

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION-BAY CITY

In re:

EUGENE J. PRINCO,

Debtor.

Case No. 18-21439

Chapter 13

Honorable Daniel S. Opperman

ORDER OVERRULING CREDITOR GERALD SOUCH'S OBJECTION
TO THE CHAPTER 13 TRUSTEE'S FINAL REPORT

On October 30, 2023, Creditor Gerald Souch filed an Objection to the Chapter 13 Trustee's Final Report. In his Objection, Mr. Souch states that payments to him on his claim should continue with interest and that his claim should not have been classified as unsecured. The Court has reviewed the docket in this case and finds that the relevant law and facts have been set forth in the pleadings and that oral argument will not aid in the disposition of this matter. Accordingly, pursuant to E.D. Mich. LR 7.1(f)(2), the Court finds that the Objection shall be decided on the pleadings submitted.

The Chapter 13 Plan was confirmed by Order Confirming Plan dated October 27, 2018. The confirmed Plan stripped and avoided the Class Three secured claim of Mr. Souch, and treated such as an unsecured claim. The Plan stated that no interest would be paid to Class Nine general unsecured claims, such as Mr. Souch's claim. Mr. Souch's Objection to the Trustee's Final Report is an attempt to file an objection to confirmation long after the deadline has passed. The Court granted an extension to Mr. Souch to object to confirmation of the Plan by Order dated September 28, 2018, extending the deadline for his objection from September 20, 2018 to October 17, 2018, and adjourning the confirmation hearing date from September 27, 2018 to October 25, 2018. Despite this extension and adjournment, Mr. Souch failed to object to the Plan, which was confirmed at the October 25, 2018 hearing.

ACCORDINGLY, IT IS HEREBY ORDERED that Creditor Gerald C. Souch's
Objection to the Chapter 13 Trustee's Final Report is OVERRULED.

Signed on December 7, 2023



/s/ Daniel S. Opperman

Daniel S. Opperman
United States Bankruptcy Judge