


Randal S. Mashburn
U.S. Bankruptcy Judge



Dated: 10/4/2017

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:

EDWARD GEORGE FARIA,
2479 Murfreesboro Road, Unit 507
Nashville, TN 37217
SSN: XXX-XX-7844
Debtor(s).

)
)
) Bk. No. **17-04384-CW3-13**
) Chapter 13
) Judge Charles M. Walker
)
)

ORDER DENYING CONFIRMATION AND DISMISSING CASE

This matter came to be heard on September 27, 2017 upon the issue of confirmation of the debtor's proposed Chapter 13 plan, the objection to confirmation raised by the Trustee, the objection to confirmation raised by Select Portfolio Servicing, and the Trustee's related Motion to Dismiss. At the call of the docket, the debtor was present, counsel for Select Portfolio Servicing was present, and counsel for the Chapter 13 Trustee was present. Following the arguments of the debtor, counsel for Select Portfolio Servicing, and Counsel for the Trustee, the Court found that the debtor's proposed Chapter 13 plan is not confirmable and that grounds exist to dismiss the debtor's case. Incorporating findings of fact stated orally in Court from the bench, pursuant to Rule 7052, F.R.B.P., it is therefore

ORDERED, confirmation of the debtor's proposed Chapter 13 plan is denied; it is further

ORDERED, the above styled case is dismissed; it is further

ORDERED, the Trustee is authorized to disburse from any funds on hand any unpaid filing fee, notice fee, unpaid adequate protection payments to secured creditors, allowed and approved administrative claims, or unpaid Trustee commission, if any, prior to returning any funds to the debtor.

THIS ORDER WAS SIGNED AND ENTERED
ELECTRONICALLY AS INDICATED AT THE
TOP OF THE FIRST PAGE.

APPROVED BY:

/s/ Tracy L. Schweitzer

Tracy L. Schweitzer
Counsel to Henry E. Hildebrand, III
Chapter 13 Trustee
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certifies that on or before the 3rd day of October, 2017, a true and correct copy of the foregoing has been served in the following manner:

Email by Electronic Case Noticing to:

U. S. Trustee

By U. S. Postal Service, postage prepaid to:

Edward G. Faria, 2479 Murfreesboro Road, Unit 507, Nashville, TN 37217
Natalie Brown, Rubin Lublin TN PLLC, 119 S. Main Street, Suite 500, Memphis, TN 38103

/s/ Tracy L. Schweitzer

Tracy L. Schweitzer
Counsel to Henry E. Hildebrand, III
Chapter 13 Trustee