

United States Bankruptcy Court

For the NORTHERN District of IOWA

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA
OCT 17 1991

BARBARA A. EVERLY, CLERK

IN RE:

Chapter 7

Case No. L91-00490W

DONALD MOSES ROSS, JR.
PATRICIA ANN ROSS, Debtors,
GLEN ROCCA, Plaintiff
v.
DONALD MOSES ROSS, JR. and
PATRICIA ANN ROSS, Defendant

Adversary Proceeding No. L91-0103W

JUDGMENT

This proceeding having come on for trial or hearing before the court, the Honorable
MICHAEL J. MELLOY, United States Bankruptcy Judge, presiding, and
the issues having been duly tried or heard and a decision having been rendered.

[OR]

The issues of this proceeding having been duly considered by the Honorable
MICHAEL J. MELLOY, United States Bankruptcy Judge, and a decision
having been reached without trial or hearing.

IT IS ORDERED AND ADJUDGED:

The debt owed by Donald Moses Ross, Jr., to Glen Rocca, arising out of a lawsuit in the Iowa District Court in and for Black Hawk County, No. 50922, is nondischargeable.

IT IS FURTHER ORDERED that the complaint is dismissed as to defendant, Patricia Ann Ross.

RECORDED: Vol. III
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[Seal of the U.S. Bankruptcy Court]

Date of issuance: October 17, 1991

BARBARA A. EVERLY

Clerk of Bankruptcy Court

By:

Thomas A. Delany
Deputy Clerk

OCT 17 1991

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN RE: Chapter 7
BANKRUPTCY NO. BARBARA A. EVERLY, CLERK

DONALD MOSES ROSS, JR., L-91-00490W
PATRICIA ANN ROSS,

Debtors.

GLEN ROCCA, ADVERSARY NO.
Plaintiff, L-91-0103W

v.

DONALD MOSES ROSS, JR. and
PATRICIA ANN ROSS,
Defendants.

ORDER RE: MOTION FOR DEFAULT

The plaintiff's motion for default came on for hearing on October 16, 1991. The plaintiff, Glen Rocca, appeared by attorney David W. Stamp. Neither of the defendants appeared at the hearing.

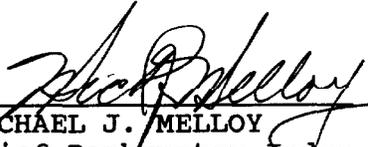
The Court, having reviewed the file and having considered the arguments of counsel, found that the defendants did not file a timely answer to the complaint. The answer which was filed after the motion for default was filed does not set forth a meritorious defense which would warrant the Court denying the motion for default. The plaintiff's attorney did indicate, however, that the plaintiff intended to proceed only against the defendant, Donald Moses Ross, Jr., and that the complaint could be dismissed as to the defendant, Patricia Ann Ross.

IT IS THEREFORE ORDERED that a judgment should enter finding that the debt owed by Donald Moses Ross, Jr., to Glen Rocca, arising out

of a lawsuit in the Iowa District Court in and for Black Hawk County, No. 50922, is nondischargeable.

IT IS FURTHER ORDERED that the complaint is dismissed as to defendant, Patricia Ann Ross.

DONE AND ORDERED this 17th day of October, 1991.


MICHAEL J. MELLOY
Chief Bankruptcy Judge

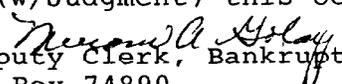
Copies to:

David W. Stamp
P.O. Box 2696
Waterloo, Iowa 50704

Donald Moses Ross, Jr.
Patricia Ann Ross
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Waterloo, Iowa 50703

U.S. Trustee
The Center, Suite 675
425 Second St. S.E., Box 47
Cedar Rapids, IA 52401

(w/Judgment) this October 17, 1991


Deputy Clerk, Bankruptcy Court
PO Box 74890
Cedar Rapids, IA 52407