

The order below is hereby signed.

Signed: December 5 2019



S. Martin Teel, Jr.

S. Martin Teel, Jr.
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA

In re)	
)	
VINCENT L. PHILLIPS,)	Case No. 19-00450
)	(Chapter 7)
Debtor.)	Not for publication in
)	West's Bankruptcy Reporter.

MEMORANDUM DECISION AND ORDER
DENYING APPLICATION TO PAY FILING FEE IN INSTALLMENTS

On November 15, 2019, the debtor filed an *Application for Individuals to Pay the Filing Fee in Installments* (Dkt. No. 80). The fee at issue is a fee for converting the case to Chapter 11 imposed by the hanging paragraph of 28 U.S.C. § 1930(a). Even if the court has authority under Fed. R. Bankr. P. 1006 to permit the conversion fee to be paid in installments, the *Application* must be denied. Rule 1006(b)(2) provides that the court may authorize a filing fee to be paid in installments with the final installment due "not later than 120 days after filing the petition." When the debtor filed his *Application*, more than 120 days had passed since the debtor filed the petition commencing this case on July 9, 2019, and the conversion of the case did not alter the date of the filing of the petition. 11 U.S.C.

§ 348(a). Although Rule 1006(b)(2) permits the court for cause to extend the deadline for paying the last installment to a date “not later than 180 days after filing the petition,” the debtor has not filed a motion showing cause for such an extension. Moreover, the debtor proposes paying the last two installments on January 15, 2020, and February 15, 2020, which are later than the 180-day mark. The court further notes that the debtor’s proposed installment payment plan includes payments totaling \$1,382.00, but according to the hanging paragraph of 28 U.S.C. § 1930(a), the fee to convert from chapter 7 to chapter 11 is \$922.00.

For all of these reasons, it is

ORDERED that the *Application* (Dkt. No. 80) is DENIED.

[Signed and dated above.]

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