

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF)
)
JOHN PETER BARTHELEMY,) CASE NO. BK79-0-745
)
BANKRUPT)
)
FIRST NATIONAL BANK OF BAYARD,)
)
Plaintiff)
)
vs.)
)
J. PETER BARTHELEMY,)
)
Defendant)

MEMORANDUM AND ORDER

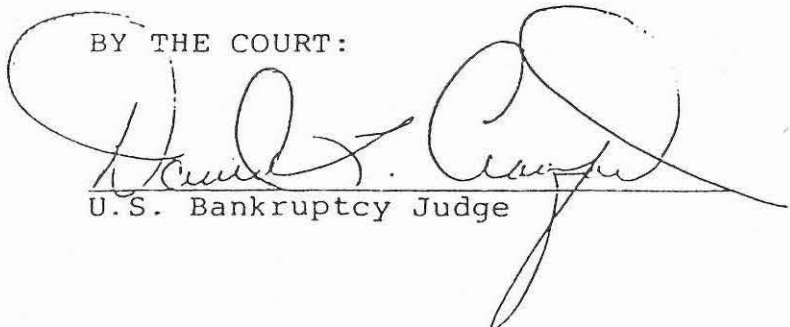
The defendant has filed a motion to dismiss these proceedings on the grounds that plaintiff's objection to discharge was not timely filed. By order of this Court, September 19, 1979, was set as the last day for filing of objections to discharge. Plaintiff's objection was timely filed September 14, 1979. Nowhere does the Bankruptcy Act require that defendant receive a summons on or before the filing deadline. Defendant's objections to the Court's jurisdiction over the person and subject matter are also without merit. Accordingly, it is

ORDERED that the defendant's motion to dismiss be, and hereby is, denied; and it is further

ORDERED that the defendant file his answer on or before November 29, 1979.

DATED: November 15, 1979.

BY THE COURT:


U.S. Bankruptcy Judge

Copies mailed to each of the following:

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