

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA
325 West F Street, San Diego, California 92101-6991

In Re

BANKRUPTCY NO.

Debtor.

TRUSTEE'S MOTION TO DISMISS CASE AND ORDER

The undersigned Trustee respectfully represents that:

- More than fourteen (14) days have elapsed since the filing of the petition and the debtor has failed to timely file either schedules, statements and/or plan required pursuant to Fed. R. Bankr. P. 1007(b) or a motion for extension of time pursuant to Fed. R. Bankr. P. 1007(a)(4).
- The debtor failed to appear and testify at the regularly scheduled and duly noticed First Meeting of Creditors held on _____ pursuant to 11 U.S.C. § 341(a) or any continued Meeting of Creditors scheduled thereafter.
- If checked, this case was filed by the filing of a joint petition and this motion applies to only one of the debtors, namely: _____

Wherefore, the Trustee moves that the within case be dismissed without prejudice.

Dated:

_____ Chapter 7 Trustee Chapter 13 Trustee

ORDER

IT IS HEREBY ORDERED AND ADJUDGED THAT:

1. This case is dismissed without prejudice as to this debtor only.
2. All related adversary proceedings which are pending are also dismissed subject to the provisions of Local Bankruptcy Rule 7041-2(a).
3. All stays now in effect for this case are vacated and the provisions of 11 U.S.C. § 349 will hereafter apply.

DATED:

Judge, United States Bankruptcy Court