

**IN THE UNITED STATES BANKRUPTCY COURT**  
**FOR THE DISTRICT OF IDAHO**

<b>IN RE</b>	)	
	)	
<b>TERRELL CASS WILEY and</b>	)	<b>Case No. 06-00698-TLM</b>
<b>WALTER JERROLD WILEY,</b>	)	
	)	<b>SUMMARY ORDER</b>
<b>Debtors.</b>	)	
_____	)	

On October 12, 2006, this Court entered an Order sustaining the chapter 13 Trustee’s objection to the above Debtors’ claim of exemption of \$17,900.00 in condemnation proceeds under certain asserted Idaho Code provisions. Doc. No 34.

The next day, Debtors filed a motion asking the Court to extend the time within which they could file a motion under Fed. R. Bankr. P. 9023 and 9024 (which incorporate Fed. R. Civ. P. 59 and 60 respectively). Doc. No. 35. Debtors cited no authority for their request. *Id.*

Federal Rule of Bankruptcy Procedure 9006 addresses “Time” and subpart (b) of that Rule governs “Enlargement” of time to perform acts under the Rules. The Court’s discretion to enlarge time, as set out in Fed. R. Bankr. P. 9006(b)(1), is expressly limited by Fed. R. Bankr. P. 9006(b)(2) which states:

The court may *not* enlarge the time for taking action under Rules 1007(d), 2003(a) and (d), 7052, 9023, and 9024.

(emphasis added). *See also In re Johnson*, 01.2 I.B.C.R. 72, 76 (Bankr. D. Idaho 2001).

Debtors' request is patently improper under Fed. R. Bankr. P. 9006(b)(2). Debtors' motion, Doc. No. 35, is therefore DENIED.

DATED: October 16, 2006



A handwritten signature in black ink that reads "Terry L. Myers".

TERRY L. MYERS  
CHIEF U. S. BANKRUPTCY JUDGE