The relief described hereinbelow is SO ORDERED.

Signed July 07, 2006.

Ronald B. King
Ronald B. King
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

IN RE:	§	
	§	
GARRY DAVID GALLARDO,	§	CASE NO. 06-50724-RBK
	§	
DEBTOR	§	CHAPTER 7

ORDER DENYING "MOTION FOR
RECONSIDERATION AND REINSTATEMENT OF CAUSE"

On this day came on to be considered the "Motion for Reconsideration and Reinstatement of Cause" filed herein by the *Debtor*, *Garry David Gallardo* (Court document #11). The Court is of the opinion that the Motion should be denied.

The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA) was signed into law on April 20, 2005. Some of its provisions were effective on that date, but most of the provisions were effective on October 17, 2005. Just prior to October 17, 2005, a record number of new bankruptcy cases were filed so that their cases would be governed by old law rather than the

amendments made by BAPCPA. Any case filed on or after October 17, 2005, is governed by the

provisions of BAPCPA. This case was filed on April 20, 2006.

This Court cannot control publication of the United States Code on internet websites. The

fact that the Debtor could not locate section 109(h) of the United States Bankruptcy Code on a

particular website does not make the amendments made by BAPCPA inapplicable to this Debtor.

Section 109(h) of the United States Bankruptcy Code, as amended by BAPCPA effective

October 17, 2005, requires that credit counseling must be taken prior to the filing of a new

bankruptcy case by an individual debtor and certification of such credit counseling must be filed with

the petition. There are certain exceptions for exigent circumstances, incapacity, disability or active

military duty which are not applicable in this case. This Court must follow the law as enacted by

Congress and signed by the President.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that the above-referenced "Motion for

Reconsideration and Reinstatement of Cause" is hereby **DENIED**.

# # #