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ADV. NUMBER: None
JUDGE: M. A. Mahoney
PARTIES: James Monroe Ingram, Jr.
CHAPTER: 7
ATTORNEYS:
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KEY WORDS:
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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF ALABAMA

In Re

JAMES MONROE INGRAM, JR.

Case No. 96-13986-MAM-7

Debtor.

ORDER

This case is before the Court on the Hardship Motion of the Debtor to Reopen Case. The Debtor seeks to reopen his case in order to bring an action against a creditor he alleges assaulted him at the U.S. Courthouse in Selma, Alabama, after the Debtor's 341 meeting. This Court has jurisdiction to hear this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the Order of Reference of the District Court. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). The Debtor seeks to reopen the case without paying the fee for reopening due to his financial situation.

The Court does find that the motion to reopen establishes grounds for reopening. There is no need to give notice of the Motion to any other party since the reopening does not adversely affect any other party. Any party that the Debtor chooses to establish a cause of action against will have an opportunity to answer and defend against the action.

The rule in regard to fees to be charged upon reopening of a case requires that a fee be paid "unless the reopening is to correct an administrative error or for actions related to the discharge". *Guide to Judiciary Policies and Procedures*, Vol. V, Chapter XII, Part B, I.K(1). This request is not related to either of those situations. Therefore, a fee must be paid.

THEREFORE IT IS ORDERED that the Debtor's Hardship Motion is GRANTED except that a reopening fee of \$160 shall be paid prior to the filing of any further motions by the Debtor in the reopened case.

Dated: March 24, 1997

MARGARET A. MAHONEY
CHIEF BANKRUPTCY JUDGE