

In the United States Bankruptcy Court
for the
Southern District of Georgia

FILED

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GENERAL ORDER NUMBER 12 (1994)

SAVANNAH, GEORGIA

28 U.S.C. Section 1930 provides in relevant part:

(a) Notwithstanding §1915 of this title, the parties commencing a case under title 11 shall pay to the clerk of the district court or the clerk of the bankruptcy court . . . the following fees:

- (1) For a case commenced under chapter 7 or 13 of title 11, \$160.00 [includes \$30.00 administrative fee];
- (3) For a case commenced under chapter 11 of title 11 . . . as defined in section 101 of title 11, \$800.00;
- (5) For a case commenced under chapter 12 of title 11, \$200.00.

Bankruptcy Rule 1006 requires payment of the prescribed fee upon the filing of the case or an application to pay the fee in installments not to exceed four in number, with a final installment payable not later than 120 days after the filing of the petition. It has come to the attention of the court that certain individuals wishing to obtain the relief provided for under Title 11 have been filing papers with the Clerk of this Court which are not in conformity with 28 U.S.C. Section 1930 or Bankruptcy Rule 1006. Under the decision of the United States Supreme Court, In re Kras, 409 U.S. 434 (1973), it is uncontroverted that Section 1930(a) prohibits the filing of bankruptcy petitions *in forma pauperis*.

Accordingly, the Clerk of this Court is directed to refuse to accept for filing any petition not in conformity with Section 1930 or Bankruptcy Rule 1006. The Clerk is further directed to stamp any such document received and to return it to the individual or individuals attempting to file such papers with an appropriate cover letter apprising the individuals of the requirement that the Code and Rules be complied with prior to the matter being accepted for filing.



Lamar W. Davis, Jr.
Chief Judge, United States Bankruptcy Court

Dated at Savannah, Georgia

This 7th day of February, 1994.

Vacated: General order 2005-3
10.13.05