

The document below is hereby signed.

Signed: May 15, 2011



A handwritten signature in black ink, reading "S. Martin Teel, Jr.", is written over a horizontal line.

S. Martin Teel, Jr.  
UNITED STATES BANKRUPTCY COURT Judge  
FOR THE DISTRICT OF COLUMBIA

In re	)	
	)	
TEGESTE TESHOME KETAW,	)	Case No. 11-00294
	)	(Chapter 11)
Debtor.	)	Not for Publication in
	)	West's Bankruptcy Reporter

MEMORANDUM DECISION AND ORDER DISMISSING CASE

The debtor failed to obtain prepetition credit counseling as generally required by 11 U.S.C. § 109(h)(1). The debtor attempts to invoke only 11 U.S.C. § 109(h)(3) as an exception to that general rule. That provision applies only if the debtor was unable to obtain credit counseling within 7 days of making the request. The debtor requested and was able to obtain credit counseling within 48 hours after making the request. Necessarily, § 109(h)(3) does not apply. The case must be dismissed.

The debtor is free to re-file, but should be aware of the provisions of 11 U.S.C. § 362(c)(3) and (4), as the case may be, and of the necessity that any motion under one of those provisions must include LBR 9013-1 notice and may require early

filing of the motion and the setting of a hearing in time for the court to rule within 30 days after the commencement of the case.

It is

ORDERED that this case is dismissed without prejudice, but the court retains subject matter jurisdiction over the pending adversary proceeding regarding violations of the automatic stay.

[Signed and dated above.]

Copies to: All entities on BNC mailing list.