

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

In Re:

Case No. _____-TRC
Chapter ____

Debtor(s).

MOTION TO CONVERT FROM CHAPTER [12 OR13]
TO CHAPTER 7

Comes now (party in interest), and moves this Court to convert the above-captioned bankruptcy matter from a Chapter [12 or 13] to Chapter 7, pursuant to the provisions of 11 U.S.C. §1208(d) or 1307(c) and Bankruptcy Rule 1017(f). In support of this Motion, (party in interest) would state and allege as follows:

(Reason for Conversion)

WHEREFORE, (party in interest) prays for this Court to enter an order converting the above-captioned bankruptcy matter to a Chapter 7 of the United States Bankruptcy Code.

Dated: _____

Attorney Signature

Address

City, State, Zip

Telephone and Facsimile

E-mail Address

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF OKLAHOMA

In Re:)
)
[Set forth here all names including married) Case No. -TRC
maiden, and trade names used by debtor) Chapter
within last 6 years.] Debtor(s).)

**NOTICE OF MOTION
NOTICE OF DEADLINE TO FILE OBJECTION TO MOTION AND
NOTICE OF HEARING IF OBJECTION IS FILED**

_____ CREDITOR _____ has filed the following motion with the court:

_____ Motion to Convert from Chapter [12 or 13] to Chapter 7 _____

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 above-referenced motion, or if you want the court to consider your views on the motion and your objection, then on or before

(Objection Deadline)

you or your attorney must:

File with the court a written objection explaining your position at:

**United States Bankruptcy Court
POB 1347
Okmulgee, OK 74447**

You must also mail a copy to: The name and address listed at the bottom of this Notice unless they are served by electronic notice; and

attend the hearing scheduled to be held on _____ (Date) at _____ (Time) in the _____ (Location) _____ if you file an Objection.

IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT WILL DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION and:

- 1. WILL ENTER AN ORDER GRANTING THE RELIEF SOUGHT IN THE MOTION**
- 2. WILL STRIKE THE ABOVE-SCHEDULED HEARING WITHOUT FURTHER NOTICE**

Dated: _____

Attorney Signature

Address

City, State, Zip

Telephone and Facsimile

E-mail Address

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

In Re:

Case No. _____-TRC
Chapter _____

Debtor(s).

CERTIFICATE OF MAILING

_____ does hereby certify that on _____ (Date) _____, true and correct copies of the Motion to Convert from Chapter [12 or 13] to Chapter 7 and Notice of Motion were mailed with proper postage prepaid to the interested parties listed below and in the manner set forth.

First Class Mail:

Attorney Signature

Address

City, State, Zip

Telephone and Facsimile

E-mail Address

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

In Re: [Debtor]
[Joint Debtor]

Case No:[Case Number]-TRC
Chapter: 7

Re:[Title of Pleading]

File Date:[Date Filed]

Document No:[DE Number]

ORDER CONVERTING CHAPTER 13 CASE TO A CHAPTER 7 CASE

(Movant's Name) has filed a motion, in accordance with 11 U.S.C. §1307(c),(e) and (f) and Rules 9014 and 1017 (f)(1), Fed. R. Bankr. P. seeking to convert this case to a case under Chapter 7 of the Bankruptcy Code (Title 11 of the United States Code). The court finds, after notice, that the motion should be granted.

IT IS ORDERED THAT:

1. This Chapter 13 Case is converted to a case under Chapter 7.
2. The Chapter 13 trustee shall within 30 days file and transmit to the United States Trustee a final report and account, as required by Bankruptcy Rule 1019(5)(B).
3. The Chapter 13 trustee forthwith shall turn over to the Chapter 7 trustee, all records and property of the estate remaining in the Chapter 13 trustee's possession or control, as required by Bankruptcy Rule 1019(4).
4. The debtor, within 14 days of the date of this order, shall file:
 - a. the statements and schedules required by Bankruptcy Rules 1019(1)(A) & 1007(c) , if such documents have not already been filed; and
 - b. a schedule of unpaid debts not listed in the final report and account of the Chapter 13 trustee which were incurred after the commencement of the Chapter 13 case but before the entry of this conversion order, including the name and address of each holder of a claim, as required by Bankruptcy Rule 1019(5)(B); and
5. The debtor, within 30 days of the date of this order, shall if the case is converted after the confirmation of a plan, file:
 - a. a schedule of all property not listed in the final report and account of the Chapter 13 trustee which was acquired after the commencement of the Chapter 13 case but before the entry of this conversion order, and
 - b. a schedule of executory contracts entered into or assumed after the commencement of the Chapter 13 case but before the entry of this conversion order; and
 - c. a statement of intention with respect to retention or surrender of property securing consumer debts as required by 11 U.S.C. §521(2)(A), and Bankruptcy Rule 1019(1)(B), and conforming to Official Form 8.
6. The debtor, within 14 days from the date of this order, shall file a Statement of Current Monthly Income and Means Test Calculation (Form B 22A).
7. The debtor, within 45 days from the §341 meeting of creditors, shall file a Financial Management Course Certificate and Official Form 23 Certification of Completion of Instructional Course Concerning Personal Financial Management.
8. (Movant's Name shall pay the additional \$10.00 filing fee within 2 (two) days of the entry of this Order pursuant to 11 U.S.C. §1930(a)(6). In order for the movant's attorney to pay the fee online, the attorney shall file a text only entry in the case. Under the "Bankruptcy" heading in CM/ECF and under the "Other" category, the attorney will select the event "Filing Fee - Conversion to Chapter 7". After completing this entry, the attorney shall pay the fee electronically. Failure to do so shall result in the vacating of the Order of Conversion without further notice.

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

In Re: [Debtor]

[Joint Debtor]

Case No:[Case Number]-

TRC

Chapter: 7

Re:[Title of Pleading]

File Date:[Date Filed]

Document No:[DE Number]

ORDER

[Movant's Name] has filed a motion, in accordance with 11 U.S.C. §1208(d) and (e) and Rules 9014 and 1017 (f)(1), Fed. R. Bankr. P., seeking to convert this case to a case under chapter 7 of the Bankruptcy Code (Title 11 of the United States Code). The court finds that the debtor is eligible to be a debtor under chapter 7 and after notice, that the motion should be granted.

IT IS ORDERED THAT:

1. This chapter 12 case is converted to a chapter 7.
2. The chapter 12 trustee, within 30 days of the date of this order, shall file and transmit to the United States Trustee a final report and account, as required by Bankruptcy Rule 1019(5)(A).

3. The chapter 12 trustee forthwith shall turn over to the chapter 7 trustee, all records and property of the estate remaining in the chapter 12 trustee's possession, as required by Bankruptcy Rule 1019(4).
4. The debtor, within 14 days of the date of this order, shall file:
 - a. the statements and schedules required by Bankruptcy Rules 1019(1)(A) & 1007(c) , if such documents have not already been filed; and
 - b. a schedule of unpaid debts not listed in the final report and account of the chapter 12 trustee which were incurred after the commencement of the chapter 12 case but before the entry of this conversion order, including the name and address of each holder of a claim, as required by Bankruptcy Rule 1019(5)(A).
5. The debtor, within 30 days of the date of this order, shall if the case is converted after the confirmation of a plan, file; and
 - a. a schedule of all property not listed in the final report and account of the chapter 12 trustee which was acquired after the commencement of the chapter 12 case but before the entry of this conversion order, and
 - b. a schedule of executory contracts and unexpired leases entered into or assumed after the commencement of the chapter 12 case but before the entry of this conversion order, and
 - c. a statement of intention with respect to retention or surrender of property securing consumer debts as required by 11 U.S.C. §521(2)(A), and Bankruptcy Rule 1019(1)(B), and conforming to Official Form 8, if the debtor is an individual.
6. The debtor, if an individual, within 14 days from the date of this order, shall file a Statement of Current Monthly Income and Means Test Calculation (Form B 22A).
7. The debtor, if an individual, within 45 days from the §341 meeting of creditors, shall file a Financial Management Course Certificate and Official Form 23 Certification of Completion of Instructional Course Concerning Personal Financial Management.
8. (Movant's Name) shall pay the filing \$45.00 filing fee within 2 (two) days of the entry of this Order pursuant to 11 U.S.C. §1930(a)(6). In order for the movant's attorney to pay the fee online, the attorney shall file a text only entry in the case. Under the "Bankruptcy" heading in CM/ECF and under the "Other" category, the attorney will select the event "Filing Fee - Conversion to Chapter 7". After completing this entry, the attorney shall pay the fee electronically. Failure to do so shall result in the vacating of the Order of Conversion without further notice.

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