

**MEMORANDUM DECISION AND ORDER** A creditor in a chapter 13 case is not entitled under Rule 9006 to seek an enlargement of time for filing a proof of claim. However, a debtor may file a proof of the creditor's claim under Rule 3004, and if the debtor's failure timely to file such a proof of claim was a result of excusable neglect, a debtor is entitled under Rule 9006 to seek an enlargement of the time specified by Rule 3004 for filing such a proof of claim . The order below is signed without prejudice to the debtor's seeking an enlargement of the time specified by Rule 3004 for filing a proof of the creditor's claim. Dated: October 29, 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**

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

IN RE  
SHIRLEY MAE FREEMAN-IBANGA : Chapter 13 Case No. 08-00238  
Debtor :

**ORDER DISALLOWING CLAIM OF AMERICAN HOME MORTGAGE SERVICING, INC.**

Upon consideration of the Objection of the Trustee, the proof of claim filed August 26, 2008, by American Home Mortgage Servicing, Inc., with a pre-petition arrears claim of \$18,416.90, as an untimely filed claim, and the court record herein, it is,

ORDERED, that the Trustee's Objection be and the same is hereby sustained, and said claim filed August 26, 2008, is hereby disallowed and expunged from the record.

Shirley Mae Freeman-Ibanga  
4931 4<sup>th</sup> Street, NW  
Washington, DC 20011

Edward V. Hanlon  
5510 Cherrywood Lane, Suite G  
Greenbelt, MD 20770

American Home Mortgage Servicing, Inc.  
Attn: Bankruptcy Department  
4600 Regent Boulevard  
Irving, TX 75063

American Home Mortgage Servicing, Inc.  
c/o Cohn, Goldberg & Deutsche, LLC  
600 Baltimore Avenue, #208  
Towson, MD 21204

Cynthia A. Niklas  
Chapter 13 Trustee  
4545 42<sup>nd</sup> ST NW #211  
Washington, DC 20016-4623