

ENTERED ON DOCKET
AUG 19 2004

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:) CASE NO. 04-96156
)
JOI ANN BYTHWOOD,) CHAPTER 13
)
Debtor.) JUDGE BIHARY

ORDER

Debtor filed the instant Chapter 13 case on August 17, 2004, at 11:00 A.M., one day after the debtor dismissed her bankruptcy case, 04-95414, and immediately after a scheduled hearing on a motion for relief from the automatic stay filed by Wilshire Credit Corporation in Case No. 04-95414. Since the voluntary dismissal of Case No. 04-95414 followed the request for relief from the automatic stay by Wilshire Credit Corporation, the Court has entered an Order granting that voluntary dismissal, but noting that under 11 U.S.C. § 109(g)(2), the debtor is not eligible for filing any case under Title 11 for the next one hundred eighty (180) days. Accordingly, the Court finds that the debtor was not eligible to file this case, Case No. 04-96156, and it is DISMISSED.

IT IS SO ORDERED, this 19th day of August, 2004.



JOYCE BIHARY
UNITED STATES BANKRUPTCY JUDGE

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