 13 case which Debtor filed on January 14, 2002, and in which Debtor obtained a discharge under 11 U.S.C. § 1328. The Chapter 13 Trustee's final report in that case (Case No. 02-40941, Docket # 12, filed June 3, 2003) shows that "payments under the plan" in that case "totaled at least 100 percent of the allowed unsecured claims in such case." 11 U.S.C. § 727(a)(9)(A). For this reason, 11 U.S.C. § 727(a)(9) is not a bar to discharge in this Chapter 7 case. And 11 U.S.C. § 727(a)(8) does not apply. Accordingly,

IT IS ORDERED that the show cause order (Docket # 8) is dissolved.

Signed on October 06, 2007

/s/ Thomas J. Tucker

Thomas J. Tucker

United States Bankruptcy Judge