

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF

REBECCA S. HOSTER,

DEBTOR.

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CASE NO. BK80-1227

MEMORANDUM OPINION

This matter comes on for hearing upon the trustee's objection to confirmation of the debtor's proposed amended plan filed September 9, 1980. The trustee objects because the plan does not provide for the payment of any money to unsecured creditors.

Debtor's plan discloses no secured creditors other than a creditor which apparently was previously secured on a 1974 Capri automobile. That automobile was repossessed. Debtor's amended plan proposes the payment of \$30.00 per month with no money to be paid to unsecured creditors.

Debtor's schedules indicate a monthly income of \$412.65 and monthly expenses of \$40.00 with an excess income of \$12.65. Her amended plan would apparently devote the entire \$30.00 per month to be paid under the plan to the payment of the attorney fees for her attorney. The plan proposes that be paid in eleven payments.

In accordance with In Re Terry, ___ F.2d ___ (8th Cir. 1980) and In Re Faust, BK80-114 (D. Neb. 1981), confirmation will be denied.

DATED: Aug.14 , 1981.

BY THE COURT:



U.S. Bankruptcy Judge