

The order below is hereby signed.

Signed: June 30 2020



S. Martin Teel, Jr.

S. Martin Teel, Jr.
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA

In re)	
)	
TANYA F. JOHNSON,)	Case No. 97-01033
)	(Chapter 13)
Debtor.)	Not for Publication in
)	West's Bankruptcy Reporter

MEMORANDUM DECISION AND ORDER DENYING
PNC BANK, NA'S SECOND APPLICATION FOR RELEASE OF UNCLAIMED FUNDS

On April 13, 2020, PNC Bank, NA filed an Application for Payment of Unclaimed Funds (Dkt. No. 40). The *Application* fails to show that it was served on the United States Attorney. In any event, in the attached *Memorandum Decision and Order* (Dkt. No. 36 entered on June 5, 2014), I denied a prior application of PNC for release of the same funds that were an unclaimed dividend issued by the Chapter 13 trustee to PNC Mortgage Corporation. The new application attempts to correct the deficiency in the prior application by certifying that the claim has not been paid by ascertaining that "[f]unds were never received." The non-receipt of the unclaimed funds does not establish that the debt at issue was not paid. The debt may have been satisfied via foreclosure (for which PNC Mortgage Corporation had obtained relief from the

automatic stay) and the *Application* fails to address whether any foreclosure sale left a shortfall. It is thus

ORDERED that the *Application for Payment of Unclaimed Funds* (Dkt. No. 40) is DENIED.

[Signed and dated above.]

Copy to:

PNC Bank NA
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