

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

In Re:)
)
) ADMINISTRATIVE ORDER REGARDING
PROCEDURES IN AID OF THE) THE FILING OF FINAL REPORTS IN
ADMINISTRATION OF CHAPTER 11) CHAPTER 11 CASES WHERE THE
CASES) CASE HAS BEEN DISMISSED
) PREVIOUSLY
)
_____)


This matter comes before the court upon a review of its record. It appears that it has previously been the practice of the Bankruptcy Clerk in Chapter 11 cases filed in this district, prior to closing the case file, to require a Final Report be filed by the Debtor-in-Possession or Trustee, accounting for the receipts and disbursements of the estate during the bankruptcy period.

It further appears that in the bulk of these Chapter 11 cases, the debtor is acting as a Debtor-in-Possession, and is therefore in charge of its finances and property; that in such cases, where the Court has entered a final Order dismissing the Chapter 11 case, Code Section 348 (with enumerated exceptions), revests the property of the estate in the debtor; and therefore to require the filing of a Final Report in such cases is an unnecessary, burdensome, and generally futile, act. Such an act is neither required by the Bankruptcy Code nor the Bankruptcy Rules, nor is it likely to produce a benefit to any party. Moreover, such a requirement creates a major delay in the administration and closing of such

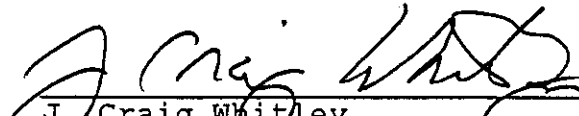
case files by the Bankruptcy Clerk. Consequently, the court has concluded that this practice should be abolished.

It is, therefore, ORDERED that in Chapter 11 cases filed in this district, where the debtor has been acting throughout as a Debtor-in-Possession and where the assets of the estate have not been in the custody of a fiduciary such as a Trustee or Disbursing Agent, no Final Report need be filed with the court, and the Bankruptcy Clerk is empowered to close the case file without a Final Report.


Dated: 8.27.96.



George R. Hodges
United States Bankruptcy Judge



J. Craig Whitley
United States Bankruptcy Judge



Marvin R. Wooten
United States Bankruptcy Judge