

The document below is hereby signed.

Signed: July 30, 2009.



  
S. Martin Teel, Jr.  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLUMBIA

In re )  
 )  
LISA SEEGER'S PERSONAL ) Case No. 09-00641  
REPRESENTATIVE OF THE ESTATE ) (Chapter 13)  
OF GREGORY BURROUGHS, ) Not for Publication in  
 ) West's Bankruptcy Reporter  
Debtor. )

MEMORANDUM DECISION AND ORDER OF DISMISSAL

Lisa Seegers has filed a bankruptcy case in her capacity as personal representative of the Estate of Gregory Burroughs. It is, however, "well-settled that a probate estate may not commence a bankruptcy case on behalf of a decedent under either Chapter 7 or Chapter 13 because . . . an estate is not included in the definition of person under § 109(b) for chapter 7 purposes or in the definition of 'individual' under § 109(e), which is included in the definition of 'person' under § 101(41), for Chapter 13 purposes. *In re Perkins*, 381 B.R. 530, 533 n.4 (Bankr. S.D. Ill. 2007). See also *In re Estate of Roberts*, 2005 WL 3108224 \*1 (Bankr. D. Md. Aug. 15, 2005) ("A decedent's estate, even when represented by a[n] individual fiduciary, is not a person that may be a debtor under the Bankruptcy Code."). It thus appearing

that the purported debtor is not eligible to be a debtor under Chapter 13 of the Bankruptcy Code, it is

ORDERED that the above-captioned case is DISMISSED.

[Signed and dated above.]

Copies to: Debtor; Debtor's attorney; Chapter 13 Trustee; All entities on the BNC mailing list.