

M-58

In Re

DISPOSAL OF BANKRUPTCY CASES  
3 YEARS AFTER TRANSFER TO A  
FEDERAL ARCHIVES AND RECORDS  
CENTER

FILED

1983  
UNITED STATES  
BANKRUPTCY JUDGE

ORDER

It appearing to the Court that in accordance with the revised Records Disposition Program and Records Schedules, Volume I, Guide to Judiciary Policies and Procedures, Transmittal 89, dated November 17, 1982, bankruptcy case files as enumerated below are to be disposed of in three (3) years after transmittal to a Federal Archives and Records Center (FARC) unless the court directs a longer retention period:

"14 d. Case files created under Chapters I-VII of the Bankruptcy Act of 1898 and Chapter 7 of the Bankruptcy Act of 1978 in which there were no assets available for distribution to general unsecured creditors."

AND

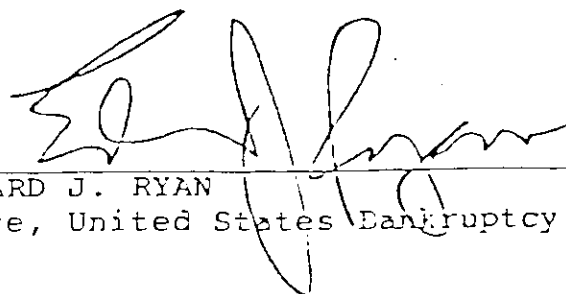
"14 e. Case files in which the petition for adjudication of bankruptcy or for an order for relief was dismissed, or files of cases under Chapter XIII of the Bankruptcy Act of 1898 or Chapter 13 of the Bankruptcy Act of 1978 which were dismissed prior to confirmation of a plan."

It further appearing to the Court that the United States Bankruptcy Court for the Southern District of New York has experienced a number of repeat bankruptcy filings and it has been necessary to recall closed bankruptcy case files from the Federal Archives and Records Center in order to verify a bankrupt or debtor's social security number, address, filing date, discharge date, whether dismissal was with or without prejudice, etc.; it is therefore,

ORDERED that bankruptcy case files transmitted by the United States Bankruptcy Court for the Southern District of New York,

as enumerated on the attached copies of SF 135 and SF 135A be, and they hereby are, to be retained by the Federal Archives and Records Center for a period of at least six (6) years from the date of transmittal.

The Clerk shall forward a copy of this Order to John Salardo, Branch Chief, Federal Archives and Records Center, Military Ocean Terminal, Building 22, Bayonne, New Jersey 07002; H. Kent Presson, Assistant Chief, Bankruptcy Division, Administrative Office of the United States Courts, Supreme Court Building, Washington, D.C. 20544; and Milner Benedict, Attorney, Bankruptcy Division, Administrative Office of the United States Courts, Supreme Court Building, Washington, D.C. 20544.



EDWARD J. RYAN  
Judge, United States Bankruptcy Court

New York, New York

Date: August 5, 1983

I hereby attest and certify on Aug 5, 1983  
that the foregoing document is a full, true and correct  
copy of the original on file in my office, and in my  
legal custody.

CLERK, U.S. BANKRUPTCY COURT  
Southern District of New York

By [Signature] Deputy

