

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:)	
)	
TERRELL LEIGH VAUSE,)	Bankruptcy No. 25-21229-JAD
)	
Debtor.)	Chapter 7
x		
)	Related to ECF 18
LAW OFFICES OF)	
WALTER A. BERNARD,)	
)	
Objector,)	
)	
-V-)	
)	
TERRELL LEIGH VAUSE,)	
)	
Respondent.)	
x		

FILED
9/15/25 5:38 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

MEMORANDUM ORDER OVERRULING OBJECTION

The matter before the Court is the Objection of Law Offices of Walter A. Bernard (the “Objector”) to the Debtor’s claimed exemption in real property located at 35 Thomas Street, Pittsburgh, Pennsylvania.

The Objector challenges the Debtor’s valuation of the property as reflected in the bankruptcy schedules. Specifically, Objector contends that the property is worth significantly more than what the Debtor scheduled, and therefore asserts that the exemption claimed by the Debtor should be limited accordingly.

The issue framed by the pleadings, however, is much narrower. The only legal question presented in an objection under 11 U.S.C. § 522 and Fed. R. Bankr. P. 4003(b) is whether the amount of the exemption claimed by the Debtor exceeds what is permissible under law. The answer to that question is straightforward: it does not.

Here, the Debtor claimed a homestead exemption of \$21,250 on Schedule C. The statutory maximum permitted under 11 U.S.C. § 522(d)(1), as adjusted

on the petition date, is \$31,575. Thus, the exemption claimed is below the statutory cap.

While the Objector disputes the Debtor's valuation of the underlying asset, the Court does not decide that issue either positively or negatively in the context of this objection. Even if the Objector's allegations of undervaluation are correct, that fact is irrelevant to the dispute presently before the Court. The Objector admits that the statutory maximum exemption is greater than the amount claimed. Accordingly, the exemption, as claimed, is proper.

For purposes of clarity, the Court will not infer or assume that the Debtor seeks an exemption in excess of the \$21,250 actually listed on Schedule C.¹ As the Supreme Court made clear in *Schwab v. Reilly*, 560 U.S. 770 (2010), a debtor's Schedule C fixes the exemption at the amount stated, and the Court is not to guess, infer, or act as clairvoyant as to a larger exemption not actually taken.

Accordingly, it is hereby ORDERED, ADJUDGED, and DECREED that:

1. The Objection to Exemption is OVERRULED, and the hearing scheduled on this matter is CANCELLED as the Court considered all the arguments presented and finds no hearing is warranted because the relevant material facts are not in dispute.
2. The Debtor's claim of exemption in the amount of \$21,250 under 11 U.S.C. § 522(d)(1) is ALLOWED.
3. This ruling is limited to the exemption as claimed. Issues concerning the valuation of the property or the existence of non-exempt equity are not before the Court and remain matters for administration by the Chapter 7 trustee consistent with the Bankruptcy Code.
4. This ruling is also limited to the Debtor's exemption as presently claimed in the amount of \$21,250. Nothing herein shall prejudice the Debtor's right to amend Schedule C pursuant to Fed. R. Bankr. P. 1009(a), nor shall it prejudice the right of any party in interest to object to any such amended exemption pursuant to Fed. R. Bankr. P. 4003(b)

SO ORDERED, this 15th day of September, 2025.



The Honorable Jeffrey A. Deiler jsf
United States Bankruptcy Judge

¹ Schedule C permits a debtor to check a box claiming as exempt "100% of fair market value, up to any applicable statutory limit." In the instant case, the Debtor did not check this box or claim such increased amount.