

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Chapter 7

Sally A. Natysin,

Bky. Case No. 02-84553

Debtor.

Adv. Pro. No.

Dorraine A. Larison, Trustee,

Plaintiff,

-vs-

COMPLAINT TO REVOKE DISCHARGE

Sally A. Natysin,

Defendant.

Plaintiff, for her cause of action states as follows:

1. Plaintiff is the duly appointed Chapter 7 trustee in the above-referenced bankruptcy case, which was commenced by the filing of a voluntary petition under Chapter 7 of Title 11 of the United States Code.

2. Plaintiff brings this action pursuant to Section 727(a)(6)(A) of the Bankruptcy Code and Bankruptcy Rule 7001. This action is a “core proceeding” within the meaning of Section 157(b)(2) of Title 28 of the United States Code. This Court has jurisdiction over this proceeding pursuant to Sections 157 and 1334 of Title 28 of the United States Code.

3. During the administration of the bankruptcy case, the trustee requested from the Debtor that she turn over the following (hereinafter referred to as “Property”):

- a. Balance of deposit accounts on date of filing – value \$10.55
- b. Security deposit – ½ interest value \$250.00
- c. Various jewelry – value \$25.00
- d. Computer – value \$50.00
- e. 94% of her 2002 property tax refund which was received by the debtor on October 17, 2003 – value \$468.44
- f. Copies of her filed 2002 federal and state income tax returns

4. The Debtor failed to turn over the Property.
5. The Trustee obtained a Court order, dated January 29, 2004, requiring turnover of the Property.
6. The Debtor has failed to turn over the Property pursuant to the terms of the Court order.
7. By Order of Discharge, dated March 18, 2003, the Debtor received a discharge.
8. Section 727(d) of the Bankruptcy Code provides that after notice and a hearing, the Court may vacate a discharge previously granted on the basis that the Debtor failed to obey a lawful order of the Court.
9. The Debtor has failed to obey a lawful order of this Court.

WHEREFORE, Plaintiff prays for a judgment and decree of this Court as follows:

1. Revoking the discharge of the Debtor pursuant to Section 727 of the Bankruptcy Code; and
2. Granting any other relief the Court deems just and proper.

Dated this 14th day of July, 2004.

/e/ Dorraine A. Larison
Dorraine A. Larison
I.D. No. 203609
GRAY, PLANT, MOOTY,
MOOTY & BENNETT, P.A.
1010 West St. Germain
Suite 600
St. Cloud, MN 56301
(320) 252-4414
Attorneys for the Trustee