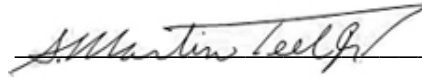


The document below is hereby signed.

Signed: November 25, 2009.




S. Martin Teel, Jr.
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA

In re)	
)	
FRANK OSTROFF and MARIA T.)	Case No. 09-00594
RAMIREZ OSTROFF,)	(Chapter 7)
)	Not for Publication in
Debtors.)	West's Bankruptcy Reporter

MEMORANDUM DECISION RE OVERRULING OBJECTION TO EXEMPTION

On August 7, 2009, the debtors commenced this chapter 7 case (Dkt. No. 1). In their schedule C they claimed as exempt certain real property located at 3210 Volta Place, N.W., Washington, D.C., citing D.C. Code § 15-501(a)(1). On September 9, 2009, the § 341 meeting of creditors was held and the chapter 7 trustee later issued a report of no distribution. On November 5, 2009, creditor American Home Mortgage filed an objection to exemption, arguing that the exemption on 3210 Volta Place should be denied because the debtors cited the wrong D.C. Code provision in support of their exemption (Dkt. No. 28).

Notwithstanding that the debtors did cite the wrong exemption provision of the D.C. Code, American Home Mortgage's objection must fail. Fed. R. Bankr. Proc. 4003(b)(1) provides

that:

[A] party in interest may file an objection to the list of property claimed as exempt within 30 days after the meeting of creditors held under § 341 is concluded or within 30 days after any amendment to the list or supplemental schedules is filed, which is later.

American Home Mortgage filed their objection to the debtors' exemptions 57 days after the meeting of the creditors concluded. Moreover, the debtors have neither filed any amendments to their list of exemptions nor supplemental schedules that would have the effect of extending the deadline for objections. Consequently, American Home Mortgage's objection is untimely and, therefore, barred. A separate order follows.

[Signed and dated above.]

Copies to: Debtors; Debtors' attorney; American Home Mortgage; Chapter 7 Trustee.