

The document below is hereby signed.
Signed: June 23, 2011.



A handwritten signature in black ink, appearing to read "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)	
)	
PATRICK A. COX,)	Case No. 10-01140
)	(Chapter 13)
Debtor.)	Not for Publication in
)	West's Bankruptcy Reporter

MEMORANDUM DECISION AND ORDER RE TRUSTEE'S
OBJECTION TO UNTIMELY SECURED CLAIM OF CITIMORTGAGE, INC.

This addresses the trustee's objection to the untimely filed claim of CitiMortgage, Inc. That a creditor may not have received the notice of the case (something that CitiMortgage does not even allege) and that it has a secured claim are insufficient reasons to allow it to file a late proof of claim. *See In re Boucek*, 280 B.R. 533, 53738 (Bankr. D. Kan. 2002); *In re Mickens*, 2005 WL 375661 (Bankr. D.D.C. Feb.14, 2005). If the debtor can show excusable neglect under Fed. R. Bankr. P. 9006 to enlarge the time for the debtor to file a proof of claim for the creditor's claim, the debtor might be allowed to file such a claim out of time under Fed. R. Bankr. P. 3004, but the creditor itself is not allowed to invoke Rule 3004. CitiMortgage does not come within any exception under Fed. R. Bankr. P. 3002(c) for

