

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

IN RE: SAMUEL A. SPEARS)
and OLGA P. SPEARS)
Debtors.)
SAMUEL A. SPEARS and)
OLGA P. SPEARS,)
Appellants,)
v.)
CURTIS C. REDING,)
Appellee.)

CIVIL ACTION NO.
3:09cv31-MHT
(WO)

ORDER

It is ORDERED that the last paragraph of the opinion (doc. no. 15) is amended to delete the phrase "§ 707(b)(2) e" and read as follows:

The decision of the bankruptcy court sustaining the objection of the trustee to confirmation of the Spearses' Chapter 13 bankruptcy plan must therefore be vacated and this case remanded so that the bankruptcy court can properly apply § 1325(b) and, in the process, make findings and offer reasons for its

action. An appropriate judgment will be entered.

DONE, this the 24th day of September, 2009.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE