

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 08-872-GPM
)	
ANNA BECKMANN,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

MURPHY, District Judge:

Plaintiff United States of America filed this action for recovery of a student loan on which it claims Defendant Anna Beckmann has defaulted. Defendant answered the complaint, admitting that she defaulted on the loan but denying that she owes the debt. Specifically, she contends that this debt was discharged in bankruptcy in 1994.

Plaintiff filed a motion for summary judgment, seeking the amount of indebtedness, which includes interest on the loan, statutory court costs, and post-judgment interest. Defendant has not responded to the motion, despite being given the opportunity to do so (*see* Doc. 9).

As set out in the memorandum supporting summary judgment, the Bankruptcy Code in effect at the time of Defendant's bankruptcy provided limited exceptions for discharge of student loans. Defendant's loan became due less than 7 years before she filed her bankruptcy petition (*see* Doc. 8, Ex. B); therefore, her loan was not dischargeable. *See* 11 U.S.C. § 523(a)(8)(A) (1990); Pub. L. 101-647, § 3621(2). Accordingly, Plaintiff is entitled to judgment as a matter of law. Defendant must pay her indebtedness, which includes interest on the note. Plaintiff also is entitled to its costs,

plus post-judgment interest.

For these reasons, Plaintiff's motion for summary judgment (Doc. 7) is **GRANTED**. Judgment shall be entered in favor of Plaintiff United States of America and against Defendant Anna Beckmann in the amount of \$6,867.82 for principal and interest due as of May 6, 2009, plus interest from May 6, 2009, through the date judgment is entered at the rate of 8.0% per annum, with post-judgment interest to accrue thereafter at the prevailing rate until the judgment is paid in full. Plaintiff also is entitled to court costs in the amount of \$350.00. The Court intends to enter judgment on June 30, 2009. Accordingly, Plaintiff is **DIRECTED** to calculate and file the total amount due through June 30, 2009, so that judgment may be entered in a sum certain.

IT IS SO ORDERED.

DATED: 06/22/09

s/ G. Patrick Murphy

G. PATRICK MURPHY
United States District Judge