

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF)

JAMES R. BARKER,)

CASE NO. BK78-0-778)

LUCILLE I. BARKER,)

CASE NO. BK78-0-779)

DEBTORS)

MEMORANDUM OPINION

Before me are the motion to dismiss and distribute funds and the application for fees filed herein by Mr. James F. Fenlon.

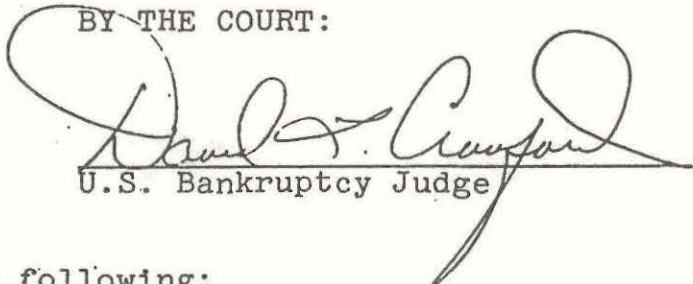
In view of the lack of creditor opposition to the motion to dismiss, it will be granted.

Apparently, some \$19,327.60 which belongs to the debtors has been deposited with the Trust Fund of the Clerk of the Bankruptcy Court. Thirteen thousand dollars of that money must be paid to the Internal Revenue Service in payment of capital gains taxes incurred by the debtor during this proceeding. Mr. Fenlon has applied for compensation as attorney for the debtors in the sum of \$10,275.00 in fees and \$316.43 in expenses. In view of the lack of opposition to this application, it will be granted.

A separate order is entered in accordance with the foregoing.

DATED: June 28, 1979.

BY THE COURT:


U.S. Bankruptcy Judge

Copies mailed to each of the following:

James and Lucille Barker, 917 South 6th Street, Broken Bow, Nebraska

James F. Fenlon, Attorney, 10846 Old Mill Road, Suite 4, Omaha, Ne. 68154