

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI

STANDING ORDER AUTHORIZING DISMISSAL WHEN
DEBTOR FAILS TO ATTEND THE MEETING OF CREDITORS

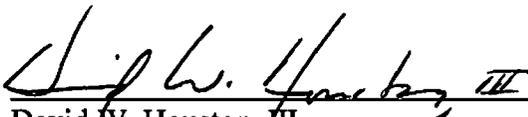
The appearance of the debtor and debtor's attorney at the meeting of creditors is mandatory, unless waived as set forth in Miss. Bankr. L. R. 2003-1(a)(1). The cited local rule further provides that the failure of the debtor and the debtor's attorney to attend the meeting of creditors may result in dismissal of the case or the imposition of sanctions. The purpose of this Standing Order is to supplement the dismissal procedure prescribe in Local Rule 2003-1.

It is the opinion of the court that the dismissal procedure prescribed in Local Rule 2003-1 should be modified so as to provide for notice of potential dismissal in the document which schedules the initial meeting of creditors for each case. If a debtor thereafter fails to appear at a meeting of creditors, the case, or the non-appearing debtor in a joint case, will be dismissed without further notice to any party and without a hearing being scheduled, upon receipt by the court of a certification from the case trustee or the Office of the United States Trustee stating that the debtor did not appear and that the debtor did not make written request for the meeting to be rescheduled as provided by Local Rule 2003-1(a)(2).

IT IS, THEREFORE, ORDERED that notice of potential dismissal for failure to attend the meeting of creditors will be provided in the document which schedules the initial first meeting of creditors in each case. If a debtor thereafter fails to appear at a meeting of creditors, the case, or the non-appearing debtor in a joint case, will be dismissed *sua sponte* without further notice to any party and without a hearing being scheduled, upon receipt by the court of a certification from the case trustee or the Office of the United States Trustee stating that the debtor did not appear and that the debtor did not make written request for the meeting to be rescheduled as provided by Local Rule 2003-1(a)(2).

IT IS FURTHER ORDERED that the order of dismissal will be prepared, if necessary, by the case trustee or the Office of the United States Trustee and submitted to the Clerk for dissemination to all parties in interest after execution by the presiding Judge.

SO ORDERED, this the 1st day of February, 2010.



David W. Houston, III
Chief United States Bankruptcy Judge

Entered 2-1-10 at 8:00 A.M.
United States Bankruptcy Court
Northern District of Mississippi
David J. Puddister, Clerk 