

SO ORDERED.

SIGNED this 12th day of November, 2021.



Benjamin A. Kahn

BENJAMIN A. KAHN
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

In Re:
Frank A Skwara

Case No. 20-80404
Chapter 13

Social Security No. xxx-xx-1750
Address:92 Freeman Dr, Pittsboro, NC 27312

Debtor

ORDER SUSTAINING AMENDED NOTICE OF OBJECTION TO CLAIM

This matter coming before the Court upon the Objection to Claim (Docket No. 23) filed by the Debtor, seeking to disallow the claim of NAVIENT PC TRUST (Claim No. 2) due to the expiration of the Statute of Limitations; and

There being no filed response to the Objection within the time period set forth in the Notice accompanying the Objection setting November 5, 2021 as the deadline for filing a response to the Objection; and

The Court, after considering the Objection, finds the present bankruptcy was filed on August 31, 2020, more than three (3) years or 1096 days following the date of last activity, not including periods of time tolled by the Debtor's prior bankruptcies, such debt should be disallowed as exceeding the Statute of Limitations at N.C.G.S. § 1-52(1). *See In re Kittrell*, 2012 Bankr. LEXIS 633 (Bankr. M.D.N.C. Feb. 3, 2012).

Therefore, it is ORDERED that the Claim No. 2 of NAVIENT PC TRUST is disallowed in its entirety.

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SERVICE LIST FOR ORDER SUSTAINING OBJECTION TO CLAIM

Richard M. Hutson, II Chapter 13 Trustee	Law Offices of John T. Orcutt Attorney for Debtor postlegal@johnorcutt.com
U.S. Bankruptcy Administrator 101 South Edgeworth Street Greensboro, NC 27401	
NAVIENT PC TRUST Attn: Officer or Managing Agent C/O Navient Solutions, L.L.C. Post Office Box 9640 Wilkes-Barre, PA 18773-9640	NAVIENT PC TRUST Attn: Officer or Managing Agent 13865 Sunrise Valley Drive Herndon, VA 20171