

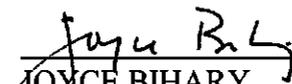
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: : CASE NO. 11-74692-JB
: :
SAINTVIL FAMILY IRREVOCABLE TRUST, :
: CHAPTER 13
Debtor. : :

ORDER OF DISMISSAL

This Chapter 13 case came before the Court on September 27, 2011 for a hearing on the Chapter 13 Trustee's motion to dismiss the case pursuant to 11 U.S.C. § 109(e), which provides that only an "individual with regular income" may be a debtor in a Chapter 13 case. The case was filed *pro se* on August 29, 2011, under the name of Saintvil Family Irrevocable Trust, and the petition was signed by Mozart G. Saintvil as the "trustee". A trust is an artificial entity and as such cannot be a debtor in a Chapter 13 case. *In re JAC Family Foundation*, 356 B.R. 554 (Bankr. N.D.Ga. 2006); 2 COLLIER ON BANKRUPTCY ¶ 109.06[1] (Alan N. Resnick & Henry J. Sommer eds., 16th ed.). At the hearing on the motion to dismiss, Sonya Buckley appeared for the Chapter 13 Trustee. No one appeared on behalf of the debtor and no opposition to the motion was filed. Upon review of the record and consideration of applicable law, the Court concludes the motion should be and is hereby granted, as this debtor entity is ineligible to be a debtor in a Chapter 13 case. Accordingly, the case is dismissed.

IT IS SO ORDERED, this 28th day of September, 2011.



JOYCE BIARY
UNITED STATES BANKRUPTCY JUDGE

Distribution List:

Mary Ida Townson, Chapter 13 Trustee
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