

FINAL DECREE

Applicable Law and Rules

1. Section 350(a) of the Bankruptcy Code (11 U.S.C. § 350(a)) provides that: "After an estate is fully administered and the court has discharged the trustee, the court shall close the case."

2. Fed. R. Bankr. P. 5009 states:

"If in a chapter 7, chapter 12, or chapter 13 case the trustee has filed a final report and final account and has certified that the estate has been fully administered, and if within 30 days no objection has been filed by the United States trustee or a party in interest, there shall be a presumption that the estate has been fully administered."

3. Fed. R. Bankr. P. 3022 states that:

"After an estate is fully administered in a chapter 11 reorganization case, the court, on its own motion or on motion of a party in interest, shall enter a final decree closing the case."

General Information for the Clerk

This form previously was designated as Official Form 33. The 1983 Advisory Committee Note to the former Official Form stated, in part,

"Section 350 of the Code requires the court to close the case after an estate has been fully administered and the trustee discharged. That section is applicable to . . . [cases under all chapters] and this form may be adapted to the circumstances of the particular case."