

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

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In re: :

KEVIN E. SWEET : BK No. 02-14644
Debtor Chapter 13

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ORDER DISMISSING CASE AND BARRING DEBTOR FROM FUTURE FILINGS

Heard on the Chapter 13 Trustee's Motion to dismiss the above captioned case. After a full hearing on the merits, with the Debtor Kevin E. Sweet present, with notice and opportunity to be heard, the Court makes the following findings of fact and conclusions of law:

(1) This is the sixth Chapter 13 case file by the Debtor in this Court, with his five previous case having been dismissed.

Case Number	Date Filed	Date Dismissed
97-13624	8/28/97	2/24/98
98-12307	6/2/98	9/25/98
98-14914	12/1/98	4/15/99
00-10311	2/2/00	7/5/00
01-13089	8/8/01	3/29/02
02-14644	12/13/02	Instant Case

(2) On March 3, 2003, Kevin E. Sweet, was properly noticed that a first meeting of creditors would be held on April 7, 2003, and that said notice was in writing and was served on the Debtor via U.S. Mail, postage prepaid; and that said notice provided the Debtor with the accurate date, time and location where and when the hearing would be held, to wit: April 7, 2003 at 9:30 a.m. at

the Office of the United States Trustee, 10 Dorrance Street, Providence, R.I.;

(3) That the Debtor did not appear at said meeting and that Debtor's failure to appear was willful;

(4) That the Debtor has willfully and cavalierly failed to commence plan payments in direct contravention of 11 U.S.C. §1326; and

(5) That the Debtor's five prior Chapter 13 petitions filed with this Court, have all been dismissed on account of the Debtor's neglect, and that this filing constitutes a continuing abuse of the bankruptcy system, and a bad faith, serial filing.

Therefore, it is hereby

ORDERED, ADJUDGED AND DECREED that:

1. The Motion of the Chapter 13 Trustee to Dismiss this case is GRANTED and the case is DISMISSED with prejudice; and
2. The Debtor is barred from filing any future bankruptcy petition under any Chapter of Title 11 of the United States Code in this District without first obtaining the Court's permission by motion seeking the authorization to file a new petition.

Enter judgement consistent with this order.

Dated at Providence, Rhode Island, this 28th day of August, 2003.



Arthur N. Votolato
U.S. Bankruptcy Judge