

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 15-50036

CHRISTOPHER LEWIS KIND,

Chapter 13

Debtor.

Judge Thomas J. Tucker

\_\_\_\_\_ /

**ORDER DENYING FEE APPLICATION WITHOUT PREJUDICE**

This case is before the Court on a fee application filed by the attorney for the Debtor on July 22, 2016, in a document entitled, "First Application for Order Approving Attorney Fees and Expenses - Pre-Confirmation" (Docket # 95). On August 16, 2016, the Debtor's attorney filed a Certification of Non-Response indicating that no one had filed an objection to the fee application.

The Court will deny the fee application as premature, without prejudice as stated below, because no Chapter 13 plan has been confirmed yet in this case. The fee application does not allege or demonstrate good cause for the Court to allow fees for the Debtor's counsel at a time when no Chapter 13 plan has been confirmed yet.

Accordingly,

IT IS ORDERED that the fee application (Docket # 95) is denied.

IT IS FURTHER ORDERED that this Order is without prejudice to the right of the Debtor's counsel to file a new fee application, after one of the following events has occurred in this case: (1) a plan has been confirmed; (2) the case has been converted to Chapter 7; or (3) the case has been dismissed.

**Signed on August 18, 2016**

**/s/ Thomas J. Tucker**

**Thomas J. Tucker  
United States Bankruptcy Judge**