

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ALASKA**

In re:

TOMMIE GERALD RAWLINSON,

Debtor.

Case No. F07-00210-DMD
Chapter 13

**Filed On
10/8/08**

**MEMORANDUM REGARDING STAY RELIEF AND
PLAN CONFIRMATION**

A status conference was held on October 7, 2008. Wells Fargo has spent considerable time attempting to find documentation identifying which entity owns the loan in question. The documentation produced on September 16, 2008 indicates that the loan is now owned by the Federal National Mortgage Association. Because Wells Fargo does not own the loan, it's motion for relief from stay will be denied. But that does not mean that the debtor's plan is confirmable.

The Federal National Mortgage Association has not received notice of this Chapter 13 proceeding. It is not included in the mailing matrix. It did not receive notice of the Chapter 13 confirmation hearing. To obtain confirmation of a plan, all creditors must receive notice.¹ My finding as to confirmation of the debtor's plan was premature and erroneous. The debtor must provide notice to Freddie Mac.

¹11 U.S.C. § 1324(a); Rule 2002(b), Federal Rules of Bankruptcy Procedure.

DATED: October 8, 2008.

BY THE COURT

/s/ Donald MacDonald IV
DONALD MacDONALD IV
United States Bankruptcy Judge

Serve: G. Ballou, Esq.
J. Crawford, Esq.
R. Ullstrom, Esq.
L. Compton, Trustee
U. S. Trustee

10/8/08