The document below is hereby signed.

Signed: April 9, 2013



AMartin Teelf

S. Martin Teel, Jr. United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

In re)	
)	
GOSPEL RESCUE MINISTRIES OF)	Case No. 12-00405
WASHINGTON, D.C. INC.,)	(Chapter 11)
)	Not for publication in
Debtor.)	West's Bankruptcy Reporter.

MEMORANDUM DECISION RE OBJECTION TO CLAIM OF NEW JERSEY FAMILY SUPPORT PAYMENT CENTER

The debtor listed New Jersey Family Support Payment Center as owed \$936.00 for 1st and 2nd quarter 2012 (for Ardell Simmons). The debtor has objected to the claim stating that "[t]he Court should disallow or strike the scheduled claim because upon further review, it appears that multiple of the Debtor's claim holders are claiming the same debt." Ardell Simmons (who owed child support) has filed a claim that includes the same \$936.00 amount, asserting that when the debtor failed to pay the Support Payment Center, the Center garnished her bank account for the same \$936.00. The Center has not filed a response to the objection. The debtor has objected to Simmons' claim and is negotiating with her regarding the proper amount of her claim. Under 11 U.S.C. § 1111(a), the debtor is deemed to have filed a proof of claim on behalf of the Center, and under Fed. R. Bankr. P. 3003(b)(1) the schedule constitutes prima facie evidence of the validity and amount of the claim. The debtor has not attached evidence to its objection to rebut the prima facie validity of the proof of claim. Nevertheless, Ms. Simmons' proof of claim was executed under penalty of perjury and constitutes evidence that the Center is no longer owed the \$936.00 as Simmons herself has satisfied the debt she owed the Center. The apparent effect on Simmons is not that she is owed \$936.00 in addition to her unpaid wages, but that her unpaid wages cannot be reduced for the \$936.00 garnishment that the debtor was required to pay to the Center out of Simmons' wages.

An order follows disallowing the Center's claim.

[Signed and dated above.] Copies to: Recipients of e-notification of orders;

New Jersey Family Support Payment Center P.O. Box 4880 Trenton, NJ 08650-4880

Ardell Simmons 965 Clopper Road Apt. A3 Gaithersburg, MD 20878

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