

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:	:	
	:	CASE NO. 05-95215-JB
CHARLES RANDALL HAMBLEN and	:	
	:	
JANET SMITH HAMBLEN,	:	
	:	
Debtors.	:	CHAPTER 7
	:	
_____	:	
	:	
S. GREGORY HAYS, TRUSTEE,	:	
	:	
Movant,	:	
	:	
	:	
Vs.	:	CONTESTED MATTER
	:	
CHARLES RANDALL HAMBLEN and	:	
JANET SMITH HAMBLEN,	:	
	:	
Respondents.	:	

ORDER COMPELLING DEBTORS TO COMPLY WITH RULE 4002(5) OF THE FEDERAL  
RULES OF BANKRUPTCY PROCEDURE AND  
ORDER WITH DIRECTIONS TO TRUSTEE, WILLIAM RUSSELL PATTERSON AND EVAN  
ALTMAN REGARDING SERVICE

On September 7, 2006, the Chapter 7 Trustee, S. Gregory Hays, filed a report of noncompliance with the Court's Order entered August 17, 2006, and a request for the entry of an Order to show cause why Debtors, Charles Randall Hamblen and Janet Smith Hamblen, should not be held in contempt (Docket #269). That motion will be set down for a hearing, but in that motion the Trustee alleges that he does not know the current address or mailing address of the Hamblens.

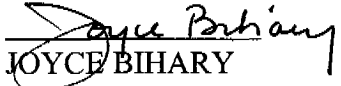
The Trustee alleges that he has e-mailed the Hamblens asking for a current address and further that he has advised them of their obligations to file a change of address with the Clerk's office, but no change of address has been filed. Debtors have been proceeding *pro se* since their attorney withdrew in April of 2006.

The Bankruptcy Code and the Bankruptcy Rules prescribe a number of duties which must be performed by debtors. Among them is a debtor's duty "to file a statement of any change of the debtor's address." Fed. R. Bankr. P. 4002(5). In this case, prior to withdrawing as counsel, attorney Paul Marr, in a letter dated March 6, 2006, also explained to Mr. and Mrs. Hamblen their responsibilities with respect to the Court, including notifying the Clerk's office of any change in address.

Mr. and Mrs. Hamblen are **ordered** to file a change of address with the Clerk's office and to serve the Trustee's counsel, Alex Teel, with their change of address on or before **September 28, 2006**. Failure to comply with this Order will result in sanctions. To ensure that Debtors receive a copy of this Order, service shall be upon the only address currently shown on the docket for Debtors, and the Trustee's counsel, Alex Teel, is directed to forward a copy of this Order upon Debtors through the e-mail address or addresses that he has been using to communicate with them. In addition, the Court is serving William Russell Patterson with a copy of this Order, with directions that he, as, counsel for Sara Smith, the mother of Janet Hamblen, forward a copy of this Order to Debtors. The Court is also serving Evan Altman, counsel for the Hamblen Family Irrevocable Trust and Halstin Family, LLC with a copy of this Order, with directions that he forward a copy of this Order to Debtors. The Trustee, Mr. Patterson, and Mr. Altman are each directed to file a certificate in this case setting forth all methods by which they have attempted to serve a copy of this Order upon

Debtors Charles and Janet Hamblen.

IT IS SO ORDERED, this 13<sup>th</sup> day of September, 2006.

  
JOYCE BIHARY  
UNITED STATES BANKRUPTCY JUDGE

**DISTRIBUTION LIST**

Charles Randall Hamblen  
Janet Smith Hamblen  
510 Pennroyal Lane  
Alpharetta, GA 30004

William Russell Patterson, Esq.  
Ragsdale, Beals, Hooper & Seigler  
229 Peachtree Street, NE, Suite 2400  
Atlanta, GA 30303-1629

Paul Reece Marr, Esq.  
Paul Reece Marr, PC  
300 Galleria Parkway, NW  
Suite 960  
Atlanta, GA 30339

Alexander Teel, Esq.  
Lamberth, Cifelli, Stokes & Stout  
3343 Peachtree Road, NE, Suite 550  
Atlanta, GA 30326-1022

S. Gregory Hays  
Hays Financial Consulting LLC  
3343 Peachtree Road, NE, Suite 200  
Atlanta, GA 30326

Thomas Dworschak, Esq.  
Office of the U.S. Trustee  
75 Spring Street, Room 362  
Richard Russell Federal Building  
Atlanta, GA 30303

Evan M. Altman, Esq.  
Bldg. 2 - Northridge 400  
8325 Dunwoody Place  
Atlanta, GA 30350

Kathy Harmon  
Judicial Assistant to Judge Bihary

Date: September 13, 2006