

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:

Billy Kent Wright,

Debtor.

C/A No. 04-03832-W

ORDER

Chapter 13

ENTERED

JUL 16 2004

B. R. M.

THIS MATTER comes before the Court regarding the confirmation hearing based upon the Chapter 13 Trustee's objection that Billy Kent Wright (the "Debtor") altered or deviated from the form plan required for use in this District by Local Rule 3015-1 and Operating Order 04-01 by eliminating or reducing certain provisions. The Trustee argues that any such changes to the form plan increase the difficulty and expense in reviewing plans due to the volume of plans received and the quick time frame. Debtor responds that only inapplicable sentences or other portions were eliminated in order to make the plan clear for creditors. The Trustee and Debtor apparently seek an advisory opinion on whether the practice of reducing or eliminating inapplicable provisions from the required form plan is allowable. After consultation with my colleague on the bench, the following opinion is offered.

Local Rule 3015-1 requires use of a form Chapter 13 plan to aid in the Court's administration of such cases. The Rule limits alterations to the form plan except those highlighted by the use of bold face type, underlining or italics. The Rule does not allow for reductions or eliminating provisions. Therefore, without a showing of prejudice or material need

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at _____ o'clock & _____ min _____ M
JUL 16 2004
BRENDA K. ARGOE, CLERK
United States Bankruptcy Court
Columbia, South Carolina (14)

for an exception prior to the filing of a plan, a plan must comply with Local Rule 3015-1 and Operating Order 04-01. Therefore, alterations of this nature are not presently allowable.

AND IT IS SO ORDERED.

Columbia, South Carolina,

July 16, 2001.


UNITED STATES BANKRUPTCY JUDGE