

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA
IN THE MATTER OF
GEORGE J. DORN,
Debtor.

RECEIVED

OCT 30 1987

UNITED STATES BANKRUPTCY CLERK
FOR THE DISTRICT OF NEBRASKA
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DISTRICT OF NEBRASKA
AT _____ M
OCT 28 1987
William L. Olson, Clerk
Deputy
CV. 87-0-73
BK. 85-2865
ORDER Affirmed 88:552

This matter is before the Court on George J. Dorn's (hereinafter debtor's) appeal of the Bankruptcy Court's order of December 13, 1986, overruling his objection to the claim of Travelers Insurance Company.

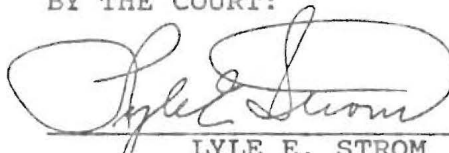
This Court may review the Bankruptcy Court's legal conclusions *de novo* but the Bankruptcy Court's findings of fact may not be set aside unless clearly erroneous. Bankr.R. 8013, *Wegner v. Grunewaldt*, 821 F.2d 1317, 1320 (8th Cir. 1987); *In re Martin*, 761 F.2d 472, 474 (8th Cir. 1985).

Debtor's objection was premised upon an assertion that the promissory note which formed the basis of Travelers claim violated the Truth in Lending Act, 11 U.S.C. § 1601, *et seq.* The issue has been fully litigated previously, *see Dorn v. State Bank of Stella*, CV. 84-0-243, Slip op. (D.Neb. Aug. 24, 1984) (J. Beam), and is barred by the doctrine of *res judicata*. *Lovell v. Mixon*, 719 F.2d 1373, 1376 (8th Cir. 1983). The Court has reviewed the record herein and finds no error by the Bankruptcy Court. Accordingly,

IT IS ORDERED that the decision of the Bankruptcy Court is affirmed.

DATED this 28th day of October, 1987.

BY THE COURT:



LYLE E. STROM
UNITED STATES DISTRICT JUDGE