

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

IN RE:)	In Proceedings Under
)	Chapter 7
HAYNES, DAWN S.,)	
)	BK 04-33307
DEBTOR.)	
)	
LAURA K. GRANDY, TRUSTEE,)	
)	
PLAINTIFF(S),)	
)	
VS.)	
)	
HAYNES, DAWN S.,)	ADVERSARY NO. 05-3040
)	
DEFENDANT(S).)	

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter having come before the Court for hearing on April 13, 2005, on the Complaint to Revoke Discharge of Debtor filed by the plaintiff, Laura K. Grandy, Trustee, and the Motion for Default Judgment filed by the plaintiff. The Court, having reviewed the record and the proffer of evidence made by counsel for the plaintiff at the hearing, makes the following findings of fact and conclusions of law:

1. Plaintiff Laura K. Grandy is the duly qualified and acting Trustee in the bankruptcy estate of Dawn S. Haynes (BK 04-33307).
2. This Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. §§1334 and 157.
3. The plaintiff filed a Complaint to Revoke Discharge of Debtor on February 8, 2005.
4. The plaintiff served a Summons and a copy of the Complaint by regular, first-class mail, postage-prepaid, addressed to Dawn S. Haynes, P.O. Box 2189, East St. Louis, IL 62202, on February 9, 2005.
5. The defendant, Dawn S. Haynes, failed to answer or to otherwise respond to the Complaint. Default was entered against the defendant on March 25, 2005, for such failure to answer

or to otherwise respond to the Complaint.

6. At the hearing held on the motion for entry of Default Judgment, the plaintiff proffered the following evidence:

- (a) The defendant failed to disclose that she owned real estate located at 721 North 55th Street, East St. Louis, Illinois; 1038 North 44th Street, Washington Park, Illinois; and 22 Nocturne Court, Belleville, Illinois. The plaintiff produced a copy of the real estate tax bill indicating that the Debtor owned the real estate located at 22 Nocturne Court, Belleville, Illinois;
- (b) The defendant failed to disclose that she had an ownership interest in a 2001 Chevy Cavalier and in a 1990 Cadillac Deville. The plaintiff produced the original vehicle titles at the hearing.
- (c) The plaintiff stated that the defendant admitted during an examination pursuant to Bankruptcy Rule 2004 that she had previously undisclosed funds in accounts at Prime America.
- (d) The plaintiff advised the Court that the defendant had purchased between \$10,000.00 and \$15,000.00 worth of furnishings prior to filing bankruptcy, yet had disclosed only \$200.00 worth of furnishings on her bankruptcy schedules. The furnishings were purchased to replace furniture that was destroyed in a fire.

7. The defendant had failed to disclose all of the above-referenced assets on her bankruptcy schedules and at the § 341 meeting.

8. The plaintiff did not learn of such fraud until after the defendant was granted a discharge on November 15, 2004.

9. The record in this case and the facts proffered at the hearing establish sufficient grounds to revoke the defendant's discharge pursuant to 11 U.S.C. § 727(d)(1).

SEE DEFAULT JUDGMENT ENTERED THIS DATE.

ENTERED: April 22, 2005

/s/ Kenneth J. Meyers-2
UNITED STATES BANKRUPTCY JUDGE

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DEFAULT JUDGMENT

For the reasons set forth in the Court's Findings of Fact and Conclusions of Law of this date, the Court finds in favor of the plaintiff and against the defendant on the Complaint and the discharge of the defendant, entered on November 15, 2004, in bankruptcy case no. 04-33307, is REVOKED pursuant to 11 U.S.C. § 727(d)(1).

ENTERED: April 22, 2005

/s/ Kenneth J. Meyers-2
UNITED STATES BANKRUPTCY JUDGE