

Order Dismissing Case - Failure to Correct Deficiencies

| | | |
|------------------------------|--|-----------------------------|
| Procedure Date: 2/19/2013 | Official/Local Form: Internal CM/ECF Form 522 | Rules/Code Sections: N/A |
|------------------------------|--|-----------------------------|

How to Process

Click the boxes below to navigate to the appropriate section

[Overview](#)

[Docket](#)

Overview

An Order Dismissing Case – Failure to Correct Deficiencies is an event available for internal docketing only. It is prepared via CM/ECF to dismiss a case due to the debtor’s failure to cure some or all deficiencies outlined in the related [Notice of Deadlines to Correct New Case Deficiency](#).

CA’s will generate a [Petition Deficiency Deadlines Report](#) to review pending new cases for which back pages were deficient and/or missing. Upon a complete and thorough audit of each case, it may be necessary to enter an Order Dismissing Case – Failure to Correct Deficiencies. It is imperative that CA’s familiarize themselves with and fully understand this report prior to dismissing a case.

Note: This Order is only used for cases that are **FILED ON OR AFTER** February 19, 2013.

END OF OVERVIEW



Docket

Audit the cases provided on the [Petition Deficiency Deadlines Report](#) for the following:

1. Has a [Notice of Deadlines to Correct New Case Deficiency](#) been docketed on this case?
 - If yes, proceed with auditing
 - If no, check the case number provided on the [Petition Deficiency Deadlines Report](#)
 - If the case number was entered correctly by the CA and the case appears on this report, but a Notice of Deadlines to Correct New Case Deficiency has not been entered in this case, inform your supervisor immediately. Do NOT dismiss the case at this time.
2. Has the debtor cured ALL the deficiencies outlined on the [Notice of Deadlines to Correct New Case Deficiency](#)?
 - If yes, [terminate pending deadlines](#) created by the [Notice of Deadlines to Correct New Case Deficiency](#) (including the "Petition Deficiency" deadline)
 - Do NOT dismiss the case if deficiencies were satisfied
 - If no and...
 - the Statement of Intent is the **only** remaining deficiency
 - The CA should calendar this case to be re-audited based upon the remaining 30 day deadline
 - Do NOT dismiss the case at this time
 - the Chapter 13 Plan is the **only** remaining deficiency
 - The Chapter 13 Trustee will monitor and deal with Chapter 13 Plan deficiencies
 - Do NOT dismiss the case at this time
 - the Credit Counseling Service Certificate is **one of two** remaining deficiencies
 - Email dismissinquiry@ganb.uscourts.gov and wait for direction
 - The subject line should **only** include the last name and case number (ex: Doe 13-12345-abc)
 - The body of the email should **only** list the deficiency (ex: missing payment advices)
 - Do NOT dismiss the case at this time
 - the case is one of Judge Diehl's (MGD) or Judge Massey's (JEM) and has **any** type/number of remaining deficiencies
 - Email dismissinquiry@ganb.uscourts.gov and wait for direction
 - The subject line should **only** include the last name and case number (ex: Doe 13-12345-abc)
 - The body of the email should **only** list the deficiency (ex: missing payment advices)
 - Do NOT dismiss the case at this time

- there is a pending or GRANTED [Motion to Extend Time](#)
 - Do NOT dismiss the case prior to the deadline established in the order **plus** six additional days for mailing
- the case has been converted
 - [Terminate pending deadlines](#) created by the [Notice of Deadlines to Correct New Case Deficiency](#) (including the "Petition Deficiency" deadline)
 - Do NOT establish/set a new Petition Deficiency deadline
 - The trustee assigned to the case will monitor
 - Do NOT dismiss the case at this time
- **only** one document remains deficient
 - Do NOT dismiss the case at this time
 - Email dismissinginquiry@ganb.uscourts.gov and wait for direction
 - The subject line should **only** include the last name and case number (ex: Doe 13-12345-abc)
 - The body of the email should **only** list the deficiency (ex: missing payment advices)
- there are multiple uncured deficiencies
 - Enter an Order Dismissing Case - Failure to Correct Deficiencies

TO DOCKET THE ORDER:

- Select **Bankruptcy**
- Select **Orders/Opinions**
- Select **Other Orders**
- Enter case number (xx-xxxxx)
- Click **Next**
- Select **Order Dismissing Case - Failure to Correct Deficiencies**
- Click **Next**
- Leave the default date for the **Date filed**
- Click **Next**
- Select **Dismissed for Failure to File Information** as the disposition method for the debtor(s) using the drop-down box provided
- Click **Next**
- Verify the docket text and make corrections, if necessary
- Click **Next**
- You will see the message: **The following form(s) have been requested. Remove the check mark from any you do not wish to generate.**
 - 522 - Order Dismissal - Filing Defic

Note: **DO NOT** remove the check mark. The Order will not be generated if

the check mark is removed.

- Click **Next**
- Click **Submit**

Note: No follow up will be required by the Case Administrator after this Order is entered.

END OF DOCKET

