

UNITED STATES BANKRUPTCY COURT
DISTRICT OF HAWAII

FILED
U.S. BANKRUPTCY COURT
DISTRICT OF HAWAII

02 APR 25 PM 12:43

In re)
) Case No. 02-00721
) Chapter 13
CAROL J. HIMALAYA-FIDELE,)
)
)
Debtor.)

ENTERED ON DOCKET
APR 25 2002

**MEMORANDUM REGARDING
DEBTOR'S MOTION TO DISMISS**

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The Debtor has filed a motion to dismiss this case pursuant to 11 U.S.C. § 1307(b). The Office of the United States Trustee previously filed a motion to dismiss this case with prejudice and a 240-day bar to refile, alleging that cause exists to dismiss this case with these conditions.

The Debtor has the right to dismiss a Chapter 13 case under section 1307(b), but the dismissal may be subject to certain conditions in appropriate circumstances. See 11 U.S.C. § 349(a); In re Greenberg, 200 B.R. 763, 766-67 (Bankr. S.D.N.Y. 1996).

A hearing will be held at the United States Bankruptcy Court for the District of Hawaii, 1132 Bishop Street, Honolulu, Hawaii, on **May 23, 2002, at 9:30 a.m.**, to consider what consequences, if any, should follow the dismissal of this case.

Dated: Honolulu, Hawaii, APR 25 2002



Robert J. Faris
United States Bankruptcy Judge

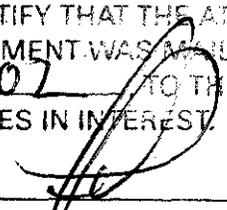
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Carol J. Himalaya-Fidele
565 Ahihi St.
Hon., HI 96819

Howard Hu, Trustee

U.S. TRUSTEE

CERTIFICATION OF SERVICE
I HEREBY CERTIFY THAT THE ATTACHED
ORDER/JUDGMENT WAS MAILED ON
4-23-07 TO THE ABOVE
NAMED PARTIES IN INTEREST.



DEPUTY CLERK