



SO ORDERED,

**Judge Neil P. Olack
United States Bankruptcy Judge
Date Signed: March 22, 2018**

The Order of the Court is set forth below. The docket reflects the date entered.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE:

EDWARD DEWAYNE THOMAS,

CASE NO. 17-03558-NPO

DEBTOR.

CHAPTER 13

**ORDER SUSTAINING IN PART
AND OVERRULING IN PART TRUSTEE'S OBJECTION TO CONFIRMATION**

This matter came before the Court for hearing on December 18, 2017 (the "Hearing"), on the Trustee's Objection to Confirmation (the "Trustee's Objection") (Dkt. 21) filed by the chapter 13 trustee, Harold J. Barkley, Jr. (the "Trustee"), and the Response of Edward Dewayne Thomas to Trustee's Objection to Confirmation (the "Debtor's Response") (Dkt. 27) filed by the debtor, Edward Dewayne Thomas (the "Debtor"), in the above-styled bankruptcy case (the "Bankruptcy Case"). At the Hearing, Justin Jones appeared on behalf of the Trustee and Henry Tobias Coleman appeared on behalf of the Debtor. During the Hearing, the Debtor introduced into evidence two (2) exhibits. At the close of the Hearing, the Court instructed the Trustee to respond to the Debtor's Response and submit any relevant authority supporting his argument by January 2, 2018. The Debtor then had fourteen (14) days after the Trustee's filing to submit a response. Both pleadings were filed as required. (Dkt. 32 & 33). After fully considering the matter, the Court finds as follows:

Jurisdiction

The Court has jurisdiction over the parties to and the subject matter of this proceeding pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A) and (L). Notice of the Hearing was proper under the circumstances.

Facts

1. The Debtor filed a voluntary petition for relief pursuant to chapter 13 of the U.S. Bankruptcy Code (the “Code”) (Dkt. 1) on September 28, 2017. On that same day, the Debtor also filed the Chapter 13 Plan (the “Plan”) (Dkt. 2), the Matrix (Dkt. 3), the Schedules and Statements (Dkt. 4), the Official Form 122C-1 Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period (the “Statement of Current Monthly Income”) (Dkt. 6), and the Official Form 122C-2 Chapter 13 Calculation of Your Disposable Income (the “Means Test”) (Dkt. 7).

2. On the Statement of Current Monthly Income, the Debtor listed three (3) people as members of his household. The median family income for a household of three (3) people in Mississippi is \$50,614.00.¹ The Debtor’s annual income is \$81,207.72. Accordingly, the Debtor is an above-median income debtor. (Dkt. 6).

3. On the Means Test, the Debtor listed a total vehicle operation expense for two (2) vehicles of \$430.00 per month, in accordance with the Internal Revenue Service National Standards and Local Standards (the “IRS Guidelines”) tables for the South Region. Additionally, the Debtor listed a vehicle ownership or lease expense for a 2017 Nissan Altima in the amount of \$485.00 per month and a vehicle ownership or lease expense for a 2017 Nissan Pathfinder in the

¹ See U.S. Trustee Program, *Means Testing Information*, U.S. DEPT. OF JUSTICE (Mar. 14, 2018), https://www.justice.gov/ust/eo/bapcpa/20170501/bci_data/median_income_table.htm.

amount of \$485.00 per month. Further, the Debtor listed court-ordered support payments in the amount of \$597.58, continuing charitable contributions in the amount of \$40.89, and total qualified retirement deductions in the amount of \$175.08. (Dkt. 7 at 3-7).

4. With respect to the “Change in Income or Expenses” portion of the Means Test, the Debtor indicated two changes in income or expenses: (1) the Debtor’s tax withholdings “are expected to increase by \$640 monthly;” and (2) the Debtor’s domestic support obligation is set to increase by \$164.88 monthly “for the next 60 months.” (Dkt. 7 at 7).

5. The Debtor’s Means Test lists a total monthly disposable income of \$509.76. (Dkt. 7 at 7).

6. On Official Form 106I (“Schedule I”) (Dkt. 4 at 24-25), the Debtor listed payroll deductions for a 401(k) loan in the amount of \$158.38 per month, vehicle lease payments in the amount of \$536.55 per month, and an automotive insurance expense in the amount of \$475.80 per month.

7. On Official Form 106J (“Schedule J”) (Dkt. 4 at 26-28), the Debtor listed a direct payment of alimony, maintenance, and support of \$200.00 per month and a cigarette expense of \$45.00 per month. The Debtor did not list an expense for charitable contributions and religious donations. Schedule J lists the Debtor’s monthly net income in the amount of \$710.80.

8. In the Plan, the Debtor proposes to pay to the Trustee \$67.00 per week, which includes a priority claim of the Internal Revenue Service in the amount of \$11,944.39 and a payment of attorney’s fees in the amount of \$3,400.00. The Plan proposes to pay nothing to the general unsecured creditors whose scheduled claims amount to \$19,285.00 and nothing toward the Debtor’s nondischargeable student loan obligation of \$43,742.00. Additionally, the Plan shows that the Debtor will pay through payroll deduction an ongoing domestic support obligation in the

amount of \$563.30 per month, a pre-petition arrearage on the domestic support obligation in the amount of \$6,137.62, and a 401(k) loan in the amount of \$2,025.82. (Dkt. 2).

9. On November 13, 2017, the Trustee filed the Trustee's Objection alleging that the Plan fails to contribute the Debtor's full disposable income to the Plan. More specifically, the Trustee asserted that while the Means Test shows that the Debtor can contribute \$509.76 per month to unsecured creditors, Schedule J shows that the Debtor's monthly net income is \$710.80. Additionally, the Trustee alleged that the Debtor's 401(k) loan repayment will end during the plan period; the Debtor is proposing to pay for two leased vehicles through a payroll deduction for his use and the use of his non-filing girlfriend, who has no income; and the Debtor lists a monthly expense for cigarettes on Schedule J that is not reasonably necessary. The Trustee further alleged that the Debtor did not file the Plan in good faith.

10. On December 17, 2017, the Debtor filed the Debtor's Response asserting that the Trustee cannot look beyond the Means Test when determining the disposable income for an above-median income debtor.

11. At the Hearing, the Debtor argued that the Trustee is limited to the Means Test when determining the disposable income for an above-median income debtor and that expenses on Schedule I and Schedule J need not be reasonably necessary. Additionally, the Debtor argued that his disposable income on the Means Test should be lowered because of his increased income tax withholding and domestic support obligation. The Debtor also argued that the Court should follow the "economic unit approach" in determining the Debtor's household size before it assesses the Debtor's disposable income. The Debtor testified that he rents a house that he shares with his girlfriend of three years and their two year-old child. The Debtor provides his girlfriend with a vehicle so she can take their child to and from daycare and care for her sick father who lives

twenty-five (25) miles from their house. In response, the Trustee requested an opportunity to brief the issue of how to determine disposable income for an above-median income debtor.

12. On December 29, 2017, the Trustee filed the Trustee’s Memorandum Brief (the “Trustee’s Brief”) (Dkt. 32).

13. On January 4, 2018, the Debtor filed the Response of Edward Dewayne Thomas to Trustee’s Memorandum Brief (the “Debtor’s Brief”) (Dkt. 33).

Discussion

A. The Trustee may look beyond the Means Test to determine the Debtor’s projected disposable income.

Section 1325(b)² provides that a court may approve the debtor’s plan over the trustee’s objection if the plan either provides for payment to unsecured creditors in full or applies all of the “debtor’s projected disposable income . . . to make payments to unsecured creditors for the duration of the plan.” *See* 11 U.S.C. § 1325(b)(1)(A)-(B). The Code does not define “projected disposable income,” but the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (“BAPCPA”) provides guidelines in calculating a debtor’s disposable income. The Supreme Court, in *Hamilton v. Lanning*, 560 U.S. 505, 510 (2010), summarized these guidelines as follows:

“Disposable income” is now defined as “current monthly income received by the debtor” less “amounts reasonably necessary to be expended” for the debtor’s maintenance and support, for qualifying charitable contributions, and for business expenditures. “Current monthly income,” in turn, is calculated by averaging the debtor’s monthly income during what the parties refer to as the 6-month look-back period, which generally consists of the six full months preceding the filing of the bankruptcy petition. The phrase “amounts reasonably necessary to be expended” in § 1325(b)(2) is also newly defined. For a debtor whose income is below the median for his or her State, then the phrase includes the full amount needed for “maintenance or support,” but for a debtor with income that exceeds the state median, only certain specified expenses are included.

² Hereinafter, all code sections refer to the Code found at Title 11 of the United States Code, unless otherwise noted.

Id. (internal citations omitted). Since the Debtor is an above-median income debtor, the Court focuses its analysis on the appropriate method to determine “projected disposable income” for an above-median income debtor.

An above-median income debtor determines his or her “disposable income” by using a formula commonly referred to as the “means test,” which can be found on a debtor’s Official Form 122C-2. *See id.* at 510 n.2; 11 U.S.C. § 707(b)(2). Indeed, “the means test identifies which expenses qualify as ‘amounts reasonably necessary to be expended’ . . . [by directing the debtor] to claim allowances for defined living expenses, as well as for secured and priority debt.” *Ransom v. FIA Card Servs., N.A.*, 562 U.S. 61, 65 (2011). More specifically, § 707(b)(2) provides that “[t]he debtor’s monthly expenses shall be the debtor’s applicable monthly expense amounts specified under the National Standards and Local Standards, and the debtor’s actual monthly expenses for the categories specified as Other Necessary Expenses issued by the Internal Revenue Service for the area in which the debtor resides.” 11 U.S.C. § 707(b)(2)(A)(ii)(I). The means test “supplants the pre-BAPCPA practice of calculating debtors’ reasonable expenses on a case-by-case basis, which led to varying and often inconsistent determinations.” *Ransom*, 562 U.S. at 65.

With respect to above-median income debtors, the Supreme Court has adopted a “forward-looking approach.” *Lanning*, 560 U.S. at 519. A forward-looking approach instructs a court to “begin by calculating disposable income, and in most cases, nothing more is required.” *Id.* While a strict adherence to the means test is the standard, “a [forward-looking] court may go further and take into account other known or virtually certain information about the debtor’s future income or expenses.” *Id.* When the trustee points to changes in the debtor’s financial condition that are known or virtually certain, “[t]he court may exercise its discretion to deviate from the statutory formula.” *In re Smith*, 549 B.R. 188, 193 (Bankr. N.D. Miss. 2016).

In the Bankruptcy Case, the parties agree that the Debtor's tax withholdings "are expected to increase by \$640 monthly" and the Debtor's domestic support obligation is set to increase by \$164.88 monthly "for the next 60 months." (Dkt. 7 at 7). The parties further agree that the Debtor's 401(k) loan with a monthly payment of \$158.38 is set to end in October 2018. (Dkt. 4 at 24-25; Dkt. 32 at 4; Dkt. 33 at 1). Additionally, in the Trustee's Brief, the Trustee asserted that the Debtor's "monthly vehicle surcharge of \$216.00 will end in January 2018."³ (Dkt. 32 at 4). Thus, the Court finds that these events will occur during the life of the Plan and affect the income or expense side of the disposable income calculation. As a result, the Court further finds that the Plan does not accurately reflect the Debtor's "projected disposable income."⁴ See *Nowlin v. Peake*

³ In the Trustee's Brief, the Trustee asserted that the Debtor's disposable income would be affected by "the monthly vehicle surcharge of \$216.00 [set to] end in January 2018." The Trustee further asserted that "[t]he vehicle surcharge was not originally included in the Debtor's Means Test," but the Debtor testified at the Hearing that he no longer would incur a surcharge on his vehicle after the third week of January 2018. (Dkt. 32). In response, the Debtor asserted in the Debtor's Brief "that the temporary vehicle surcharge for mileage complained of by Trustee is already accounted for by the IRS standards used on 122C-2 and that no adjustment needs to be made to those figures for debtor's temporary increase in automobile expenses." (Dkt. 33 at 4 n.5). The IRS Guidelines define "operating costs" to include "maintenance, repairs, insurance, fuel, registrations, licenses, inspections, parking and tolls." INTERNAL REVENUE SERVICE, LOCAL STANDARDS: TRANSPORTATION (2017). Accordingly, the Court finds that the IRS Guidelines do not account for leased vehicle surcharges.

⁴ In the Trustee's Objection, the Trustee asserted that the Debtor's \$45.00 cigarette expense listed on Schedule J "is not necessary and an increased amount should be paid to unsecured creditors." (Dkt. 21). The Debtor did not list an expense for cigarettes on the Means Test. Additionally, in the Trustee's Brief, the Trustee asserted that "the \$40.89 for [c]ontinuing charitable contributions should not be allowed as Debtor did not include said payment on his Schedule J." (Dkt. 32 at 4). The Debtor included an expense for charitable contributions on the Means Test. Further, at the Hearing, the Debtor introduced into evidence various paystubs dating back to July 2017, which reflect the Debtor's weekly contribution of \$9.62 to United Way. (Exs. 1 & 2). As previously noted, "[T]he means test identifies which expenses qualify as 'amounts reasonably necessary to be expended' for above-median income debtors. *Ransom*, 562 U.S. at 65. "Something out of the ordinary is required for a court to exercise its discretion to deviate from the statutorily-defined disposable income figure, even when the results of the means test do not line up exactly with a debtor's current financial information." *In re Smith*, 549 B.R. at 194. Thus, the Court finds that "absent evidence of a *substantial change* in the debtor's financial situation," the

(*In re Nowlin*), 576 F.3d 258, 267 (5th Cir. 2009) (holding that courts may consider future events reasonably certain to occur) (“Because Nowlin’s proposed plan did not include all of her ‘projected disposable income’ in payments to creditors following the repayment of her 401(k) loan, which was reasonably certain to occur on or before the twenty-fourth month of her sixty-month plan, the bankruptcy court properly denied confirmation under § 1325(b)(1).”). Accordingly, the Debtor’s disposable income should be amended by subtracting \$640.00 for the Debtor’s increased tax withholdings⁵ and \$164.88 for the Debtor’s increased domestic support obligation. Additionally, the Debtor’s disposable income should be further amended by adding \$216.00 for the cessation of the Debtor’s vehicle surcharge payments and \$158.38, beginning in November 2018, for the completion of the Debtor’s 401(k) loan payments.⁶

Means Test controls the Debtor’s disposable income. *See id.* (finding that “evidence of a substantial change requires more than pointing out inconsistencies between figures in the schedules and the means test”). Accordingly, the Debtor’s disposable income does not need to be adjusted with respect to expenses for cigarettes and charitable contributions.

⁵ In the Debtor’s Brief, the Debtor asserted that the current rate of federal income tax withholding will yield a withholding amount that is higher than \$640.00 per month. (Dkt. 33). In support of this assertion, the Debtor provides the Court with two methods to determine the withholding amount. Since each method results in a different amount, the Court declines to determine the withholding amount for the parties. To the extent the Debtor’s income tax withholding is higher than the stipulated amount of \$640.00 per month, the parties should determine the new amount and subtract it from the Debtor’s disposable income.

⁶ In the Debtor’s Response, the Debtor asserted that the Debtor’s disposable income “should be adjusted further downward for trustee’s fees inadvertently omitted from Schedule 122C-2, line 36.” (Dkt. 27). The Debtor “submitted that the amount of this additional deduction based on the claimed amount of priority unsecured [claims] is [\$]24.86 based on a plan payment of \$314.69.” (*Id.*) To the extent the Debtor’s disposable income does not account for the Trustee’s fees, the parties should determine the proper amount and subtract it from the Debtor’s disposable income.

B. The Debtor may include the vehicle operation expense and the vehicle ownership or lease expense for the second vehicle in his household when determining his disposable income.

On the Means Test, the Debtor, in accordance with the IRS Guidelines tables for the South Region, listed a total vehicle operation expense for two vehicles of \$430.00. Additionally, the Debtor listed a vehicle ownership or lease expense for a 2017 Nissan Altima in the amount of \$485.00 and a vehicle ownership or lease expense for a 2017 Nissan Pathfinder in the amount of \$485.00. (Dkt. 7 at 3). At the Hearing, the Trustee argued that the second leased vehicle for the Debtor's girlfriend is not reasonably necessary.⁷ In response, the Debtor urged the Court to follow the decision of the Fourth Circuit Court of Appeals in *Johnson v. Zimmer*, 686 F.3d 224 (4th Cir. 2012), in which the Circuit Court followed the majority of courts and adopted the "economic unit" approach to determine a debtor's household size. *Johnson*, 686 F.3d at 236-38. Under the economic unit approach, "a debtor's 'household' would include individuals who operate as an 'economic unit' with the debtor: those the debtor financially supports and those who financially support the debtor." *Id.* at 237. Because the Debtor, his girlfriend, and their child operate as an economic unit and are a household of three members, the Debtor argued that he "has properly claimed operating and ownership expenses for the two leased vehicles on [the Means Test]." (Dkt. 33 at 4). Since the Code does not define "household" and neither the Supreme Court of the United States nor the Fifth Circuit Court of Appeals has determined the method a debtor should use when determining the size of his or her household, the Court finds *Johnson* persuasive and joins the majority of courts in adopting the economic unit approach for the reasons set forth below.

⁷ The Trustee did not object to the make, model, or year of the vehicles the Debtor leases but, rather, argued that a second vehicle is not reasonably necessary. (Dkt. 32).

While the Trustee did not object to the Debtor's household size calculation, "[a] debtor's 'household' size is relevant to determining how to calculate certain parts of the debtor's 'amounts reasonably necessary to be expended.'" *Johnson*, 686 F.3d at 231 (quoting 11 U.S.C. § 1325(b)(3)). As noted, an above-median income debtor determines his or her "amounts reasonably necessary to be expended" in accordance with the IRS Guidelines. Thus, whether it is reasonable for a debtor to claim the costs of more than one vehicle depends on the size of his or her household. Courts have adopted three different approaches to determine the appropriate size of a debtor's household: (1) the "heads-on-beds" approach, (2) the Internal Revenue Manual's "income tax dependent" approach, and (3) the "economic unit" approach. *Johnson*, 686 F.3d at 226-27. The Court will consider each approach in turn.

The heads-on-beds approach is the most inclusive of the three models. Under this approach, any individual residing with the debtor, related or not related, would be included in the calculation of the debtor's median family income and, in turn, affect the debtor's disposable income even if the debtor did not financially support the individual. *See id.* at 236; *In re Jewell*, 365 B.R. 796, 800 (Bankr. S.D. Ohio 2007). Debtors calculate their disposable income so courts can ensure "that debtors pay the amount they can reasonably afford to pay to creditors." *Johnson*, 686 F.3d at 236. Thus, "[i]t makes little sense to allow debtors to broadly define their 'households' so as to include individuals who have no actual financial impact on the debtor's expenses." *Id.*

Swinging the pendulum the other way, the income tax dependent approach is the least inclusive of the three models. Under this approach, a debtor's household includes only those individuals the debtor includes as dependents on his or her income tax return filings. *See id.* at 238. Accordingly, "this approach would not permit a debtor to include minor children who live with the debtor, but whom by formal or informal agreement the debtor does not claim on his or

her tax return.” *Id.* at 239. Additionally, this approach would not permit “a debtor to claim as a member of his or her ‘household’ step-children, a cohabiting fiancé, live-in elderly parents, and the like.” *Id.* Thus, the income tax dependent approach “poses an unnecessary risk of skewing the [disposable income] calculation by ‘undercounting legitimate deductions due to a debtor who financially provides for individuals he or she does not claim as dependents’ on his or her tax return.” *Id.* (quoting *In re Robinson*, 449 B.R. 473, 481 (Bankr. E.D. Va. 2011)).

Finally, the economic unit approach offers a flexible alternative to its over-inclusive and under-inclusive counterparts. Under the economic unit approach, a court is able to examine the “financial interdependence” of individuals “to determine whether someone is an economic part of the debtor’s household.” *Johnson*, 686 F.3d at 237. Importantly, this approach “recognizes that a debtor’s ‘household’ may include non-family members and individuals who could not be claimed as dependents on the debtor’s federal income tax return, but who nonetheless directly impact the debtor’s financial situation.” *Id.* Thus, the economic unit approach provides an avenue that is able to accurately account for various family structures while simultaneously remaining consistent with § 1325(b)(2). As the Circuit Court noted in *Johnson*, the Code defines a debtor’s “current monthly income” as “the average monthly income from *all sources* that the debtor receives.” 11 U.S.C. § 101(10A) (emphasis added); *see Johnson*, 686 F.3d at 237. “Since the ‘plus’ side of the current monthly income part of the equation would include financial contributions from various outside sources, it is also logical to include in the amount deducted therefrom the financial liability of the debtor for the members of the debtor’s ‘household’ on the opposing side of the equation.” *Johnson*, 686 F.3d at 237. Accordingly, the Court follows *Johnson* and the majority of courts and adopts

the economic unit approach to determine the appropriate size of a debtor's household.⁸ The Court now turns to apply the economic unit approach to the facts of the Bankruptcy Case.

At the Hearing, the Debtor testified that he is employed as a maintenance technician at Nissan North American ("Nissan") in Canton, Mississippi and commutes from Vicksburg, Mississippi to work each day.⁹ The Debtor rents a house which he shares with his girlfriend of three years and their two year-old child. The Debtor leases two vehicles, one for himself and one for his girlfriend, from his employer, Nissan. Under the lease arrangement with Nissan, the Debtor will incur financial penalties and be unable to lease another vehicle from Nissan for two years if he returns a vehicle before the end date. The Debtor further testified that he provides his girlfriend with a vehicle so she can take their child to and from daycare and care for her sick father who lives in Tallulah, Louisiana, which is about thirty (30) miles from their house. The child can be dropped off at the daycare at 8:00 a.m. and must be picked up by 6:00 p.m. The Debtor testified that his work schedule does not regularly allow him to accommodate his child's daycare schedule.

After fully considering the matter, the Court finds that the Debtor, the Debtor's girlfriend, and their child operate as an economic unit. As a result, the Debtor properly listed on his Statement of Current Monthly Income that his household contains three individuals. *See In re Morrison*, 443

⁸ The Court's ruling is consistent with the U.S. Trustee Program's method in determining the debtor's household size. While the U.S. Trustee Program follows the income tax dependent approach, it deviates from that model "in cases justifying 'reasonable exceptions' (e.g. a long standing economic unit of unmarried individuals and their children)." U.S. Trustee Program, *Statement of the U.S. Trustee Program's Position on Legal Issues Arising Under the Chapter 13 Disposable Income Test*, U.S. DEPT. OF JUSTICE (Apr. 20, 2010), https://www.justice.gov/sites/default/files/ust/legacy/2015/03/03/chapter13_analysis.pdf.

⁹ Canton, Mississippi is 67.3 miles from Vicksburg, Mississippi. *See* Driving Directions from Vicksburg, MS to Canton, MS, GOOGLE MAPS, <http://maps.google.com> (follow "Directions" hyperlink; then search starting point field for "Vicksburg, MS" and search destination field for "Canton, MS").

B.R. 378, 388 (Bankr. M.D.N.C. 2011) (adopting the economic unit approach to determine that the debtor's household included her cohabiting boyfriend). While the IRS Guidelines provide that "[a] single taxpayer is normally allowed one automobile," the ownership costs set forth in the table "provide the monthly allowances for the lease or purchase of up to two automobiles."¹⁰ The Debtor is then entitled to the allowed operating costs for each automobile. Accordingly, the Debtor appropriately listed on his Means Test \$970.00 in ownership costs for two vehicles and \$430.00 in operating costs for two vehicles in the South Region.

Conclusion

For the above and foregoing reasons, the Court concludes that the Trustee's Objection is sustained to the extent that the Debtor's disposable income should be further amended by adding \$216.00 for the cessation of the Debtor's vehicle surcharge payments and \$158.38, beginning in November 2018, for the completion of the Debtor's 401(k) loan payments. The Trustee's Objection is overruled to the extent that the Court concludes that the Debtor, the Debtor's girlfriend, and their child operate as an economic unit. As a result, the Debtor appropriately listed on his Means Test \$970.00 in ownership costs and \$430.00 in operating costs for two vehicles and filed the Plan in good faith. Additionally, the Debtor's disposable income does not need to be adjusted with respect to expenses for cigarettes and charitable contributions.

The Court further concludes that the Debtor's disposable income should be amended by subtracting at least \$640.00 for the Debtor's increased tax withholdings and \$164.88 for the Debtor's increased domestic support obligation. If the Debtor's disposable income does not account for the Trustee's fees, the parties should determine that amount and subtract it from the

¹⁰ U.S. Trustee Program, *Means Testing Information*, U.S. DEPT. OF JUSTICE (Mar. 14, 2018), <https://www.justice.gov/ust/means-testing>; *see also* INTERNAL REVENUE SERVICE, LOCAL STANDARDS: TRANSPORTATION (2017).

Debtor's disposable income figure. Accordingly, the Court finds that the Trustee's Objection should be sustained in part and overruled in part in accordance with this Order.

IT IS, THEREFORE, ORDERED that the Trustee's Objection is hereby sustained in part and overruled in part.

##END OF ORDER##