

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

In Re: Robert L. MacDonald, Jr.
Case No. 24-10114-KB
Chapter 13
Debtor

MOTION TO DISMISS AND TO SANCTION THE DEBTOR

NOW COMES LAWRENCE P. SUMSKI, Trustee in the above-cited case, and Moves to Dismiss the case and to Sanction the Debtor, stating as follows:

1. Pursuant to the terms of the Confirmed Plan the debtor is required to provide to the Chapter 13 Trustee a copy of his 2024 federal income tax return and a portion of his tax refund as additional Plan payments for the benefit of creditors.

2. Despite the Trustee's requests, the debtor either:

- a) did not provide a copy of his tax return,
and/or
- b) did not make the required payment.

3. The case should be dismissed due to the non-compliance.

4. In the alternative, should the debtor forthwith comply with the Confirmed Plan by tendering the return and/or any applicable payment, the debtor should be allowed to proceed with the case, but should be subject to a sanction in the amount of \$250.00 for the non-compliance.

WHEREFORE, the undersigned Chapter 13 Trustee Moves as follows:

- A. That the case be Dismissed for cause pursuant to § 1307.
- B. That in the alternative, should the debtor now be willing to comply by providing a copy of the return and/or any applicable payment, he should now be sanctioned in the amount of \$250.00.
- C. For such other and further relief as may be just.

Respectfully submitted,

Dated: June 3, 2025

/s/ Lawrence P. Sumski
Lawrence P. Sumski,
Chapter 13 Trustee
32 Daniel Webster Highway
Suite 15
Merrimack, NH 03054
ID# BNH01460

CERTIFICATE OF SERVICE

I hereby certify that on this, the 3rd day of June, 2025, a copy of the foregoing Motion to Dismiss the Case and to Sanction the Debtor and Notice of Hearing was forwarded electronically VIA ECF to the Office of the U.S. Trustee and the Attorney of the debtor, and by first class US mail to the debtor at his address of record.

Dated: June 3, 2025

/s/ Lawrence P. Sumski
Lawrence P. Sumski