

The document below is hereby signed.

Signed: March 25, 2009.




S. Martin Teel, Jr.
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA

In re)
) Case No. 09-00234
ESTATE OF MILDRED G.) (Chapter 13)
ROBINSON,)
) **Not for Publication in**
Debtor.) **West's Bankruptcy Reporter**

MEMORANDUM DECISION DISMISSING CASE SUA SPONTE

A decedent's probate estate is not "an individual with regular income" as set forth in 11 U.S.C. § 109(e) and is therefore not eligible for relief under chapter 13 of the Bankruptcy Code. See 11 U.S.C. § 109(e); Bunch v. Hopkins Savings Bank (In re Bunch), 249 B.R. 667, 668, 671 (Bankr. D. Md. 2000)(holding that a decedent's estate is not an individual eligible to file for relief under chapter 13); In re Jarrett, 19 B.R. 413, 414 (Bankr. M.D.N.C. 1982) (holding that deceased's probate estate is not an 'individual with regular income' as defined at 11 U.S.C. § 101(30), and is therefore not eligible for relief under chapter 13). For this reason, the above-captioned case will be dismissed. The court's order follows.

[Signed and dated above.]

