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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

<p>FILED</p> <p>12/11/13</p> <p>UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF CALIFORNIA</p>
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In re
 Delegation of Authority to the Clerk of
 the Bankruptcy Court and his Deputies

General Order 13-04

IT IS ORDERED that General Order 12-02 dated August 10, 2012, is hereby abrogated.

IT IS FURTHER ORDERED that Wayne Blackwelder, the duly appointed Clerk of the U.S. Bankruptcy Court for the Eastern District of California, and his deputies shall have the same rights and powers, shall perform the same functions and duties, and shall be subject to the same provisions of Title 28, United States Code, as a clerk and other employees appointed under 28 U.S.C. § 751. Pursuant to the provisions of 28 U.S.C. § 956, 11 U.S.C. § 105, and the Federal Rules of Bankruptcy Procedure, the clerk and such deputies as he may designate are authorized to sign and enter without further direction the following orders which are deemed to be of a ministerial, nondiscretionary, nonjudicial, and/or administrative nature:

1. Orders pursuant to Federal Rule of Bankruptcy Procedure 2004, presented on EDC Form 6-970A, authorizing the examination of a person but not compelling the production of documentary evidence;
2. Orders fixing the last dates for the filing of objections to confirmation of chapter 12 and chapter 13 plans, complaints objecting to discharge, complaints to determine the dischargeability of debts, proofs of claim, and amendments thereto;

- 1 3. Orders granting applications to pay the filing fee in installments as provided
2 by the Federal Rules of Bankruptcy Procedure;
3
- 4 4. Orders granting discharge of debtors in chapter 7 cases in which no objection
5 to discharge is pending, the debtor(s) has (have) not executed a waiver of
6 discharge or been otherwise denied a discharge, and where it appears from
7 the record that the debtor(s) is(are) eligible for a discharge;
8
- 9 5. Orders granting discharge of debtors in chapter 13 cases in which no
10 objection to discharge is pending, the debtor(s) has(have) not executed a
11 waiver of discharge or been otherwise denied a discharge, and in cases filed
12 on and after October 17, 2005, after notice affording parties-in-interest the
13 opportunity to object to the debtor's eligibility for discharge and no objections
14 having been filed;
15
- 16 6. Orders closing bankruptcy cases without entry of a discharge when the
17 debtor(s) has(have) failed to file a statement of completion of a course
18 concerning personal financial management (Official Form 23) or a motion to
19 extend time to file the statement after the Clerk has sent the debtor a notice
20 of the deficiency and an opportunity to file a motion to extend time. If the
21 debtor files a motion to extend time to file the statement and the debtor fails
22 to file the statement within the time specified in the Judge's order, the Clerk
23 will close the case without entry of discharge;
24
- 25 7. Orders closing bankruptcy cases without entry of a discharge when the
26 debtor(s) has(have) not paid in full the filing fee prescribed by 28 U.S.C. §
27 1930(a) and any other fee prescribed by the Judicial Conference of the
28 United States under 28 U.S.C. § 1930(b) that is payable to the Clerk upon

1 United States under 28 U.S.C. § 1930(b) that is payable to the Clerk upon
2 the commencement of a case under the Bankruptcy Code, or a motion to
3 extend time to pay the fee after the Clerk has sent the debtor a notice of the
4 deficiency and an opportunity to file a motion to extend time. If the debtor
5 files a motion to extend time to pay the fee and the debtor fails to pay the fee
6 within the time specified in the Judge's order, the Clerk will close the case
7 without entry of a discharge;

8
9 8. Orders closing chapter 13 bankruptcy cases without entry of a discharge
10 when the debtor(s) fail(s) to certify that (A) the debtor has not received a prior
11 bankruptcy discharge within the time periods specified in 11 U.S.C. § 1328(f),
12 (B) the debtor has paid all domestic support obligations, or (C) the debtor
13 does not owe debts of the type described in 11 U.S.C. § 522(q) while
14 claiming exemptions in real property, personal property, or a cooperative
15 used as a residence or claimed as a homestead, or in a burial plot that
16 exceed in the aggregate \$146,450.00, or that such exemptions in excess of
17 \$146,450.00 are reasonably necessary for the support of the debtor or the
18 debtor's dependents after the Trustee has sent the debtor a notice of
19 completed plan payments and of the obligation to file documents
20 demonstrating eligibility for discharge. If the debtor fails to file the documents
21 or the filed documents fail to demonstrate eligibility for discharge, the Clerk
22 will close the case without entry of discharge;

23
24 9. Orders reopening cases pursuant to 11 U.S.C. § 350(b) where the stated
25 purpose of reopening is to file a motion to avoid lien, to file a Debtor's 11
26 U.S.C. § 1328 Certificate, to file a complaint to obtain a determination of the
27 discharge status of a debt under Federal Rule of Bankruptcy Procedure
28 4007(b), to file a motion to seal, strike or restrict public access to documents

1 financial management (Official Form 23) and obtain a discharge when the
2 case was closed without a discharge having been entered and the debtor is
3 not also requesting a waiver of the fee to reopen the case or to pay fees as
4 per FRBP 4004(c)(1)(G);

5
6 10. After Court approval of all amounts awarded therein, orders awarding
7 compensation and expense reimbursements to trustees and other
8 professionals in chapter 7 cases;

9
10 11. Orders approving chapters 12 and 13 trustee final reports and accounts after
11 notice affording opportunity to be heard and no request for hearing or
12 objection having been filed;

13
14 12. Final decrees, and orders closing chapter 7, 12 and 13 cases and
15 discharging trustees after notice affording opportunity to be heard and no
16 request for hearing or objection having been filed;

17
18 13. Except with respect to priority claims, orders substituting the transferee for
19 the original claimant on a proof of claim pursuant to the Federal Rules of
20 Bankruptcy Procedure;

21
22 14. Orders presented by or approved with a signature by the Chapter 13
23 Standing Trustee ordering or releasing the debtor or any entity from whom
24 the debtor receives income to pay all or part of such income to the trustee;

25
26 15. Orders dismissing bankruptcy cases for failure to file missing documents
27 after notice affording the debtors an opportunity to file the missing
28 documents, a motion for extension of time, or a notice of hearing on the
Court's Notice of Intent to Dismiss Case, and all missing documents, a

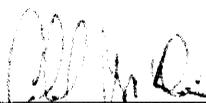
1 Court's Notice of Intent to Dismiss Case, and all missing documents, a
2 motion to extend time, or a notice of hearing not having been timely filed. If
3 the debtor files a motion to extend time or a notice of hearing and later fails
4 to file all missing documents within the time specified in the Judge's order,
5 the Clerk will dismiss the case; and
6

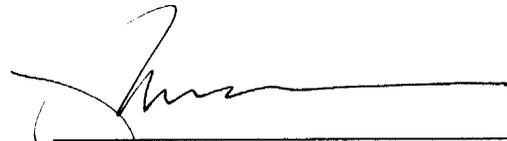
7 16. Orders setting hearings on reaffirmation agreements.
8

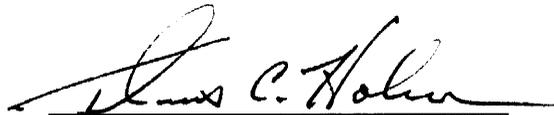
9 17. Orders transferring cases after conversion from chapter 7 to 13 or chapter 13
10 to 7 in Modesto cases.
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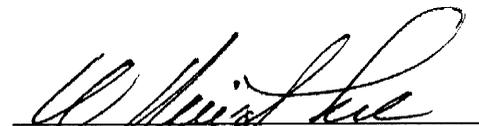
12 **IT IS FURTHER ORDERED** that, in the interest of justice, a judge may suspend or
13 withdraw the Clerk's and deputy clerks' authority to sign the foregoing orders at any time,
14 on the judge's own motion, and regulate practice in accordance with the judge's direction.

15 DATED: DEC 11 2013

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18 Christopher M. Klein
19 Chief Bankruptcy Judge

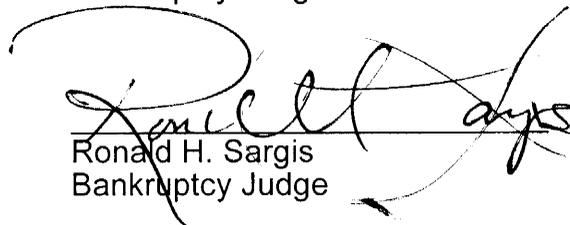
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21 _____
22 Michael S. McManus
23 Bankruptcy Judge

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25 _____
26 Thomas C. Holman
27 Bankruptcy Judge

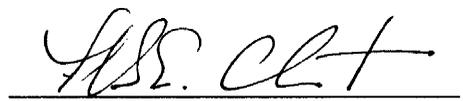
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Robert S. Bardwil
Bankruptcy Judge



Ronald H. Sargis
Bankruptcy Judge



Frederick E. Clement
Bankruptcy Judge