

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-2100

In Re: JOHN LELAND STEIGER,

Debtor.

JOHN LELAND STEIGER,

Plaintiff - Appellee,

versus

EDUCATIONAL CREDIT MANAGEMENT CORPORATION,

Defendant - Appellant.

No. 05-2107

In Re: JOHN LELAND STEIGER,

Debtor.

JOHN LELAND STEIGER,

Plaintiff - Appellant,

versus

EDUCATIONAL CREDIT MANAGEMENT CORPORATION;
HELP SERVICE GROUP, INCORPORATED,

Defendants - Appellees.

Appeals from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, Senior District Judge. (CA-05-689-CMH; CA-05-690-CMH; BK-04-1286-RGM; AP-04-13336)

Submitted: August 31, 2006

Decided: March 9, 2007

Before TRAXLER, KING, and DUNCAN, Circuit Judges.

Reversed by unpublished per curiam opinion.

John Leland Steiger, Appellant/Appellee Pro Se. Troy A. Gunderman, EDUCATIONAL CREDIT MANAGEMENT CORPORATION, St. Paul, Minnesota; Rand Lewis Gelber, Vienna, Virginia, for Educational Credit Management Corporation. Thomas Kass Berger, Reston, Virginia, for HELP Service Group, Incorporated.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Educational Credit Management Corp. ("ECMC") and John Steiger each appeal from the district court's order granting a partial discharge of Steiger's student loans held by ECMC. In light of this court's opinion in In re Frushour, 433 F.3d 393 (4th Cir. 2005), decided after the district court's decision in this case, we reverse. Applying Frushour, we find that Steiger has not met the undue hardship standard for discharge of a student loan debt pursuant to 11 U.S.C. § 523(a)(8) (2000). We grant Steiger's motion to consolidate appeals No. 05-2100 and No. 05-2107, but deny his motion to consolidate these two appeals with appeal Nos. 05-2104 and 05-2106, which were previously dismissed. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

REVERSED