

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

IN RE:

PETER N. SOTIS,

Debtor.

Case No. 9:14-bk-03933-FMD

Chapter 7

PHYLLIS DELELLO,

Plaintiff,

-vs-

Adv. Pro. No.

PETER N. SOTIS,

Defendant.

**COMPLAINT TO DETERMINE DISCHARGEABILITY
OF DEBT PURSUANT TO 11 USC SECTION 523(a)(2)(A)**

COMES NOW, the Plaintiff, PHYLLIS DELELLO, by and through the undersigned attorneys and sues the Defendant, PETER N. SOTIS, and alleges:

1. This is an adversary proceeding to determine the dischargeability of a debt pursuant to 11 USC §523(a)(2)(A).
2. The Court has jurisdiction over this adversary proceeding pursuant to 11 USC §1334, 28 USC §157 and 11 USC §523(a)(2)(A).
3. This a core proceeding under Title 28 USC §157(b)(2)(I), and Bankruptcy Rule 7008(a).
4. On April 9, 2014, Defendant, PETER N. SOTIS, filed a Voluntary Petition for relief under Chapter 7 of the Bankruptcy Code.

5. Plaintiff is a creditor of the Defendant.

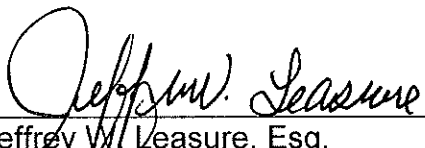
6. Defendant owes the Plaintiff the sum of \$51,093.71 on a debt incurred by actual fraud pursuant to 11 USC §523(a)(2)(A).

7. On or about February, 2012 to December, 2013, the Defendant incurred charges on four (4) of the Plaintiff's credit cards, but had no intention of repaying either the Plaintiff or the credit card companies.

8. The debt of the Defendant to Plaintiffs is nondischargeable pursuant to 11 USC §523(a)(2)(A) of the Bankruptcy Code.

WHEREFORE, the Plaintiff demands judgment determining that the debt owed by the Plaintiff to the Defendant is nondischargeable pursuant to 11 USC §523(a)(2)(A), the costs incurred in this action, and for such other and further relief as this Honorable Court may deem just and proper.

DATED this 27th day of August, 2014.



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