

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION**

IN RE

EDWARD A. JOHNSON &  
JESSIERENE JOHNSON,

CHAPTER 7

Debtors

CASE NO.: 06-40028-LMK

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**ORDER VACATING ORDER DISCHARGING DEBTOR (DOC. 25)**

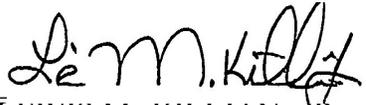
This matter is before the Court *sua sponte*. An Order Discharging the Debtor was entered on May 10, 2006 (Doc. 25). The Debtors filed their Chapter 7 bankruptcy petition on February 2, 2006. Section 727(a)(11) of the Bankruptcy Code provides that “[t]he court shall grant the debtor a discharge, unless—*after filing the petition*, the debtor failed to complete an instructional course concerning personal financial management described in section 111 . . .” 11 U.S.C. § 727(a)(11)(emphasis added). The Debtors filed Official Form B-23, Debtor’s Certification of Completion of Instructional Course Concerning Personal Financial Management (the “Financial Management Certificate”) on March 15, 2006 (Doc. 17). The documents attached to the Debtors’ Financial Management Certificate were not certificates evidencing completion of a post-petition financial management course, but were merely copies of documents which had previously been filed with the Court as Certificates of Credit Counseling on February 2, 2006, the petition date (Doc. 3). Further, the Debtors’ Financial Management Certificate states that the financial management course was completed *pre-petition*, on December 22, 2005, which is the same day the Debtors’ Certificates of Credit Counseling show they completed the pre-petition credit counseling required by 11 U.S.C. § 109(h). Even if the financial management course the Debtors certify they completed on December 22, 2005, was an actual financial management course as described in Section 111 and not simply pre-petition credit counseling, it does not satisfy the requirement that the Debtors complete a *post-petition* financial management course. Accordingly, it appears that the debtor failed to complete a post-petition financial management course and, thus, under Section 727(a)(11), entry of the discharge was inappropriate. It is

therefore hereby

ORDERED and ADJUDGED that

1. The Order Discharging Debtor (Doc. 25) is VACATED.
2. The Debtors are directed to file a certificate reflecting completion of a post-petition financial management course within 20 days. No discharge may be entered until such a time as such certificate is filed.

DONE and ORDERED at Tallahassee, Florida, this \_\_\_\_\_ day of May, 2006.

  
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LEWIS M. KILLIAN, JR.  
United States Bankruptcy Judge

cc: All creditors and parties in interest.