The document below is hereby signed.

Dated: December 1, 2011.



S. Martin Teel, Jr. U.S. Bankruptcy Judge

## UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

In re	)
	)
SAMUEL BENJAMIN,	) Case No. 11-00801
	) (Chapter 7)
Debtor.	)
	) Not for publication in
	) West's Bankruptcy Reporter.

## MEMORANDUM DECISION AND ORDER DENYING MOTION TO RECONSIDER DISMISSAL OF CASE

The court dismissed this case because the debtor did not complete credit counseling as required by 11 U.S.C. § 109(h) prior to filing his voluntary petition on October 31, 2011. For reasons explained below, although the debtor completed the internet portion of credit counseling on October 27, 2011, he did not complete the credit counseling until he had completed a follow-up telephonic conference with a credit counselor at a time on October 31, 2011, after he had filed his petition.

In his motion to reconsider, the debtor states that the "substance of the counseling, in this case, is done via internet, which debtor finished on October 27, 2011" and that "[t]he second part of the counseling, the follow-up, is for the agency to

verify the persons' identity. (See attached letter)." The attached letter from the credit counseling agency, however, states that in the follow-up session the counselor also "goes over a few key points, such as the ability to receive a free credit report yearly, the differences between a chapter 7 and chapter 13, the completeness of his budget, net worth and goals." The follow-up session on October 31, 2011, was part of the credit counseling, and, accordingly, the case was appropriately dismissed based on § 109(h).

It is thus

ORDERED that the debtor's motion to reconsider the dismissal of this case is DENIED.

[Signed and dated above.]

Copies to: Debtor's attorney; Chapter 7 Trustee; Office of United States Trustee.