**IN THE UNITED STATES BANKRUPTCY COURT**

**FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**DEBTOR[S’] VERIFIED MOTION TO EXTEND AUTOMATIC STAY**

 Now comes the Debtor(s) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and move(s) this Court for an Order extending the automatic stay pursuant to 11 U.S.C. § 362(c)(3). In support of this Motion, Debtor(s) state(s) and allege(s):

1. Debtor(s) filed this bankruptcy case on (*enter file date*): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

2. **Prior cases:** The Debtor(s) previously filed the following bankruptcy cases during the last five (5) year period:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Debtor Name** | **Case No.** | **Filing District** | **Date Filed** | **Date Dismissed** |
|  |  |  |  |  |
|  |  |  |  |  |

3. The most recently filed prior case was dismissed on (*enter dismissal date*): \_\_\_\_\_\_\_\_\_\_\_ due to (*check all that apply)*:

\_\_\_\_\_ failure to commence making plan payments

\_\_\_\_\_ failure to make plan payments

\_\_\_\_\_ failure to file a plan

\_\_\_\_\_ failure to confirm a plan

\_\_\_\_\_ failure to file other required documents (*list documents*):

\_\_\_\_\_ Other (*provide explanation*):

4. The failures in the prior case were caused by the following (*check all that apply*):

\_\_\_\_\_ Debtor or Debtor’s immediate family incurred significant medical expenses;

\_\_\_\_\_ Debtor lost job/had hours reduced/had wages reduced;

\_\_\_\_\_ Debtor incurred a significant expense on primary residence

\_\_\_\_\_ Debtor incurred a significant expense on primary vehicle

\_\_\_\_\_ Debtor was owed money by a third party (such as child support, alimony, worker’s compensation and was not paid (*if so, list source of money)*: *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

\_\_\_\_\_ Debtor incurred a significant expense related to a dependent (*if so, provide details*)

\_\_\_\_\_ Other:

5. The Debtor’s circumstances have substantially changed because (*mark all that apply)*:

\_\_\_\_\_ Debtor now has new income in the form of additional work hours, an additional job, additional wages from previous job, and/or a new job. Provide details:

\_\_\_\_\_ Debtor now has new income in the form of monetary assistance from a third-party individual. Provide details:

\_\_\_\_\_ Debtor now has new income in the form of monetary assistance from a third-party organization. Provide details:

\_\_\_\_\_ Debtor now has more available income in the form of reduced expenses. Provide details:

\_\_\_\_\_ Other.

6, **Comparison of financial information in this case vs. the most recently filed previous case(s)** [*use the most recent amended Schedules I and J from the prior case(s)*]:

|  |  |  |  |
| --- | --- | --- | --- |
| **Financial Information** | **Current Case**  | **Prior Case No** | **Prior Case No.** |
| Schedule I Net Income (Line 12) |  |  |  |
| Schedule J Monthly Expenses (Line 22c) |  |  |  |
| Monthly Net Income (Line 23c) |  |  |  |
| Plan Payment |  |  |  |
| Wage Order (*yes or no*) |  |  |  |

7. Did the Debtor(s) have any motions for relief from the stay filed by creditor(s) that were pending or that had been resolved by terminating, conditioning, or limiting the stay as to actions by such creditor(s) in the prior case? (*yes or no*) \_\_\_\_\_\_\_\_ If so, list the status of any motion for relief, and provide an explanation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

8. [*If seeking to extend the stay*] The automatic stay will terminate on

(*enter date*): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ without further order of this Court.

9. Based on the foregoing the Debtor(s) has demonstrated by clear and convincing evidence that the current case is filed in good faith. The Debtor[s’] circumstances have substantially changed so that the reason for dismissal in the prior case is not likely to recur, and this case can be completed.

10. If the debtor did not file this motion on the petition date, explain to the court **in detail** why the notice provided to creditors is sufficient for the court to consider granting this motion: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Wherefore, the Debtor(s) pray(s) for the Court to enter an Order extending the automatic stay as to all creditors until it would terminate under 11 U.S.C. §§ 362(c)(1) or (c)(2), or until further order of the Court, and for such further relief as the Court deems just and appropriate.

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Attorney for the Debtor Signature Block

**DECLARATION**

Under penalty of perjury, I/We \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereby certify that I/We have personal knowledge of all the information contained in the pleading above and that all of the information is true and accurate, to the best of my knowledge.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Debtor’s Signature) (Debtor’s Signature)

(Typed Name) (Typed Name)

Sworn and subscribed to me this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public Notary Seal