UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA

In re CORA SMITH RICHARDSON, Debtor.	)	CASE NO. 04-10019-BKC-RAM CHAPTER 13
MIGUEL A. CARRASCO, trustee Plaintiff, vs. CORA SMITH RICHARDSON and ANDREW CARDELL RICHARDSON, Defendants.	)	ADV. NO. 04-1043-BKC-RAM-A

Based upon (1) the clear language in §544, granting authority only to the trustee; (2) the absence of any statute granting that authority to debtors; (3) the majority of cases on point concluding that Chapter 13 debtors lack standing under §544; and (4) the guidance of the Supreme Court in Hartford Underwriters, this Court concludes that Chapter 13 debtors lack standing to utilize the avoidance and recovery powers of a trustee under section 544(b).