

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA
325 West F Street, San Diego, California 92101-6991
(619) 557-5620

M E M O R A N D U M

TO:

RE: DEFECTIVE OBJECTION TO DISCHARGE OF DEBTOR OR DISCHARGEABILITY OF DEBT

Please be advised that your communication to the Court objecting to the discharge of the above-referenced Debtor and/or raising an objection to the dischargeability of a particular debt pursuant to 11 U.S.C. §523(c), has been received by the Bankruptcy Court. However, it does not comply with the requirements for such an adversary proceeding.

A complaint objecting to the discharge of the Debtor and/or a complaint to determine the dischargeability of a debt must meet the following requirements.

- a) It must bear the caption of an adversary proceeding similar to the caption used on Form CSD 3001 (attached). **[NOTE: Original and one (1) copies required.]**
- b) It must be accompanied by a completed Adversary Proceeding Cover Sheet (Form B104, also attached) and one (1) additional copies.
- c) The complaint must be accompanied by a filing fee of \$293 payable to Clerk, U.S. Bankruptcy Court.
- d) An original and one (1) copies of the summons (Form CSD 3007, attached) must be completed and submitted to the Court along with your complaint. A self-addressed, stamped envelope is required so that the Court may return your conformed copy of the complaint and the issued summons for service on the defendant/debtor and any other necessary parties.

If the last date for filing this complaint (as contained in the Order for Meeting of Creditors, Combined with Notice Thereof, which you should have received shortly after the case was filed) has expired or will expire before you can comply with these requirements, you must first file a motion requesting an extension of time to file your complaint. It is strongly recommended that you seek legal advice due to the complicated procedures involved.

Members of the Bankruptcy Court staff are prohibited by law from providing further procedural advice in this regard or from giving you legal advice. Again, your communication has been received and placed in the case file, but for it to have legal effect, you must comply with the above procedure.

DATED:

Barry K. Lander, Clerk

By: _____, Deputy Clerk