

Motion to Dismiss from the Chapter 13 Trustee

This motion is usually filed for the following reasons:

1. You have fallen behind on your Chapter 13 plan payments.
2. Your case is running over the maximum 60 month time period (“term problem”).

If the Trustee requires a response, our office will automatically file one on your behalf.

If you have fallen behind on your payments, please complete this form and submit it to our office right away.

If the reason for the motion is for a term problem, you do not need to fill out this form. Please call the office and speak with Mai Theodocion to discuss causes and possible resolutions.

You may also speak with Mai about converting your case to a Chapter 7.

I, _____, case number _____, received a Motion to Dismiss.

The court hearing is scheduled for: _____.

I understand that the Trustee needs to know the reason for the delinquency and if I plan to continue my Chapter 13 case. Explanation:

Furthermore, if you would like to remain in your case, please explain below how you will make future plan payments and bring your case current:

I understand that my case is my responsibility and that I need to call the office three to five business days before the scheduled hearing to confirm receipt of this form and to find out if I need to attend the Court hearing to defend my case.

Debtor: _____ Date: _____

Joint Debtor: _____ Date: _____

(Please send this form to Mai Theodocion either via USPS, fax, or email)