



**IT IS ORDERED as set forth below:**

**Date: June 20, 2011**

*Mary Grace Diehl*

**Mary Grace Diehl  
U.S. Bankruptcy Court Judge**

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**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

In re:	:	CASE NUMBER
	:	
<b>ALFREDIA PRUITT,</b>	:	<b>11-52442-MGD</b>
	:	
Debtor.	:	CHAPTER 7
	:	

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**ORDER**

The above-styled Chapter 7 case is before the Court *sua sponte*. It appears Alfredia Pruitt (“Debtor”) has failed to disclose her prior bankruptcy petitions within the last eight years as required by Official Form 1 (“Voluntary Petition”). Debtor submitted her petition, under penalty of perjury, and failed to list any prior bankruptcy case. In fact, it appears Debtor has filed at least eleven other bankruptcy cases in the Northern District of Georgia: 10-86533-MGD, 10-78992-MGD, 10-66283-JEM, 01-67279-JEM, 00-64848-JEM, 99-74888-JEM, 99-63252-JEM, 03-99335-MHM, 93-70570-SWC, 92-69111-JB, 88-06561-MHM. All of Debtor’s prior cases are not required to be disclosed

in the petition because of the eight year time limitation set forth on the Voluntary Petition; however, her failure to include any of her prior cases causes great concern to the Court.

The Court's concern is compounded given the judgment denying discharge against Alfredia Bostic Pruitt in a past adversary proceeding, 01-67279-JEM. (Adversary Proceeding No. 02-9121; Docket No. 10). The adversary action was initiated by the United States Trustee. The United States Trustee objected to discharge based on Debtor's use of different social security numbers to file bankruptcy cases in an alleged attempt to deceive creditors.

The facts surrounding this Debtor's case warrant an inquiry into whether grounds exist for a denial of discharge. Section 727(c)(2) allows the court to order the trustee to examine the acts and conduct of the debtor to determine whether a ground exists for denial of discharge. 11 U.S.C. § 727(c)(2). Section 727(c)(2) provides that this inquiry may be ordered based on the request of a party in interest. *Id.* Section 105(a) provides the authority for the Court to order an examination of Debtor's conduct to determine whether a denial of discharge is warranted. *Jacobson v. Robert Speece Properties (In re Speece)*, 159 B.R. 314, 320 n.11 (Bankr. E.D. Cal. 1993) ("Preservation of the integrity of the bankruptcy system is one reason that the United States trustee is authorized to object to discharge. And it is one reason the court is empowered to order the Trustee to examine whether any ground exists to deny discharge."). Section 105 provides that "[t]he court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title." 11 U.S.C. § 105. Section 105(a) and the Court's inherent equitable authority allow for the Court to take action on its own; provided that, such action furthers the provisions of the Bankruptcy Code. *See Marrama v. Citizens Bank*, 549 U.S. 365, 383 (U.S. 2007). Accordingly, it is

**ORDERED** that the United States Trustee examine Debtor's present case and her bankruptcy

history to determine whether grounds exist for a denial of discharge.

**IT IS FURTHER ORDERED** that the United States Trustee file a written report on the docket as to its findings and conclusions on or before **August 1, 2011**.

The Clerk is directed to serve a copy of this Order on Debtor, Chapter 7 Trustee and the United States Trustee.

**END OF DOCUMENT**