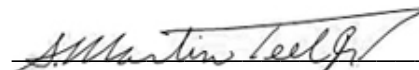


The Memorandum Decision below is hereby signed.  
Dated: February 3, 2007.



  
S. Martin Teel, Jr.  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLUMBIA

In re )  
 )  
TIJUANA MICHELLE SAUNDERS, ) Case No. 07-00013  
 ) (Chapter 7)  
Debtor. )

MEMORANDUM DECISION REGARDING DISMISSAL OF CASE

On January 17, 2007, the court entered an order requiring the debtor to show cause why this case ought not be dismissed for failure of the debtor to have filed a motion for waiver of the requirement of the counseling required by 11 U.S.C. § 109(h). The debtor has not responded to that motion, and, accordingly, the court will dismiss the case. After the deadline for the debtor to respond to the order to show cause had passed, the debtor apparently failed to appear at the meeting of creditors under 11 U.S.C. § 341. That prompted the trustee to file a motion to dismiss the case with prejudice (and to enlarge the time to object to discharge). Because the debtor apparently acquiesced in the dismissal of the case under § 109(h), which ordinarily does not mean a dismissal with

prejudice, it is understandable that she did not appear at the meeting of creditors: if the case had to be dismissed under § 109(h) it made no sense for her to appear at the meeting of creditors. Dismissal with prejudice is thus not warranted.<sup>1</sup> An order follows.

[Signed and dated above.]

Copies to:

Debtor; debtor's counsel; Office of U.S. Trustee; trustee.

---

<sup>1</sup> It nevertheless is appropriate to grant the trustee's request to enlarge the time to object to discharge to a later date should the dismissal of the case be set aside (although vacating of the dismissal order may be an unlikely event to occur).