



U.S. Department of Justice

Office of the United States Trustee
Northern District of New York
10 Broad Street, Room 105
Utica, New York 13501
(315) 793-8191

MEMORANDUM

TO: Attorney for Debtor or Pro Se Debtor

FROM: Guy A. Van Baalen, Esq., Assistant U.S. Trustee

SUBJECT: **AMENDMENT OF PETITION TO CORRECT SOCIAL SECURITY NUMBER**

The proof of social security number provided indicates that an incorrect social security was used on the bankruptcy petition. This error can adversely effect another person's credit record. You, as the debtor's attorney or pro se debtor, are required to amend the bankruptcy petition and make sure that all interested parties are made aware of the amendment. Therefore, you **must** do the following within **ten (10)** days of today's date:

1. File, with the United States Bankruptcy Court Clerk, an amended petition with the correct social security number, pursuant to FRBP 1009 and LBR 1009-1. The Court is located at the Alexander Pirnie Federal Building, 10 Broad Street, Room 230, Utica, New York 13501. (A blank petition is attached).

Pursuant to Local Bankruptcy Rule 1009-1, the filing requirements are as follows:

- A. The petition must include the word "amended" in the caption.
- B. A sufficient number of copies must be provided to the Court. (Ch. 7 or 13, original and four copies.)
- C. The amendment must have an executed verification or unsworn declaration (original signatures on original amendment)
- D. Serve a copy of the amendment on every person or entity listed in the bankruptcy (including all creditors), the Chapter 7 or Chapter 13 trustee appointed in the case, and the United States Trustee.

Simultaneously, file a certificate of service with the United States Bankruptcy Court Clerk, showing that you have served notice of the amendment on all creditors, the Chapter 7 or Chapter 13 trustee appointed in the case, and the United States Trustee. (Attached is a proof of service form to use. Please add a list of all creditors, names and addresses as well as the Chapter 7 or Chapter 13 trustee's name and address on the form).

2. Send notification of the error to the three credit reporting agencies, requesting that their records be corrected to reflect the proper social security number. (Form attached)

3. Send a copy of that notification to the United States Trustee located at 10 Broad Street, Room 105, Utica, New York 13501.

Failure to amend the petition to correct social security number may result in dismissal of case

See, *In re Riccardo*, 248 B.R. 717 (Bankr. S.D.N.Y. 2000)

FORM B1	United States Bankruptcy Court District of _____	Voluntary Petition
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Name of Debtor (if individual, enter Last, First, Middle):	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names):
Soc. Sec./Tax I.D. No. (if more than one, state all):	Soc. Sec./Tax I.D. No. (if more than one, state all):
Street Address of Debtor (No. & Street, City, State & Zip Code):	Street Address of Joint Debtor (No. & Street, City, State & Zip Code):
County of Residence or of the Principal Place of Business:	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address):	Mailing Address of Joint Debtor (if different from street address):
Location of Principal Assets of Business Debtor (if different from street address above):	

Information Regarding the Debtor (Check the Applicable Boxes)

Venue (Check any applicable box)

Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.

There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

<p>Type of Debtor (Check all boxes that apply)</p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Railroad</p> <p><input type="checkbox"/> Corporation <input type="checkbox"/> Stockbroker</p> <p><input type="checkbox"/> Partnership <input type="checkbox"/> Commodity Broker</p> <p><input type="checkbox"/> Other _____</p>	<p>Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box)</p> <p><input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 13</p> <p><input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12</p> <p><input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding</p>
<p>Nature of Debts (Check one box)</p> <p><input type="checkbox"/> Consumer/Non-Business <input type="checkbox"/> Business</p>	<p>Filing Fee (Check one box)</p> <p><input type="checkbox"/> Full Filing Fee attached</p> <p><input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3.</p>
<p>Chapter 11 Small Business (Check all boxes that apply)</p> <p><input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101</p> <p><input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)</p>	

<p>Statistical/Administrative Information (Estimates only)</p> <p><input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors.</p> <p><input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.</p>	<p>THIS SPACE IS FOR COURT USE ONLY</p>																		
<table style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Estimated Number of Creditors</td> <td style="text-align: center;">1-15</td> <td style="text-align: center;">16-49</td> <td style="text-align: center;">50-99</td> <td style="text-align: center;">100-199</td> <td style="text-align: center;">200-999</td> <td style="text-align: center;">1000-over</td> </tr> <tr> <td></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Estimated Number of Creditors	1-15	16-49	50-99	100-199	200-999	1000-over		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
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Voluntary Petition
(This page must be completed and filed in every case)

Name of Debtor(s):

Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)
Location Where Filed: Case Number: Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)
Name of Debtor: Case Number: Date Filed:

District: Relationship: Judge:

Signatures

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.
[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____
Signature of Debtor
X _____
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____
Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of Attorney

X _____
Signature of Attorney for Debtor(s)

Printed Name of Attorney for Debtor(s)

Firm Name

Address

Telephone Number

Date

Signature of Non-Attorney Petition Preparer

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer

Social Security Number

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

Exhibit A is attached and made a part of this petition.

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X _____
Signature of Attorney for Debtor(s) Date

X _____
Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

IN RE:

Case No. _____

Chapter: (7/13)

Debtor(s).

CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that (he/she) is a citizen of the United States and resides in _____ County, New York and is of suitable age and discretion as to be competent to serve papers.

That on _____, 20____, (he/she) served a copy of the attached

AMENDED PETITION TO CORRECT SOCIAL SECURITY NUMBER

By placing a true copy thereof in a sealed envelope, with postage fully prepaid, and depositing said envelope in a United States Post Office mailbox in _____, New York, to all the people listed below and in the attached list: (city)

Office of the United States Trustee
10 Broad Street, Room 105
Utica, New York 13501

Chapter 7/13 Bankruptcy Trustee

Attached list of the names and correct addresses of all creditors in this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, in _____, New York.
(date) (City)

(Signature) _____

(Printed Name) _____

(Address) _____

MEMORANDUM

**NOTICE OF CORRECTION OF SOCIAL SECURITY NUMBER
IN BANKRUPTCY FILING**

**TO: EXPERIAN
PROFILE MAINTENANCE
P.O. BOX 9558
ALLEN, TEXAS 75013**

**TRANS UNION CORPORATION
ATTN: PUBLIC RECORDS DEPT.
555 WEST ADAMS STREET
CHICAGO, IL 60661**

**EQUIFAX
P.O. BOX 144717
ORLANDO, FL 32814**

**FROM: _____
Debtor**

Bankruptcy Case No:

DATE: _____

INCORRECT SSN: _____ - _____ - _____

CORRECT SSN: _____ - _____ - _____

Enclosed please find an amended bankruptcy petition which lists the correct social security number for the above named Debtor.

The Debtor originally filed the bankruptcy petition using an incorrect social security number. This social security number was not assigned to the Debtor and was inadvertently listed on the bankruptcy petition.

Please correct your records accordingly.

Enclosure

cc: Office of the U.S. Trustee, 10 Broad Street, Room 105, Utica, New York 13501