

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF  
MINNESOTA

**In re William Shocinski**

In re Shocinski · No. 26-31371 · Decided April 28, 2026

SUMMARY

The United States Bankruptcy Court for the District of Minnesota dismissed William Shocinski’s Chapter 11 case after determining that the filing contained only the list of the 20 largest unsecured claims and not a valid bankruptcy petition. The court held that the case filing was void ab initio because the statutory and procedural requirements for commencing a voluntary bankruptcy case were not met.

CASE DETAILS

|                       |                                                                                                                                                  |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States Bankruptcy Court for the District of Minnesota                                                                                     |
| WRITING FOR THE COURT | Katherine A. Constantine                                                                                                                         |
| JURISDICTION          | United States Bankruptcy Court for the District of Minnesota                                                                                     |
| DECIDED               | April 28, 2026                                                                                                                                   |
| DOCKET                | 26-31371                                                                                                                                         |
| DISPOSITION           | dismissed                                                                                                                                        |
| PROCEDURAL POSTURE    | The bankruptcy court acted on its own initiative to determine whether the filing commenced a bankruptcy case and whether dismissal was required. |
| STANDARD OF REVIEW    | The court reviewed the filing and record on its own initiative; no deferential appellate standard was applied.                                   |
| PRECEDENTIAL VALUE    | Unknown; bankruptcy court order with no reported citation.                                                                                       |

TOPICS

- chapter 11
- bankruptcy
- pleadings
- civil procedure

PRACTICE AREAS

- Bankruptcy

QUESTIONS PRESENTED

1. Whether filing a document other than a bankruptcy petition commences a voluntary bankruptcy case.
2. Whether the purported Chapter 11 case should be dismissed when the filed document does not satisfy the statutory and procedural requirements for a petition.

#### HOLDINGS

1. A voluntary bankruptcy case is commenced only by filing a petition with the bankruptcy court; filing a creditor list or other document in place of the petition does not commence the case.
2. When the filing does not satisfy the requirements for a bankruptcy petition, the purported bankruptcy filing is void ab initio and the case must be dismissed.

#### KEY QUOTATIONS

*“Although this case was commenced and a case number was assigned, the Debtor did not meet the requirements to file this case and the filing is considered void ab initio.”*

*“the petition and only the petition commences a bankruptcy case”*

#### FACTUAL BACKGROUND

The debtor's filing was labeled on the docket as a Chapter 11 voluntary petition for individuals but was actually Official Form 104, the list of creditors holding the 20 largest unsecured claims. No bankruptcy petition was filed, and the document did not satisfy multiple requirements governing the contents of a petition. The debtor also did not use Official Form 101, the required voluntary petition form for individuals.

#### PROCEDURAL HISTORY

On April 27, 2026, Attorney Yury Suponitsky initiated a purported individual Chapter 11 case by filing through CM/ECF a document identified as a voluntary petition. The filed document was actually the list of creditors holding the 20 largest unsecured claims, and no petition or other documents had been filed as of the order. The court determined that no bankruptcy case had validly commenced because the required petition was absent and dismissed the case.

#### DISPOSITION

dismissed

#### CASES CITED

- In re Ryan, 10-83346, 2010 WL 4608277, at \*1 (Bankr. C.D. Ill. Nov. 4, 2010)
- In re Deuel, 594 F.3d 1073, 1077 (9th Cir. 2010)
- In re Castro, 158 B.R. 180, 183 (Bankr. C.D. Cal. 1993)