

The document below is hereby signed.

Signed: January 22, 2013



A handwritten signature in black ink, appearing to read "S. Martin Teel, Jr.", written over a horizontal line.

S. Martin Teel, Jr.  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLUMBIA

In re	)	
	)	
KEVIN M. CALNAN,	)	Case No. 12-00656
	)	(Chapter 7)
Debtor.	)	Not for publication in
	)	West's Bankruptcy Reporter

MEMORANDUM DECISION RE DENYING MOTION TO VACATE DISCHARGE

A creditor, Scott Norman, has filed a motion to have the court vacate the debtor's discharge. Norman contends that the entry of discharge was inappropriate in light of Fed. R. Bankr. P. 4004(c)(1)(D) because Norman's pending motion to transfer venue necessarily amounted to a motion to dismiss under 11 U.S.C. § 707.

A court may dismiss a case based on improper venue, or elect instead to transfer such a case if in the interest of justice or for the convenience of the parties. Fed. R. Bankr. P. 1014(a)(2). Norman's motion to transfer venue, however, stopped short of contending that the District of Columbia was an improper venue, and it did not seek a dismissal based on improper venue. Instead, it contended that, whether venue was proper or not, a

