

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MAINE

In re:

SUSAN LYNCH and  
MICHAEL LAWSON,

Debtors.

Chapter 13  
Case No. 19-20468

**ORDER DENYING MOTION FOR REFUND OF FILING FEE**

This matter came before the Court on the Motion for Refund of Filing Fee filed by Susan Lynch and Michael Lawson on November 13, 2019 seeking a refund of the \$310.00 fee they paid in connection with their Motion to Sever Case. Ms. Lynch and Mr. Lawson filed the Motion to Sever Case in response to a motion filed by the Chapter 13 Trustee seeking dismissal of the above-captioned case. The Court granted the Chapter 13 Trustee's motion prior to the hearing on the Motion to Sever Case, rendering the latter motion moot.

Ms. Lynch and Mr. Lawson do not state a sufficient basis for the relief they request. Filing fees are charged at the time of filing and this Court is not aware of any statute, rule, precedent or public policy in favor of refunding those fees simply because a motion is unsuccessful. Ms. Lynch and Mr. Lawson seem to suggest that the fee at issue here should be refunded because the Motion to Sever was rendered moot before it could even be heard. The Court is not persuaded that a refund is appropriate under these circumstances. Cases are frequently dismissed and when that happens, it is not uncommon for motions to be mooted; including motions for which movants were charged filing fees. These movants are not automatically entitled to a refund of their filing fees, particularly where they filed their motion in an effort to combat a motion to dismiss their case.

Accordingly, the Motion for Refund of Filing fee is hereby denied.

Dated: November 18, 2019

/s/ Peter G. Cary  
Judge Peter G. Cary  
United States Bankruptcy Court