

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

**MOTION FOR RELIEF FROM AUTOMATIC STAY  
(UNLAWFUL DETAINER)**

Movant in the above-captioned matter moves this Court for an Order granting relief from the automatic stay on the grounds set forth below.

1. A Petition under Chapter  7  11  12  13 was filed on\_\_\_\_\_.
2. Procedural Status:
  - a.  Name of Trustee Appointed (*if any*):
  - b.  Name of Attorney of Record for Trustee (*if any*):
  - c.  (*Optional*) Prior Filing Information:  
 Debtor has previously filed a Bankruptcy Petition on:\_\_\_\_\_  
 If applicable, the prior case was dismissed on:\_\_\_\_\_.
  - d.  (*If Chapter 13 case*): Chapter 13 Plan was confirmed on\_\_\_\_\_or a confirmation hearing is set for\_\_\_\_\_.

Movant alleges the following in support of its Motion:

1. Debtor occupies the premises commonly known as (*specify street address*):
  
2. Debtor occupies the premises:
 

<input type="checkbox"/> on a month-to-month tenancy <input type="checkbox"/> on a hold-over tenancy <input type="checkbox"/> on a tenancy at will	<input type="checkbox"/> pursuant to a lease in default after a foreclosure sale <input type="checkbox"/> pursuant to a terminated lease
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3. Debtor has failed to pay the monthly rent of \$\_\_\_\_\_since\_\_\_\_\_.

4. Procedural status in State Court *(fill in all applicable data for completed steps)*:

- a.  On \_\_\_\_\_, Movant served a Notice to Pay Rent or Quit on the Debtor(s).
- b.  On \_\_\_\_\_, Movant filed a Complaint for Unlawful Detainer in State Court.
- c.  Trial was held on \_\_\_\_\_.
- d.  A Judgment was entered on said Complaint by the State Court on \_\_\_\_\_.

When required, Movant has filed separate Declarations pursuant to Local Bankruptcy Rule 4001-2(a).

Movant attaches the following:

- 1.  Copy of the State Court Unlawful Detainer Judgment.
- 2.  Other relevant evidence:

- 3.  *(Optional)* Memorandum of points and authorities upon which the moving party will rely.

WHEREFORE, Movant prays that this Court issue an Order granting the following:

- Relief as requested.
- Other:

Dated:

\_\_\_\_\_  
[Attorney for] Movant