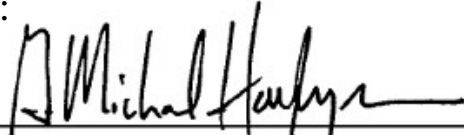




THE FOLLOWING ORDER  
IS APPROVED AND ENTERED  
AS THE ORDER OF THIS COURT:

DATED: April 23, 2013

  
G. Michael Halfenger  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN

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In the matter:

Paula A. Groce,

Case No. 13-21951-GMH

Debtor.

Chapter 7

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**ORDER DENYING MOTION TO RECONSIDER DENIAL OF FILING-FEE WAIVER**

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Ms. Groce filed an application to waive the chapter 7 filing fee. On February 25, 2013, I denied the application and ordered her to pay the fee in two installments, the first of which, for \$102, was due March 25. On March 8, Ms. Groce paid \$206. She then wrote to say that payment of the \$206 has “added to [her] hardship”. CM-ECF No. 17, 1. She asks me to reconsider and either waive the entire fee and return her \$206, or relieve her of paying the \$100 balance. *Id.* Treating Ms. Groce’s letter as a motion for relief from my February 25 order, I deny it.

Ms. Groce seeks reconsideration of a non-final order. Do-overs, which divert

scarce judicial resources from resolving other disputes, are disfavored. Interlocutory orders are subject to reconsideration only when (i) they are persuasively shown to have been clearly wrong—typically by resort to previously unavailable legal authority or evidence—and (ii) making a correction does not cause undue harm. See *Agostini v. Felton*, 521 U.S. 203, 236 (1997); *Avitia v. Metro. Club of Chi., Inc.*, 49 F.3d 1219, 1227 (7th Cir. 1995).

Ms. Groce's letter doesn't make this showing. It supplies no additional evidence supporting a fee waiver. It only asserts that she has been unemployed since August 2012 and is no longer receiving unemployment compensation, all of which I was able to glean from her application and schedules.

Nor does her letter suggest legal error. To obtain a fee waiver a debtor must have income below the official poverty line, and she must demonstrate an inability to pay the filing fee in installments. See 28 U.S.C. §1930(f)(1). Even when these requirements are met, waiver of the fee is discretionary. *Id.* In exercising my discretion, I look to see if the debtor faces atypical circumstances or stands to gain some unusual benefit from a discharge. See *In re Williams*, No. 13-22403 (Bankr. E.D. Wis. April 17, 2013).

Ms. Groce's income falls below the official poverty line, but she did not, and does not now, demonstrate that she is unable to pay the fee in installments. To the contrary, her schedules reported bank deposits of \$255. And Ms. Groce paid two-thirds of the filing fee before the first installment deadline. Although she reports a lack of employment, she does not foreclose the possibility of getting the remaining \$100 from friends, family, or work secured before the final installment deadline, which is many weeks away.

What is more, as I explained in *Williams*, waiving the filing fee in routine cases would impose an intolerable burden on the bankruptcy system because filing fees

remain the sole source of trustee compensation when chapter 7 debtors have only exempt assets. Consequently, I reserve filing fee waivers for those debtors who are unusually disadvantaged in using non-bankruptcy alternatives to deal with their creditors and those who might benefit uniquely from a discharge. *Id.* Nothing in Ms. Groce's application, schedules, or letter suggests that her plight is materially different from the many persons of limited means who seek chapter 7 discharges.

If anything, Ms. Groce's schedules and circumstances militate against granting a waiver. This is Ms. Groce's second chapter 7 case; she filed this one 39 days after she again became eligible for a discharge. See 11 U.S.C. §727(a)(8). Her current schedules identify 42 unsecured creditors with claims in amounts evenly divisible by \$100. CM-ECF No. 1, 18-26. She reports twenty-four claims for \$1,000, four for \$3,000, and five for \$15,000. *Id.* As for the dates when these claims were incurred, Ms. Groce gives only years, identifying 37 of the claims' dates as "1990-2014," even though she was granted a discharge on April 15, 2005, and filed her current petition on March 11, 2013. Debtors filing dubious schedules do not engender the grace necessary for a fee waiver.

For these reasons, Ms. Groce has failed to provide any justification for reconsidering the February 25, 2013 order denying her application to waive the chapter 7 filing fee.

The debtor's motion is denied.

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