The document below is hereby signed.

Signed: January 6, 2014



S.Martin Teelf

S. Martin Teel, Jr. United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

In re			)	
			)	
DENNIS	FOWLER	HIGHTOWER,	)	Case No. 13-00646
			)	(Chapter 7)
		Debtor.	)	Not for publication in
			)	West's Bankruptcy Reporter.

## MEMORANDUM DECISION RE OBJECTION TO EXEMPTIONS CLAIMED BY DEBTOR

A debtor could list the Brooklyn Bridge as estate property and claim it to be exempt, but that would not result in her acquiring an interest in the Brooklyn Bridge even if the owner of the Brooklyn Bridge failed to object to the exemption. That suffices to explain why Dori B. Hightower's Objection to Exemptions Claimed by Debtor, an objection that the debtor does not own some of the property he claimed to be exempt, must be dismissed as not serving the purpose of an objection to exemptions.

But to elaborate, the *Objection to Exemptions* is an objection that, at least in part, the property claimed to be exempt is not property of the estate (as Ms. Hightower claims that she has an interest in the property):

- If the property is property of the estate, the
  Objection to Exemptions states no basis for disallowing
  the exemptions.
- To the extent that the property (as asserted by Ms. Hightower), in whole or in part, is *not* property of the estate, the objection to the asserted exemption of nonestate property is a nullity because the function of an objection to exemptions is to prevent the debtor from exempting from the estate property that *is* property of the estate by operation of 11 U.S.C. § 522(1).

The extent to which Ms. Hightower has an interest in property that the debtor has listed as estate property will be determined in the Hightowers' Connecticut divorce proceeding.

For these reasons, and for the reasons articulated in the trustee's and the debtor's oppositions to the Objection to *Exemptions*, an order follows dismissing the Objection to *Exemptions* without adjudicating any of the issues of ownership that the Objection raises.

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

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