

The document below is hereby signed.

Signed: September 10, 2013



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

S. Martin Teel, Jr.  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLUMBIA

In re	)	
	)	
BERNETHIA SHERELL NESMITH,	)	Case No. 13-00497
	)	(Chapter 7)
Debtor.	)	Not for publication in
	)	West's Bankruptcy Reporter

MEMORANDUM DECISION AND ORDER  
DENYING MOTION TO RECONSIDER DISMISSAL

The debtor has timely filed a motion to reconsider the dismissal of her case pursuant to Federal Rule of Bankruptcy Procedure 9023 (incorporating Fed. R. Civ. P. 59). The case was dismissed because the debtor failed to receive prepetition credit counseling, which is a requirement for an individual to be a debtor in bankruptcy. See 11 U.S.C. § 109(h).

The court can waive the requirement of prepetition credit counseling temporarily only if the debtor submits to the court a certification that (i) describes the exigent circumstances that merit a waiver of the credit counseling requirement, (ii) states that she requested credit counseling services from an approved

non-profit budget and credit counseling agency before she filed her petition, but was unable to obtain the necessary services within seven days of the request, and (iii) is satisfactory to the court. 11 U.S.C. § 109(h)(3)(A). This exemption applies only for the first thirty days following the filing of the debtor's petition, and the court may grant a fifteen day extension of the exemption for cause. 11 U.S.C. § 109(h)(3)(B).

The motion does not set forth grounds that warrant setting aside the dismissal order. The debtor states that she did not obtain prepetition credit counseling because her creditors were making threatening calls. However, this general statement is insufficient to establish exigent circumstances. Even if this did amount to exigent circumstances, she has failed to set forth the specific requests she made for credit counseling services before she filed her petition and why she was unable to obtain the services within seven days of the request. Accordingly, it is

ORDERED that the debtor's request for reconsideration of her dismissal is DENIED.

[Signed and dated above].

Copies to: Debtor; recipients of e-notification of orders.