

Name of Assigned Judge	LaShonda A. Hunt	CASE NO.	20bk07853
DATE	June 16, 2020		
CASE TITLE	In re Lissett Sanchez		
TITLE OF ORDER	Order Dismissing Case and Issuing 180-Day Bar		
DOCKET ENTRY TEXT			
Lissett Sanchez’s bankruptcy case is dismissed, and she is prohibited from refileing for 180 days.			

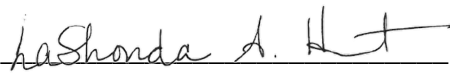
STATEMENT

This matter is before the court for consideration of a Rule to Show Cause and Order to Appear issued against *pro se* debtor Lissett L. Sanchez. In the past eight months, Sanchez has filed for relief twice under Chapter 13 of the Bankruptcy Code, proceeding each time without a lawyer. Her first case, in October of 2019, included four adversary proceedings alleging various causes of action that were not actionable in bankruptcy court. (Case No. 19bk29736, Dkts. 52, 55, 56, 64). The case was dismissed in February of 2020, and all adversary proceedings were terminated. The court explained on the record that Sanchez's adversary complaints were largely grounded in state law and neither relevant to bankruptcy matters nor actionable in federal court. Sanchez was expressly warned to stop using the bankruptcy court to litigate her otherwise irrelevant adversary allegations.

One month later, Sanchez filed her second case, which is now pending (Case No. 20bk07853). This one included two adversary complaints against Kevin Costello, the accountant who helped her file her 2017 tax returns (Adv. No. 20ap00139) and Lawrence Surinak, the attorney who represented Sanchez in her divorce from her husband (Adv. No. 20ap00140). The adversary complaints largely copied two of Sanchez's previous complaints which were also against Costello and Surinak. Neither complaint has any bearing on the issues relevant to her chapter 13 bankruptcy case. Surinak's counsel—who had moved to dismiss Sanchez's first adversary complaint against him—moved to dismiss the new case and to sanction Sanchez under Fed. R. Bankr. P. 9011. Soon after, Sanchez filed a "Motion To Remove Lawrence R. Surinak from the Illinois Bar Association Pursuant to the United States Bankruptcy Code" and a "Motion to be Awarded Full

Name of Assigned Judge	LaShonda A. Hunt	CASE NO.	20bk07853
<p>Repayment of Damages in Adversary Complaint Pursuant to the United States Bankruptcy Code.” (Adv. No. 20ap00140, Dkts. 7, 8).</p> <p>At the initial hearing where Sanchez appeared and failed to offer any defense for her continued harassment of Surinak, the court granted Surinak’s motion for sanctions, awarding him reasonable attorney fees. The court ultimately sanctioned Sanchez by dismissing both adversary proceedings with prejudice on May 22, 2020. (Adv. No. 20ap00139, Dkt. 5; Adv. No. 20ap00140, Dkt. 14). Finally, the court ordered Sanchez to show cause why further sanctions should not be imposed, including dismissal of her bankruptcy case with a 180-day prohibition on filing any future cases or claims against Surinak or others.</p> <p>Sanchez appeared at the Rule to Show Cause hearing on June 5, 2020, but failed to persuade the court that further sanctions were not warranted in order to deter her abusive practices. Indeed, she continued to insist that the court recognize her “right” to sue Surinak and Costello, even though this court provided a thorough, written eight-page explanation about why none of her allegations were actionable under the cited sections of the Bankruptcy Code, as well as the limits of the court’s jurisdictional reach. Sanchez also acknowledged that she has not made any plan payments in accordance with her chapter 13 plan, due to limited funds and her desire to see if the court would allow her bankruptcy case to continue. Before the hearing, Sanchez filed a “Letter for Case Not to Be Sanctioned for Dismissal Per the Order of Honorable Judge LaShonda A. Hunt.”¹ (Case No. 20bk07853, Dkt. 31). The letter contains only a photocopy of President Donald Trump’s letter that accompanied the Economic Impact Payment provided by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). The court asked Sanchez to explain the relevance of that document to the proceedings at bar, and Sanchez offered nothing. Finally, in his “Petition for Attorney’s Fees” Surinak submitted an itemized statement of fees and costs incurred by him in defending against the adversary complaint. (Adv. No. 20ap00140, Dkt. 17). The statement and its attached affidavit explained the hourly rate (\$230) that Surinak</p>			

¹ Sanchez filed the letter one day before this court docketed its order and Rule to Show Cause, and therefore the filing does not respond to the written order or the Rule to Show Cause.

Name of Assigned Judge	LaShonda A. Hunt	CASE NO.	20bk07853
<p>paid to his counsel and it summarized each activity performed. Surinak's total requested attorney fees are \$3,865. Sanchez did not file any response or objection to the itemized fees. She simply stated that she would not pay any award.</p> <p>Sanchez argued generally that she should not be sanctioned because she made true and correct filings in her bankruptcy case and had filed to save her house from foreclosure. When this court asked Sanchez to specifically explain how even legitimate bankruptcy filings justify frivolous adversary complaints, Sanchez retorted that the proceedings were not frivolous. This court explained once more that Sanchez was asking for relief that this court cannot grant, and that she cannot use the bankruptcy system to fight her divorce attorney and her accountant. Sanchez responded by asking why this court system would have adversary proceedings if not to allow debtors to bring these types of allegations.</p> <p>This exchange only reinforces that, unfortunately, Sanchez will not comply with this court's orders or the Bankruptcy Code. Instead, Sanchez made it clear that she will ignore the law and do exactly what she wants. This type of behavior is unacceptable for any litigant, particularly one who has already been warned about the potential consequences of continued misdeeds. Sanchez had notice of this hearing and a full opportunity to show that no further sanctions were warranted, but she failed to do so. Thus, to prevent further abuse of the bankruptcy process, in accordance with 11 U.S.C. § 105, the court hereby dismisses Sanchez's underlying bankruptcy case and prohibits Sanchez from filing a petition for bankruptcy relief for 180-days from the court's oral ruling on June 5, 2020. Hearing no defense to the request, Sanchez is also ordered to pay Surinak's attorney fees and costs totaling \$3,855. The itemized list of fees and costs provided by Surinak and his counsel is adequate and fairly represents the expenses he incurred as the defendant in the adversary proceeding.</p> <p>IT IS SO ORDERED.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: left;"> <p>Dated: June 16, 2020</p> </div> <div style="text-align: right;">  <p>LaShonda A. Hunt United States Bankruptcy Judge</p> </div> </div>			