

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 25-40731

AGAM SHMUEL HERER, *pro se*,

Chapter 7

Debtor.

Judge Thomas J. Tucker

ORDER DISMISSING CASE

The Debtor in this case, Agam Shmuel Herer, filed this Chapter 7 case on January 28, 2025 at 8:57 a.m.¹ The Court concludes that this case must be dismissed, however, because the Debtor has a prior-filed Chapter 7 bankruptcy case in the Western District of Michigan (Case No. 25-00181). That case was filed at 8:26 a.m. on January 28, 2025 — *i.e.*, 31 minutes before the case was filed in this Court.² That prior-filed case is still open and pending in the Western District of Michigan.

The Court will dismiss this case, because as a general rule, which the Court finds applicable here, a debtor may not have two bankruptcy cases pending at the same time. *See In re Robinson*, 649 B.R. 851, 851 (Bankr. E.D. Mich. 2023) (citations omitted); *In re Wood*, 649 B.R. 27, 29 (Bankr. E.D. Mich. 2023) (citations omitted); *In re Munroe*, 568 B.R. 631, 633-34 (Bankr. E.D. Mich. 2017) (citing *In re Sidebottom*, 430 F.3d 893, 897–99 (7th Cir. 2005) and *In re Lord*, 295 B.R. 16, 17–21 (Bankr. E.D.N.Y. 2003)) (“[T]he majority rule, which this Court agrees with, is that a debtor may not have two bankruptcy cases pending at the same time.”).

For this reason, the Court will dismiss this case, which is the second-filed of the two cases.

IT IS ORDERED that this case is dismissed.

Signed on January 29, 2025



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge

¹ This time of filing is shown by the Clerk’s date/time stamp at the top of the first page of the petition, Docket # 1 in this case.

² This time of filing is shown by the notice at Docket # 2 in Case No. 25-00181.