

**FILED**

at \_\_\_ O'clock & \_\_\_ min. \_\_\_ M

**APR 27 2007**

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA**

United States Bankruptcy Court  
Columbia, South Carolina (41)

IN RE:

Mozella Walker,

Debtor(s).

C/A No. 07-0210 4-JW

Chapter 13

**ORDER**

**ENTERED**

**APR 27 2007**

**N.S.**

This matter comes before the Court on correspondence from Debtor's counsel requesting that the Court consider Debtor's case as being filed on April 20, 2007, the date Debtor filed a document under the CM/ECF event of "voluntary petition."<sup>1</sup> The document filed was a document related to Debtor's bankruptcy case but was not a voluntary petition, which was electronically submitted on April 23, 2007. Other courts that have considered the issue have found that a case is filed on the date that the petition is electronically filed and not on the date that certain related documents are electronically filed as a voluntary petition. See In re Murphy, 342 B.R. 671, 673 (Bankr. D.D.C. 2006) (finding the filing of § 342(b) notice under the voluntary petition event does not constitute the commencement of a case); In re Bradley, 342 B.R. 783, 788 (Bankr. N.D. Ind. 2005); In re Marion, C/A No. 05-67816, slip op. (Bankr. N.D. Ind. Jan. 5, 2006) (finding the electronic filing of a mailing matrix under the voluntary petition event does not constitute a filing of a bankruptcy case); In re Sharafinski, C/A No. 3:06-CV-787, slip op., 2007 WL 541938 (N.D. Ind. Feb 15, 2007). Debtor's filing of a document as a voluntary petition did not constitute the commencement of this case as the document is insufficient to be considered a petition. See In re Herndon, Misc. Pro. No. 06-90004-W, slip op. (Bankr. D.S.C. Dec. 27, 2006) (discussing the requirements of a petition

<sup>1</sup> Under the "voluntary petition" event, Debtor a statement of her social security number.

and finding that the document filed as a petition should substantially comply with the official form).

Therefore, the Court finds that Debtor's case was filed on April 23, 2007, the date the voluntary petition was filed with this Court. The Clerk of Court may take necessary action to correct the docket to reflect that the voluntary petition and related documents were filed on April 23, 2007.

**AND IT IS SO ORDERED.**

  
UNITED STATES BANKRUPTCY JUDGE

Columbia, South Carolina  
April 27, 2007