

BANKRUPTCY ^{UP}DATE

February 4, 2026

If someone else would like to receive these ^{UP}dates, please send an e-mail to Shan_Stroup@sdb.uscourts.gov.

LKA Decision

You can use the link in the "Links" section below to view the following decision:

In re Ainsworth

Issue: Whether the debtors were entitled to claim exempt under S.D.C.L. §43-45-4 wages garnished in the 90 days before their bankruptcy petition was filed?

Ruling: Yes. S.D.C.L. §43-45-14 was amended in 2007 to allow debtors to claim exempt earned but unpaid garnished wages if they fit within the exemption limits of S.D.C.L. §43-45-4 and are recoverable for the bankruptcy estate as a preferential transfer under 11 U.S.C. §547.

Links

[*In re Ainsworth*](#)

[Previous Bankruptcy ^{UP}dates](#)

As always, should you have questions regarding this ^{UP}date or anything else concerning your dealings with the Court or the Clerk's office, please let us know.