

**MEMORANDUM DECISION AND ORDER** The debtor's unopposed objection to the proof of claim of EMC Mortgage Corp. contends that "EMC has failed to properly credit his account from the proceeds of the prior sale of the real property securing EMCs claim against Debtor," and "Debtor is not indebted to EMC in the amount stated in the EMC Proof of Claim." (EMC has not filed an amended proof of claim showing how it credited the sales proceeds.)In light of the prima facie validity of the proof of claim, and the debtor's failure to state what amount is owed to EMC, it is

**ORDERED** that by November 14, 2008, the debtor shall file an affidavit or affidavits rebutting the prima facie validity of EMC's proof of claim, and setting forth the amount that is owed to EMC. It is further

**ORDERED** that the debtor shall submit a revised proposed order disallowing the claim to the extent it exceeds the amount owed. It is further

**ORDERED** that the proposed order below is stricken. Dated: October 15, 2008.



A handwritten signature in black ink, reading "S. Martin Teel, Jr.", written over a horizontal line.

**S. Martin Teel, Jr.  
U.S. Bankruptcy Judge**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLUMBIA**

**IN RE:**

**COREY ASKEW**

**DEBTOR**

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**CASE NO. 07-00656 SMT  
CHAPTER 13**

**ORDER SUSTAINING OBJECTION TO EMC  
MORTGAGE CORPORATION CLAIM**

**UPON CONSIDERATION** of Debtor's Objection to EMC Mortgage Corporation's Claim, and any response thereto, and following notice and an opportunity for a hearing and this Court having found that just and sufficient cause exists for granting the relief requested therein, it is by the United States Bankruptcy Court for the District of Columbia, hereby

**ORDERED**, that Debtor's objection be and is sustained, and that EMC Mortgage Corporation's Claim against Debtor, as set forth in its Proof of Claim, be and is disallowed.

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**All creditors and parties requesting notice.**

**END OF ORDER**