

The document below is hereby signed.

Signed: January 10, 2013



S. Martin Teel, Jr.

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

In re)
)
JOHN L. McILWAINE,) Case No. 12-00790
) (Chapter 13)
Debtor.)

MEMORANDUM DECISION AND ORDER
GRANTING MOTION TO SET PROPERTY VALUE AND
TO DETERMINE SECURED INTEREST OF REGIONAL ACCEPTANCE CORPORATION

The debtor filed a motion requesting the court to set the value of certain collateral, a 2006 Saab 9-3 motor vehicle, and to determine the secured interest of Regional Acceptance Corporation, the holder of a purchase money lien with respect to the motor vehicle.

The court can determine the value of the motor vehicle under 11 U.S.C. § 506 pursuant to a Rule 3012 motion.¹ See *In re Chukes*, 305 B.R. 744, 745 (Bankr. D.D.C. 2004) (“[A] Rule 3012 motion [] may be used to determine the value of the collateral encumbered by a creditor’s lien, and to declare the claim

¹ Federal Rule of Bankruptcy Procedure 3012 provides: “The court may determine the value of a claim secured by a lien on property in which the estate has an interest on motion of any party in interest and after a hearing on notice to the holder of the secured claim and any other entity as the court may direct.”

