

09 SEP 2004

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:	)	CHAPTER 13
	)	
PATRICIA A. ODUM	)	CASE NO. 01-65200-MHM
	)	
Debtor	)	
	)	
	)	
PATRICIA A. ODUM	)	
	)	<b>CONTESTED MATTER</b>
Movant	)	
	)	
v.	)	
	)	
VESTA HOLDINGS	)	
	)	
Respondent	)	


**ORDER**

On January 12, 2004, Vesta Holdings ("Vesta") filed a proof of claim asserting against Debtor a secured claim based upon writs of *fi. fa.* issued in 2003 for 2002 *ad valorem* taxes on Debtor's residence. The amount of Vesta's claim is \$875.90. Debtor filed an objection to Vesta's claim on the grounds that the claim was filed late. Vesta failed to appear at the May 27, 2004 hearing on Debtor's objection. Debtor's case, however, was filed April 18, 2001, and the plan was confirmed June 11, 2001. Therefore, it appears Vesta's claim is a post-petition claim allowable under 11 U.S.C. §1305. Neither the Bankruptcy Code nor Rules provide a deadline for filing a postpetition claim. Therefore, it appears Debtor's objection to Vesta's claim lacks merit.

Accordingly, it is hereby

ORDERED that Debtor's objection to the claim of Vesta Holdings is overruled.

IT IS SO ORDERED, this the 7<sup>th</sup> day of September, 2004.

A handwritten signature in black ink, appearing to read 'M. H. Murphy', written over a horizontal line.

MARGARET H. MURPHY  
UNITED STATES BANKRUPTCY JUDGE