

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION
Civ. No. 4-94-341
Bky No. 4-90-7297

In re:)
)
Christian J. Affeldt and)
Susan M. Affeldt,)
)
Debtors,)
)

ORDER

Christian J. Affeldt)
)
v.)
)
Westbrooke Condominium Association,)
d/b/a Meadowcreek Condominiums)

Westbrooke Condominium Association, d/b/a Meadowcreek Condominiums ("Association"), the appellant/debtor, appeals the decision of the United States Bankruptcy Court, District of Minnesota, (FN1) pursuant to Rule 8001 et seq., Federal Rules of Bankruptcy Procedure. The Association challenges the bankruptcy court's determination that the obligation of the debtor, Christian J. Affeldt, to pay post-petition condominium assessments was discharged in his bankruptcy.

A district court reviews the bankruptcy court's legal conclusions de novo. In re Leser, 939 F.2d 669, 671 (8th Cir. 1991). A bankruptcy court's factual findings shall not be set aside unless clearly erroneous. Id. In this case, there are no factual disputes; the question is one of legal interpretation.

The Court finds that the bankruptcy court adopted, and properly applied, the better-reasoned line of cases. This determination is not at all "clearly erroneous." Accordingly, the judgment of the bankruptcy court is affirmed in all respects.

IT IS SO ORDERED.

Dated: June 15th, 1994.

/s/ JAMES M. ROSENBAUM
JAMES M. ROSENBAUM
United States District Judge

(FN1) The Honorable Nancy C. Dreher, United States Bankruptcy Judge.