

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH DAKOTA  
Northern Division

In re:	)	Bankr. Case No. 98-10000
	)	Chapter 13
SHEEZA DEBTOR,	)	
Soc. Sec. No. 013-13-1313,	)	ORDER CONFIRMING PLAN <sup>1</sup>
	)	
Debtor.	)	

The matter before the Court is the confirmation of Debtor's [*modified*] plan dated March 1, 1998. A hearing was held on April 1, 1998. Appearances included Trustee Dale A. Wein, H. Lewis Dewey for Debtor, and Thurston Howell III for First National Bank. In recognition of and compliance with the findings and conclusions entered on the record,

IT IS HEREBY ORDERED THAT Debtor's plan dated March 1, 1998 is confirmed.<sup>2</sup>

IT IS HEREBY FURTHER ORDERED THAT Debtor shall make her first payment under the plan on May 1, 1998 and her last payment under the plan on April 1, 2001.

IT IS HEREBY FURTHER ORDERED THAT all of Debtor's disposable income to be received in the three-year period [*or such longer period as may be ordered by the Court pursuant to the agreement of the parties*] beginning on May 1, 1998 shall be applied to make payments under her plan, as provided by 11 U.S.C. § 1325(b).<sup>3</sup>

So ordered this 1st day of April, 1998.

BY THE COURT:

\_\_\_\_\_  
Irvin N. Hoyt  
Bankruptcy Judge

ATTEST:  
Charles L. Nail, Jr., Clerk

By: \_\_\_\_\_  
Deputy Clerk  
(SEAL)

**COMMITTEE NOTES**

1. The title remains the same, **regardless of whether the original or a modified plan is confirmed**, and **regardless of whether the Court orders the debtor to file a Plan as Confirmed**. Only the content of the order changes if a Plan as Confirmed is filed, as explained in fn. 2 below.

2. Use the language in the second paragraph if the plan is confirmed without changes. If the plan is confirmed with minor changes and the Court determines that a "plan as confirmed" need not be filed, use the following language instead, "IT IS HEREBY ORDERED THAT Debtor's (or Debtors') Plan dated (date) is confirmed, with the following clarifications . . ." If the Court determines that a "plan as confirmed" must be filed, use the following language instead, "IT IS HEREBY ORDERED THAT Debtor's (or Debtors') Plan dated (date) is confirmed, with the clarifications entered on the record and incorporated in the Plan as Confirmed filed simultaneously with this Order."

3. The language in the fourth paragraph is required if the debtor has offered in the plan to pay disposable income pursuant to 11 U.S.C. § 1325 OR if unsecured creditors are not being paid in full under the plan and the trustee or an unsecured creditor objects to confirmation. See 11 U.S.C. § 1325(b).