

*[THIS IS PROVIDED AS A FORM OF MOTION THAT COMPLIES WITH THE COURT'S STANDING ORDER REGARDING EX PARTE MOTIONS OR APPLICATIONS; RESPONSE DEADLINES AND CERTIFICATES OF SERVICE. THIS IS FOR ILLUSTRATION PURPOSES ONLY. **FILING INSTRUCTIONS FOLLOW THE MOTION** A SINGLE PLEADING INCORPORATING BOTH A CERTIFICATE OF SERVICE AND NOTICE OF HEARING WILL BE MANDATORY FOR ALL MOTIONS SET FOR DEFINITIVE HEARING AFTER JUNE 1, 2016.]*

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

IN RE:	§	
	§	
Debtor 1	§	Case No. 12-12345
Debtor 2	§	
	§	
Debtors	§	Chapter 13

MOTION TO EXTEND AUTOMATIC STAY PURSUANT TO 11 USC § 362(c)(3)(B)
NOTICE OF HEARING AND RESPONSE DEADLINE

A hearing has been set on [Date] at [Time] at the [United States Courthouse, Courtroom Four, 300 Fannin St. Shreveport, LA 71101] or [United States Courthouse, Bankruptcy Courtroom, 201 Jackson Street, Monroe, Louisiana 71201].

Debtor 1 and Debtor 2 have filed papers with the court to obtain an order extending the automatic stay pursuant to 11 USC § 362(c)(3)(B). Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. If you do not want the court to grant the relief sought in the motion/application/objection, then **on or before seven days from the hearing date set forth for the motion**, you must file with the court a written response explaining your position by mailing your response by regular U.S. Mail to Clerk United States Bankruptcy Court, 300 Fannin St. Shreveport, Louisiana 71101 OR your attorney must file a response using the court's ECF System.

The court must receive your response on or before the date set above.

You must also send a copy of your response either by 1) the court's ECF System or by 2) regular U.S. Mail to:
Attorney Name, Esq. 123 Main St. Shreveport, LA 71101 and
Lucy Sikes, Chapter 13 Trustee, address.

IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION/OBJECTION AND MAY ENTER AN ORDER GRANTING THAT RELIEF WITHOUT FURTHER HEARING OR NOTICE.

Now comes Debtor 1 and Debtor 2, who move this Court to extend the automatic stay pursuant to 11 USC § 362(c)(3)(B) for the reasons listed below.

1. Debtor 1 and Debtor 2 filed this bankruptcy case on January 1, 2016. The debtors' have been previously filed two prior bankruptcy cases, case number 08-12345 and 15-12345. Case number 15-12345 was previously dismissed on July 1, 2015, within 1 year of the filing date of this case.

2. Pursuant to 11 USC § 362(c)(3)(A) the stay in this case will terminate "with respect to any action taken with respect to a debtor or property securing such debt or with respect to any lease" on the 30th day after the filing of this case.

3. 11 USC § 362(c)(3)(B) provides that "on motion of a party in interest for continuation of the automatic stay and upon notice and a hearing, the court may extend the stay in particular cases as to any or all creditors (subject to such conditions or limitation as the court may then impose)."

4. This case is presumptively not filed in good faith because the prior case was dismissed for failure to perform the terms of a Chapter 13 plan confirmed by the Court. Such presumption may be rebutted by the debtors by clear and convincing evidence to the contrary. In the debtors' prior Chapter 13 case, debtor 1 suffered an on the job injury and was placed on workers compensation for six months. The debtors' joint income was therefore reduced and they defaulted on their Chapter 13 plan payments. Debtor 1 is now fully recovered, back at work and the debtors' joint income is back to its pre-injury level. Cause exist for extending the automatic stay as to all creditors because the filing of this case is in good faith as to the creditors to be stayed because the debtors now have the ability to fund their Chapter 13 plan.

Wherefore the debtors pray that the Court extend the automatic stay as to all creditors.

Respectfully submitted,

Attorney Name, Esp.
123 Main St.
Shreveport, LA 71101
123-456-7890

CERTIFICATE OF SERVICE

I hereby certify that on (month), (day), (year), a copy of the foregoing (specific name of filing) was served on the following registered ECF participants, electronically through the court's ECF System at the email address registered with the court:

(Name)

Lucy Sikes, Chapter 13 Trustee

U.S. Trustee

and on the following by ordinary U.S. Mail addressed to:

(Name)

(Mailing address)

(Name)

(Mailing address)

/s/ Attorney Name, Esq.
Attorney Name, Esq.

FILING INSTRUCTIONS

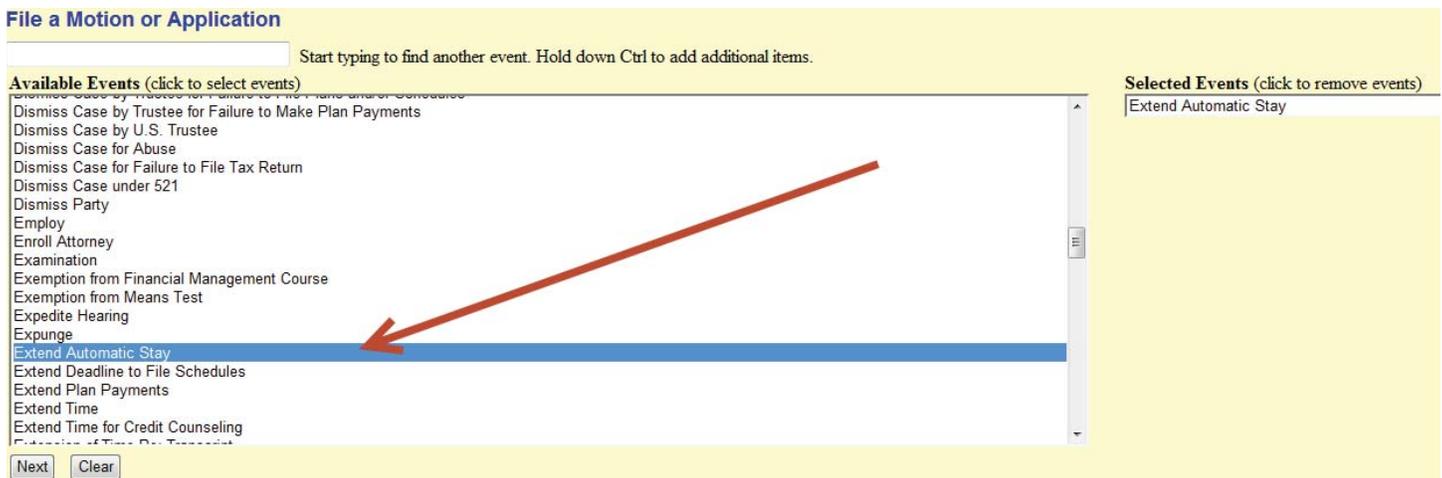
1. Log into CM/ECF.
2. Choose Bankruptcy.



3. Choose "Motions/Applications."



4. Choose Motion Title (i.e., "Extend Automatic Stay"), click "Next."



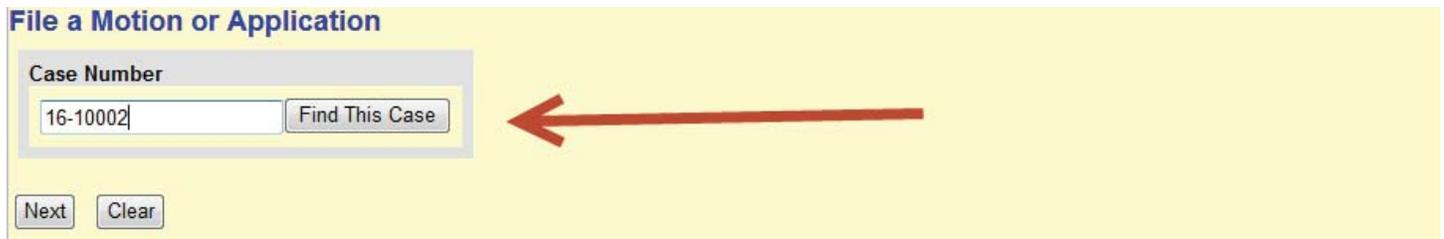
5. Insert case number, click "Next."

File a Motion or Application

Case Number

16-10002 Find This Case

Next Clear



6. Double-check your filing, click "Next."

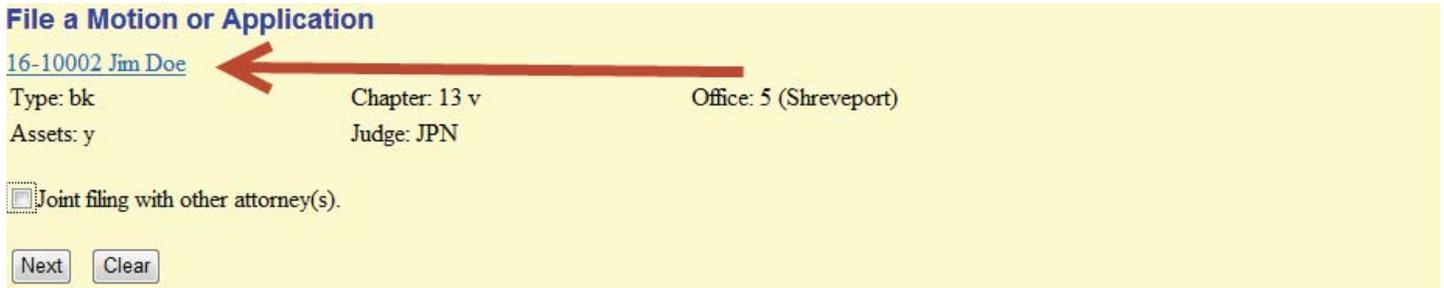
File a Motion or Application

[16-10002 Jim Doe](#)

Type: bk Chapter: 13 v Office: 5 (Shreveport)
Assets: y Judge: JPN

Joint filing with other attorney(s).

Next Clear



7. Select the Party or Add/Create New Party, click "Next."

File a Motion or Application:

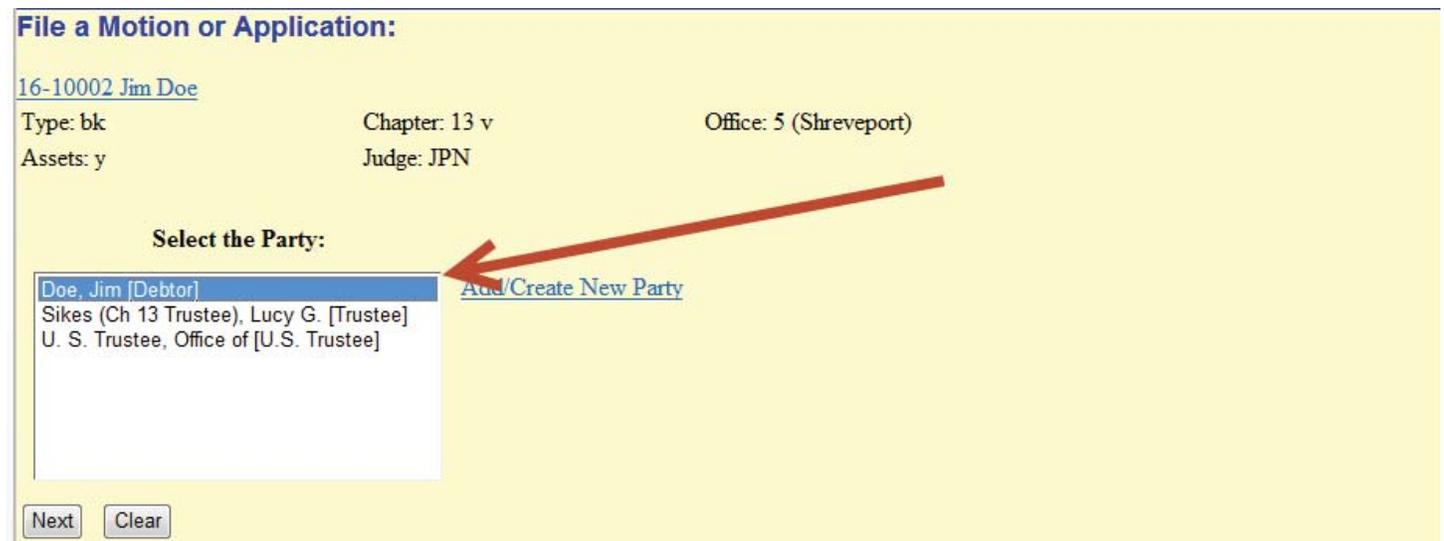
[16-10002 Jim Doe](#)

Type: bk Chapter: 13 v Office: 5 (Shreveport)
Assets: y Judge: JPN

Select the Party:

Doe, Jim [Debtor] [Add/Create New Party](#)
 Sikes (Ch 13 Trustee), Lucy G. [Trustee]
 U. S. Trustee, Office of [U.S. Trustee]

Next Clear



8. Confirm your selections, click "Next."

File a Motion or Application:

[16-10002 Jim Doe](#) Debtor dismissed 03/29/2016

Type: bk Chapter: 13 v Office: 5 (Shreveport)
Assets: y Debtor disposition: Dismissed for Judge: JPN
Other Reason

Case Flag Dsmd

IMPORTANT: The following attorney/party association(s) will be created in this case. De-selecting a party association will result in the filing attorney NOT receiving Notices of Electronic Filing for that party. If this is a joint filing, review the list carefully to ensure that only parties represented by the filing attorney are selected.

Doe, Jim (pty:db) represented by Cook, Robert W. (aty)

Next Clear



9. Upload your PDF file, click “Next.”

File a Motion or Application:

[16-10002 Jim Doe](#)

Type: bk Chapter: 13 v Office: 5 (Shreveport)
Assets: y Judge: JPN

Filename

C:\Users\jnorman\Desktop\Motion to Mod



Attachments to Document: No Yes

10. Select Check Box if Certificate of Service was filed with this Document, click “Next.”

File a Motion or Application:

[16-10002 Jim Doe](#)

Type: bk Chapter: 13 v Office: 5 (Shreveport)
Assets: y Judge: JPN

Select Check Box if Certificate of Service WAS Filed with this Document.

with Certificate of Service

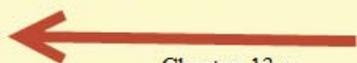


11. Double check your filing, click “Next.”

File a Motion or Application:

[16-10002 Jim Doe](#)

Type: bk Chapter: 13 v Office: 5 (Shreveport)
Assets: y Judge: JPN



If this motion requires a hearing, please contact the Clerk's office or check the court's website.
Chamber Preset hearings are available for Shreveport all chapters and Monroe chapters 7, 11, & 12 cases through Reports in CM/ECF.

12. Select Check Box if Notice of Hearing is Included with this Document, click “Next.”

File a Motion or Application:

[16-10002 Jim Doe](#)

Type: bk Chapter: 13 v Office: 5 (Shreveport)
Assets: y Judge: JPN

Select Check Box if Notice of Hearing is Included with this Document.

Notice of Hearing 

13. Review the Reminder on this screen as you must still enter an appropriate hearing, click “Next.”

File a Motion or Application:

[16-10002 Jim Doe](#)

Type: bk Chapter: 13 v Office: 5 (Shreveport)
Assets: y Judge: JPN

Reminder! If a Notice of Hearing is included with this Motion, upon completion of filing, go to Notices and enter the appropriate Hearing Set.



14. Modify the filing if necessary, click “Next.”

File a Motion or Application:

[16-10002 Jim Doe](#)

Type: bk Chapter: 13 v Office: 5 (Shreveport)
Assets: y Judge: JPN

Docket Text: Modify as Appropriate.



15. Finalize the filing of the Motion, click “Next.”

File a Motion or Application:

[16-10002 Jim Doe](#)

Type: bk Chapter: 13 v Office: 5 (Shreveport)
Assets: y Judge: JPN

Docket Text: Final Text

Motion to Extend Automatic Stay with Certificate of Service and Notice of Hearing Filed by Robert W. Cook on behalf of Jim Doe

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.



16. The Motion is now filed, but you must still set an appropriate hearing. The notice of electronic filing is displayed with a document number. If you do not set a hearing, **your motion will not be heard.**

File a Motion or Application:

[16-10002 Jim Doe](#)

Type: bk

Chapter: 13 v

Office: 5 (Shreveport)

Assets: y

Judge: JPN

Notice of Electronic Filing

The following transaction was received from Robert W. Cook entered on 3/31/2016 at 1:52 PM CDT and filed on 3/31/2016

Case Name: Jim Doe

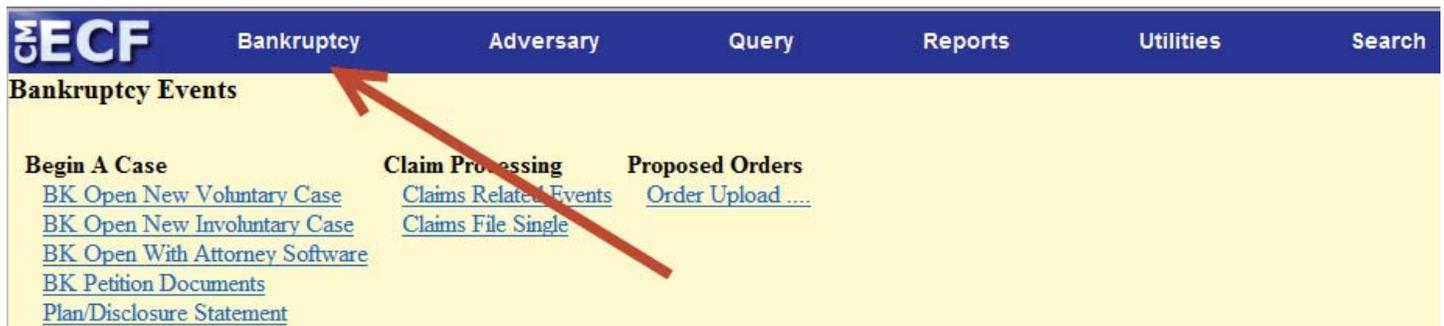
Case Number: [16-10002](#)

Document Number: [10](#) 

Docket Text:

Motion to Extend Automatic Stay with Certificate of Service and Notice of Hearing Filed by Robert W. Cook on behalf of Jim Doe

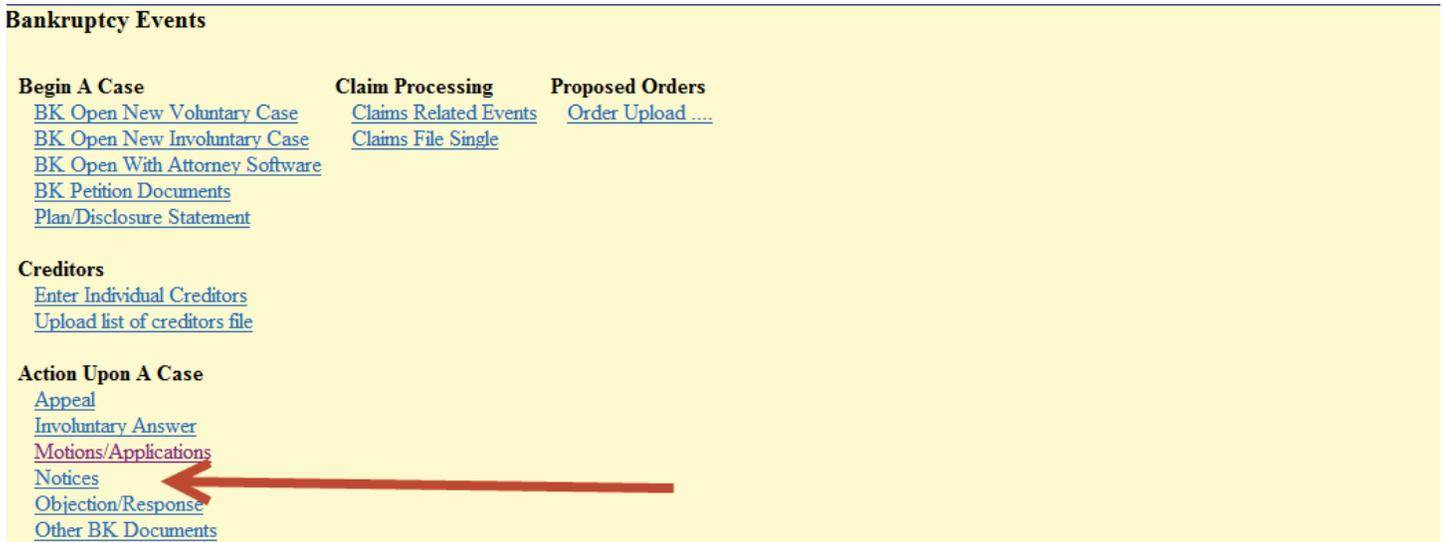
17. You must now set an appropriate hearing. Select Bankruptcy.



The screenshot shows the ECF system navigation menu. The 'Bankruptcy' tab is highlighted with a red arrow. Below the menu, there are three main sections: 'Begin A Case', 'Claim Processing', and 'Proposed Orders'. Each section contains several links for user actions.

Begin A Case	Claim Processing	Proposed Orders
BK Open New Voluntary Case	Claims Related Events	Order Upload
BK Open New Involuntary Case	Claims File Single	
BK Open With Attorney Software		
BK Petition Documents		
Plan/Disclosure Statement		

18. Select Notices.



The screenshot shows the 'Bankruptcy Events' page in the ECF system. It features three main sections: 'Begin A Case', 'Claim Processing', and 'Proposed Orders'. A red arrow points to the 'Notices' link under the 'Action Upon A Case' section.

Begin A Case	Claim Processing	Proposed Orders
BK Open New Voluntary Case	Claims Related Events	Order Upload
BK Open New Involuntary Case	Claims File Single	
BK Open With Attorney Software		
BK Petition Documents		
Plan/Disclosure Statement		

Creditors
Enter Individual Creditors
Upload list of creditors file

Action Upon A Case
Appeal
Involuntary Answer
Motions/Applications
Notices 
Objection/Response
Other BK Documents

19. Select Hearing Set – Motions (Definite Hearing)-JPN, click “Next.”

File a Notice

Start typing to find another event. Hold down Ctrl to add additional items.

Available Events (click to select events)

- Amended Hearing Notice Served (Definite Hearing)
- Amended Hearing Notice, IF AND ONLY IF Objections Served
- Appearance and Request Notice
- Change of Address Notice
- Discharge - Notice of Filing In Compliance Motion for Discharge
- Hearing Notice Served (Definite Hearing)
- Hearing Notice Unserved (Definite Hearing)
- Hearing Notice, IF AND ONLY IF Objections Served
- Hearing Notice, IF AND ONLY IF Objections Unserved
- Hearing Set - Motions (Definite Hearing) - JPN**
- Hearing Set - Motions (IF AND ONLY IF Objections) - JPN
- Notice Re...
- Notice of Commencement of Chapter 15 Case
- Notice of Filing of Official Transcript
- Notice of Final Cure Mortgage Payment
- Notice of Foreign Representative's Intent to Commence Case

Selected Events (click to remove events)

- Hearing Set - Motions (Definite Hearing) - JPN

Next Clear

20. Enter the case number if it is not already pre-populated, click “Next.”

File a Notice

Case Number

5:16-bk-10002

Next Clear

21. Review your filing, click “Next.”

File a Notice

[16-10002 Jim Doe](#)

Type: bk Chapter: 13 v Office: 5 (Shreveport)

Assets: y Judge: JPN

Joint filing with other attorney(s).

Next Clear

22. Select your party or Add/Create New Party, click “Next.”

File a Notice:

[16-10002 Jim Doe](#)

Type: bk Chapter: 13 v Office: 5 (Shreveport)

Assets: y Judge: JPN

Select the Party:

- Doe, Jim [Debtor]**
- Sikes (Ch 13 Trustee), Lucy G. [Trustee]
- U. S. Trustee, Office of [U.S. Trustee]

[Add/Create New Party](#)

Next Clear

23. Select a hearing date, hearing time and location and the event to which your event relates, click “Next.”

File a Notice:

[16-10002 Jim Doe](#)

Type: bk
Assets: y

Chapter: 13 v
Judge: JPN

Office: 5 (Shreveport)

Hearing Information

In order to enter a hearing date/time/location, you must obtain prior approval from the Clerk's Office.

05/25/2016 - 09:00 AM - Pres for Testing [Lots: 12] Chamber Presets

Hearing Date: 05/25/2016 Hearing Time: 09:00 AM

Location: Courtroom Four, Shreveport

Select the appropriate event(s) to which your event relates:

03/31/2016 [10](#) Motion to Extend Automatic Stay with Certificate of Service and Notice of Hearing Filed by Robert W. Cook on behalf of Jim Doe (Cook, Robert)

Next Clear

24. Select your docket entry by placing check mark, click “Next.”

File a Notice:

[16-10002 Jim Doe](#)

Type: bk
Assets: y

Chapter: 13 v
Judge: JPN

Office: 5 (Shreveport)

Type	hrg
Date	5/25/2016
Time	09:00
Location	Courtroom Four, Shreveport
Prompt	

The following schedule records will be associated with the docket entries specified below.

Select from the following docket entries those which the above schedule records should be associated with.

- Create Schedule record for current docket entry.
- 03/31/2016 [10](#) Motion to Extend Automatic Stay with Certificate of Service and Notice of Hearing Filed by Robert W. Cook on behalf of Jim Doe (Cook, Robert)

A Check Mark MUST Be Placed In The Box Before the Event Being Heard.

Do NOT Place Check Mark In Box Before "Create Schedule record for current docket entry."

Next Clear

25. Modify your docket entry if required, click “Next.” The document number and motion will appear in the summary text.

File a Notice:

[16-10002 Jim Doe](#)
Type: bk Chapter: 13 v Office: 5 (Shreveport)
Assets: y Judge: JPN

Docket Text: Modify as Appropriate.
Hearing (Re: [10] Motion to Extend Automatic Stay) . Hearing scheduled for 5/25/2016 at 09:00 AM at Courtroom Four, Shreveport. Filed by Robert W. Cook on behalf of Jim Doe (Cook, Robert)

26. Review your hearing setting and finalize by clicking “Next.”

File a Notice:

[16-10002 Jim Doe](#)
Type: bk Chapter: 13 v Office: 5 (Shreveport)
Assets: y Judge: JPN

Docket Text: Final Text
Hearing (Re: [10] Motion to Extend Automatic Stay) . Hearing scheduled for 5/25/2016 at 09:00 AM at Courtroom Four, Shreveport. Filed by Robert W. Cook on behalf of Jim Doe (Cook, Robert)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

27. Your hearing has now been finalized and the process is complete. You should see this screen. It will show your Motion and the Scheduled Hearing. Note there is no document number.

File a Notice:

[16-10002 Jim Doe](#)
Type: bk Chapter: 13 v Office: 5 (Shreveport)
Assets: y Judge: JPN

**U.S. Bankruptcy Court
Western District of Louisiana**

Notice of Electronic Filing

The following transaction was received from Robert W. Cook entered on 3/31/2016 at 4:14 PM CDT and filed on 3/31/2016

Case Name: Jim Doe
Case Number: [16-10002](#)
Document Number:

Docket Text:
Hearing (Re: [10] Motion to Extend Automatic Stay) . Hearing scheduled for 5/25/2016 at 09:00 AM at Courtroom Four, Shreveport. Filed by Robert W. Cook on behalf of Jim Doe (Cook, Robert)

The following document(s) are associated with this transaction:

16-10002 Notice will be electronically mailed to:

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