

<b>UNITED STATES BANKRUPTCY COURT</b> SOUTHERN DISTRICT OF CALIFORNIA 325 West "F" Street, San Diego, California 92101-6991	
In Re	BANKRUPTCY NO.
Debtor.	
Moving Party	RS NO.
Respondent(s)	Hearing Date: Hearing Time:

**REQUEST FOR HEARING ON MOTION FOR RELIEF FROM AUTOMATIC STAY AND NOTICE OF HEARING**

TO:<sup>1</sup>

**YOU ARE NOTIFIED** that \_\_\_\_\_, a party in interest, objects to the above-entitled Motion for Relief from Automatic Stay. Respondent is [check one]:

- Debtor                       United States Trustee                       Trustee  
 Creditor                       Other (specify): \_\_\_\_\_

According to the Moving Party's Notice of Filing a Motion for Relief from Automatic Stay, the last date for filing and serving this Request is \_\_\_\_\_.<sup>2</sup>

**YOU ARE FURTHER NOTIFIED** that a hearing will be held to consider and act upon the Motion in Dept. No. \_\_\_\_\_, Room \_\_\_\_\_, Jacob Weinberger United States Courthouse, 325 West "F" Street, San Diego, California 92101-6991, on \_\_\_\_\_, at \_\_\_\_\_m.

DATED: \_\_\_\_\_

\_\_\_\_\_  
(Typed Name and Signature)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State, ZIP Code)

- Attorney for Respondent  
 Respondent

<sup>1</sup>Local Bankruptcy Rule 4001-3, printed on the reverse, governs service of this Notice.

<sup>2</sup>Date is calculated as the 11th day after the day of service of the Notice of Motion, as indicated in the Certification of Service that accompanies that Notice. If you were served electronically or by mail, the date is calculated as the 14th day after the day of service. If you were served electronically or by mail, you have three (3) additional days to take the above-stated actions or as calculated by Fed. R. Bankr. P. 9006(f).

**ALL PLEADINGS RELATED TO THIS PARTICULAR RS ACTION MUST CONTAIN THE ABOVE CAPTION**

**LOCAL BANKRUPTCY RULE 4001-3**

"(a) Objections to a motion for relief from stay, together with Local Form CSD 1186, REQUEST FOR HEARING ON MOTION FOR RELIEF FROM AUTOMATIC STAY AND NOTICE OF HEARING, shall be served upon the movant, named respondents and the United States Trustee within eleven (11) days from the date of service of the motion for relief from stay and notice. The original and two (2) copies of the pleadings shall be filed with the clerk within the same 11-day period. If the objection relates to real or personal property, the objection shall substantially conform to Local Form CSD 1161, OPPOSITION TO MOTION FOR RELIEF FROM AUTOMATIC STAY (REAL PROPERTY OR PERSONAL PROPERTY).

"(b) Prior to serving the objection, it shall be the duty of the objecting party to obtain from the court a date and time for a hearing on the objections. Such information shall be listed on Local Form CSD 1186, REQUEST FOR HEARING ON MOTION FOR RELIEF FROM AUTOMATIC STAY AND NOTICE OF HEARING, and in the caption of the objection."

**CERTIFICATE OF SERVICE**

I, the undersigned whose address appears below, certify:

That I am, and at all times hereinafter mentioned was, more than 18 years of age;

That on \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I served a true copy of the within REQUEST FOR HEARING ON MOTION FOR RELIEF FROM AUTOMATIC STAY AND NOTICE OF HEARING, together with a copy of the accompanying DECLARATION IN OPPOSITION TO MOTION FOR RELIEF FROM STAY, together with the following pleadings [describe any other papers]:

by [describe here mode of service]:

on the following persons [set forth name and address of each person served] and/or as checked below:

[ ] Attorney for Moving Party:

[ ] Attorney for Debtor (if required):

[ ] For Chpt. 7, 11, & 12 cases:  
UNITED STATES TRUSTEE  
Department of Justice  
402 West Broadway, Suite 600  
San Diego, CA 92101

[ ] For ODD numbered Chapter 13 cases:  
THOMAS H. BILLINGSLEA, JR., TRUSTEE  
530 "B" Street, Suite. 1500  
San Diego, CA 92101

[ ] For EVEN numbered Chapter 13 cases:  
DAVID L. SKELTON, TRUSTEE  
525 "B" Street, Suite 1430  
San Diego, CA 92101-4507

I certify under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Typed Name and Signature)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State, ZIP Code)