

United States Bankruptcy Court, Northern District of Illinois

NAME OF ASSIGNED JUDGE	Thomas M. Lynch	CASE NO.	15-B-80894
DATE	October 29, 2015		Chapter 13
CASE TITLE	In re SANDRA ELIZABETH RAMOS and VALENTE RAMOS, JR., Debtors		
TITLE OF ORDER	ORDER OF CIVIL CONTEMPT AS TO VALENTE RAMOS, JR. AND AMENDMENT TO SEPTEMBER 3, 2015 ORDER OF CIVIL CONTEMPT AGAINST SANDRA E. RAMOS		

DOCKET ENTRY TEXT

THIS Order supplements this Court's order of September 3, 2015 (ECF No. 34) finding Debtor Sandra Elizabeth Ramos in civil contempt and imposing sanctions. Debtor Valente Ramos, Jr. is found in civil contempt, and Debtors Valente Ramos, Jr. and Sandra E. Ramos are each barred from filing a bankruptcy petition without leave of Court. This case may be closed after entry of this Order.

■ [For further details see text below.]

STATEMENT

This continuing matter arising from the Court's Order For Rule To Show Cause (ECF No. 9); the Court having jurisdiction over the subject matter, due notice having been served, and the Debtors having repeatedly failed to appear or respond to the Court's several orders as described below;

THE COURT HEREBY adopts its findings of fact and conclusions set out in its Order Finding Debtor Sandra E. Ramos In Civil Contempt and Imposing Sanctions, dated September 3, 2015 (ECF No. 34), and supplements its findings and conclusions as follows:

1. Debtor Valente Ramos, Jr. had notice of the Court's Order entered on January 21, 2015 which dismissed the Debtors' previous Chapter 7 case and barred Sandra Ramos and Valente Ramos, Jr. from filing a bankruptcy petition for a period of 180 days from the date of that Order.
2. The terms of the January 21 Order are clear, specific and definite, and Debtor Valente Ramos, Jr. was aware of the meaning of the Order and its prohibition from, among other things, his previous experience in bankruptcy.
3. Debtor Valente Ramos, Jr. knowingly and willfully violated the terms of the January 21 Order by signing his petition and commencing this Chapter 13 case within 71 days of the January 21 Order.
4. Debtor Valente Ramos, Jr. received notice of the Rule to Show Cause entered by this Court on April 20, 2015 (ECF No. 9) whereby the Court ordered him to appear on May 8, 2015 to show cause why he should not be held in civil contempt for his failure to comply with the January 21, 2015 Order.
5. Debtor Valente Ramos, Jr. failed to appear at the May 8 hearing, failed then and thereafter to respond to the Rule to Show Cause, and was held in civil contempt.
6. Debtor Valente Ramos, Jr. received notice of the Contempt Order Directing Arrest of Debtors entered by the Court on May 11, 2015 (ECF No. 15) in which the Court stated its finding of civil contempt.
7. Debtor Sandra Ramos appeared at the July 16, 2015 hearing on these matters, whereupon she admitted while under oath to residing with Debtor Valente Ramos, Jr., her spouse.¹ At that hearing the Court ordered her to pay the non-punitive sum of \$500 for unpaid filing fees, barred her and Valente Ramos, Jr. from filing a bankruptcy petition for a period of one year, and ordered Valente Ramos, Jr. to appear

¹ The finding contained on page 5 of the September 11 Order that Ms. Ramos surrendered to the U.S. Marshal and appeared in court on "June 17, 2015" is incorrect. The correct date for those events is July 16, 2015.

at the continued hearing to be held on September 4, 2015. Further, Ms. Ramos was ordered to inform her husband of what transpired at the July 16 hearing and that he must appear at the September 4 hearing. Sandra Ramos was further ordered to herself appear at the September 4 hearing.

8. This Court entered its September 3, 2015 Order in which it set forth its findings and conclusions and supplemented its May 11, 2015 Order. The September 3 Order further extended the deadline for payment of the non-punitive sanction to September 15, 2015 and ordered Sandra Ramos to appear for a compliance hearing on September 19, 2015.
9. A copy of the September 3, 2015 Order was served by mail by the Clerk to the Ramos Debtors at their admitted residence.
10. Neither Valente Ramos, Jr. nor Sandra Ramos appeared at the September 4, 2015 hearing. That matter was continued to October 23, 2015.
11. On September 17, 2015, Sandra Ramos paid the \$500 sanction. This occurred two days after the expiration of the extended deadline set by the Court.
12. Debtor Sandra Ramos did not appear at the September 19, 2015 hearing. That matter also was continued to October 23, 2015.
13. Neither Valente Ramos, Jr. nor Sandra Ramos appeared at the October 23, 2015 hearing, nor did they contact the Court, the U.S. Marshal or the Chapter 13 Trustee to request to be excused or seek additional time. At that time the Court modified its earlier Orders to amend the filing bar date for both Valente Ramos, Jr. and Sandra Ramos and order that the this case may be closed upon entry of this Order.
14. Debtor Valente Ramos, Jr.'s persistent commencement of bankruptcy cases by signing and causing to be filed bare-bones petitions without the timely submission of completed schedules and forms, by not attending required meeting of creditors, and by his repeated refusal to comply with the requirement of the Bankruptcy Code and the rules of this Court, all of which resulted in the unopposed dismissal of

these cases, as well as his subsequent disregard of this Court's orders, have unduly burdened the Chapter 13 Trustee and the Office of the United States Trustee, in addition to the Clerk of this Court.

15. In addition, Debtor Valente Ramos, Jr. has unjustifiably and without authorization failed to pay filing fees to the Clerk of the Court for this and several other dismissed bankruptcy cases that he commenced.

16. By so doing, Debtor Valente Ramos, Jr. has knowingly engaged in willful and flagrant abuse of the bankruptcy process.

17. Therefore, DEBTOR VALENTE RAMOS, JR. is found to be in civil contempt of this Court for his willful violation of the Order entered on January 21, 2015 in the Debtors' joint Chapter 7 case, no. 14-B-83619, and the subsequent orders entered by this Court on May 11, July 16 (from the bench) and September 3, 2015.

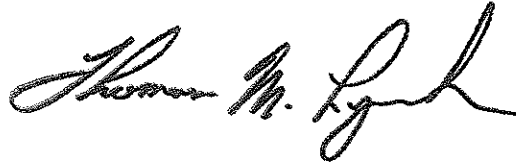
IT IS THEREBY ORDERED that:

1. In addition to the previous bar orders entered herein, Debtor SANDRA RAMOS is barred from and shall not file any petition for bankruptcy relief after July 18, 2016, whether for herself or others, or otherwise causing a bankruptcy case to commence unless and until she has first appeared before this Court and obtained leave to do so;
2. In addition to the previous bar orders entered herein, Debtor VALENTE RAMOS, JR. is barred from and shall not file any petition for bankruptcy relief after July 18, 2016, whether for himself or others, or otherwise causing a bankruptcy case to commence unless and until he has first appeared before this Court and obtained leave to do so;
3. This Order is in addition and does not otherwise change the bar imposed in the Court's Order dated June 25, 2015 and restated in the September 3 Order; and

4. After serving this Order upon the Debtors by placing a copy of same addressed to them in the U.S. Mail, the Clerk of the Court may close this case.

DATE: October 29, 2015

ENTER:

A handwritten signature in cursive script, appearing to read "Thomas M. Lynch".

Thomas M. Lynch
United States Bankruptcy Judge

CERTIFICATE OF SERVICE

RE: **Sandra Elizabeth Ramos**
And Valente Ramos, Jr.,
Case No. 15-80894

I certify that on October 29, 2015 I caused a copy of the attached **Order of Civil Contempt as to Valente Ramos and Amendment to September 3, 2015 Order of Civil Contempt Against Sandra E. Ramos** to be served on the following parties via First Class Mail:

Sandra Elizabeth Ramos
Valente Ramos, Jr.
206 Thornhill Drive SW
Poplar Grove, IL 61065

Lydia Meyer
Lydia Meyer - Chapter 13 Trustee
P.O. Box 14127
Rockford, IL 61105-4127

Patrick S Layng
Office of the U.S. Trustee, Region 11
780 Regent St.
Suite 304
Madison, WI 53715


Mimi Kuczynski, Courtroom Deputy