

UNITED STATES OF AMERICA
BANKRUPTCY COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

In re Mark Miljevich,

Debtor

MARK MILJEVICH,

Plaintiff

Case No. 11-90624-jdg

Adversary No.

Chapter 7

Vs

SALLIE MAE
POB 9532
WILKES BARRE PA 18773-9532

And

THE STUEND LOAN CORPORATION
CO CITIBANK SOUTH DAKOTA
POB 688965
DES MOINES IA 50368-8965,

Defendants

COMPLAINT TO DETERMINE DISCHARGEABILITY OF STUDENT LOANS

Plaintiff-Debtor, by and through his attorney, Rudolph F. Perhalla, complains against the above named Creditors, and requests a discharge, in full or part, of that debt. In support of this, Debtor states as follows:

1. That this is a complaint to determine the dischargeability of certain indebtedness owing to Defendants by the Plaintiff.
2. That this court has jurisdiction to entertain this adversary proceeding pursuant to federal law. This is a core proceeding.
3. That Mark Miljevich is the debtor residing in Gogebic County, Michigan.
4. That the Defendants are corporations doing business in the State of Michigan.
5. That the Debtor obtained from the Creditors educational loans made, issued, or guaranteed by a governmental unit, or made under a program funded in whole or in part by a governmental unit or a nonprofit institution, as defined in 11 USC 423.
6. That these debts became due within the required time before the filing of the Petition.
7. That excepting these debts from discharge will impose an undue hardship on the Debtor.
 - A. That at the time of filing his Petition, the approximate amount due and owing Sallie Mae was \$20,838.76.
 - B. That at the time of filing his Petition, the approximate amount due and owing The Student Loan Corporation/Citibank South Dakota was \$133,885.08.
 - C. That these loans were used to obtain a bachelor's degree.
 - D. That these loans were further obtained based upon the cosigning of Debtor's deceased father. Upon information and belief, had Debtor's father not cosigned, the Debtor would not have been able to obtain the loans.
 - E. That the Debtor has been unable to secure a job with his degree.

Wherefore, the Plaintiff/Debtor respectfully requests that this Honorable Court will discharge the Debt in whole or in part.

Dated: 2/2/12

/s/ Rudolph F. Perhalla

Rudolph F. Perhalla
Attorney for Debtor/Plaintiff
1441 E. Cloverland Dr.
Ironwood, MI 49938
(906) 932-4494

From Article at GetDebt.org