

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF CALIFORNIA 325 West F Street, San Diego, California 92101-6991	
In Re	
Debtor(s)	BANKRUPTCY NO.
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:¹

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 _____.²

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

¹LBR 4001-3, printed on the reverse, governs service of this Notice.

²Date 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 by mail, the date is calculated as the 14th day after the day of service. Depending on how you were served, you may have additional time for response. See FRBP 9006.

All pleadings related to this particular RS action must contain the above caption

LOCAL BANKRUPTCY RULE 4001-3

- (a) If personally served, oppositions to a motion for relief from stay, together with Local Form CSD 1186, must be filed and served upon the Movant, named respondents and the U.S. Trustee not later than 11 days after service of the motion for relief from stay and notice. If not personally served, the opposing party will have 14 days to serve and file such opposition as provided by FRBP 9006(f). If the opposition relates to real or personal property, the opposition must substantially conform to Local Form CSD 1161.
- (b) Before serving the objection, the objecting party must obtain a hearing date.

CERTIFICATE OF SERVICE

I, the undersigned whose address appears below, certify:

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

That on _____ day of _____, 20____, I served a true copy of this **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] on the following persons listed below by the mode of service shown below:

List additional papers:

1. To Be Served by the Court via Notice of Electronic Filing ("NEF"):

Under controlling Local Bankruptcy Rules(s) ("LBR"), the document(s) listed above will be served by the court via NEF and hyperlink to the document. On _____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the e-mail address(es) indicated and/or as checked below:

☐

Attorney for Moving Party:

☐

Attorney for Debtor, if required:

☐

Chapter 7 Trustee:

☐

For Chpt. 7, 11, & 12 cases:

UNITED STATES TRUSTEE
ustp.region15@usdoj.gov

☐

For Chapter 13 cases assigned to:

MICHAEL KOCH TRUSTEE
mkoch@ch13.sdcoxmail.com

2. **Served by United States Mail:**

On _____, I served the following person(s) and/or entity(ies) at the last known addresses (es) in this bankruptcy case or adversary proceeding by placing accurate copies in a sealed envelope in the United States Mail via 1) first class, postage prepaid or 2) certified mail with receipt number, addressed as follows:

☐

Attorney for Moving Party:

☐

Attorney for Debtor, if required:

3. **Served by Personal Delivery, Facsimile Transmission, Overnight Delivery, or Electronic Mail:**

Under Fed.R.Civ.P.5 and controlling LBR, on _____, I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission, by overnight delivery and/or electronic mail as follows:

☐

Attorney for Moving Party:

☐

Attorney for Debtor, if required:

I declare under penalty of perjury under the laws of the United States of America that the statements made in this proof of service are true and correct.

Executed on

(Date)

(Typed Name and Signature)

(Address)

(City, State, ZIP Code)