

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**


In re:)	
)	
MALCOLM SHAWN PHINNEY, SR.)	Chapter 7
and CYNTHIA PHINNEY,)	Case No. 04-34202
)	
Debtors.)	Adv. Proc. No. 07-03137
)	
)	
KEITH L. PHILLIPS, TRUSTEE,)	
)	
Appellant,)	
)	
v.)	Civil Action No. 3:09CV34-HEH
)	
DARNELL WHITAKER, <i>et al.</i> ,)	
)	
Appellees.)	

ORDER
(Affirming Order of the Bankruptcy Court)

THIS MATTER is before the Court on appeal from an Order of the United States Bankruptcy Court for the Eastern District of Virginia (“Bankruptcy Court”). For the reasons stated in the accompanying Memorandum Opinion, the Order of the Bankruptcy Court is AFFIRMED.

The Clerk is directed to send a copy of this Order and the accompanying Memorandum Opinion to all counsel of record.

It is SO ORDERED.

 _____ /s/
Henry E. Hudson
United States District Judge

Date: May 12, 2009
Richmond, VA