

Wade F. Waldrip ABN 11756
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Attorney for the Debtor

UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA

In re:) Case No. 05-14971-PHX-RJH
)
MICHAEL T. HERZOG,)
) Chapter 13 Proceedings
)
Debtor.) NOTICE OF NON-APPEARANCE
_____)

Notice is hereby given that Wade F. Waldrip ("Waldrip"), former counsel to the Debtor herein, will not enter an appearance relative to the upcoming hearing on the Trustee's request for clarification. The subject hearing is currently scheduled for March 22, 2007, at 11:00 a.m.

Pursuant to Local Rule 2083-8, Waldrip has a continuing duty to represent the Debtor until the occurrence of the earlier of (a) dismissal of Debtor's case, (b) discharge of the Debtor, or (c) entry of an order allowing withdrawal. Debtor's case was previously dismissed; furthermore, the motion that prompted the Trustee's request for clarification was filed post-dismissal by the Debtor *pro per*. Accordingly, Waldrip's duty to represent the Debtor terminated with the dismissal of the Debtor's case.

Respectfully submitted this 7th day of March, 2007.

/s/ Wade F. Waldrip
Former Attorney for Debtor

Copy of the foregoing mailed this
7th day of March, 2007, to:

Russell A. Brown, Trustee
P.O. Box 33970
Phoenix AZ 85067-3970

Michael J. Herzog
7119 E. Shea Blvd., Ste. 109-275
Scottsdale AZ 85254
Debtor

Eliz. Amorosi
Office of the United States Trustee
230 N. 1st Avenue, Ste. 204
Phoenix AZ 85003-1706

Robt. Hall
Office of the Attorney General
1275 W. Washington St.
Phoenix AZ 85007-2926

/s/ Chris J. Smith