

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

In Re:

Case No. _____TRC
Chapter ____

Debtor(s).

MOTION TO CONVERT CHAPTER 12 CASE
TO A CHAPTER [11 OR 13] CASE

Comes now the [Debtor or Movant], moves this Court to convert the above-captioned bankruptcy matter from a Chapter 12 to Chapter [11 or 13], pursuant to the provisions of 11 U.S.C. §1208(e) or Bankruptcy Rule 1017(f)(2). In support of this Motion, Debtor in possession would state and allege as follows:

(Reason for Conversion)

WHEREFORE, [Debtor or Movant] prays for this Court to enter an order converting the above-captioned bankruptcy matter to a Chapter [11 or 13] 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
maiden, and trade names used by debtor
within last 6 years.]* Debtor(s).

Case No. -TRC
Chapter

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

_____ Debtor or Movant _____ has filed the following motion with the court:

Motion to Convert from Chapter 12 to Chapter [11 or 13]

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 1888
Muskogee, OK 74402**

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 E-mail Address

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

In Re:

Case No. _____
Chapter ____

Debtor(s).

CERTIFICATE OF MAILING

_____ does hereby certify that on ___(Date)___, true and correct copies of the Motion to Convert from Chapter 12 to Chapter [11 or 13] 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:

**CASE NO. – TRC
CHAPTER 11**

Debtor(s).

Re:

Filed:

Docket Entry No(s):

ORDER CONVERTING CHAPTER 12 CASE TO A CHAPTER 11 CASE

[Movant's Name] has filed a motion, in accordance with 11 U.S.C. §1208 (e) seeking to convert this case to a case under Chapter 11 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 11 and, after notice, that the motion should be granted.

IT IS ORDERED THAT:

1. This Chapter 12 case is converted to a Chapter 11.
2. The Chapter 12 trustee shall:
 - a. forthwith turnover to the debtor or Chapter 11 trustee if one has been
 - b. appointed, all records and property of the estate under his custody and control; and

- c. within 30 days, file a final report and account of all receipts and distributions made, together with a report on administration of the case, as required by 11 U.S.C. §704(a)(9).
3. The debtor, within 14 days of the date of this order, shall file;
 - a. a list of the debtor's equity security holders of each class, showing the number and kind of interests registered in the name of each holder and the last known name and address or place of business of each holder, as required by Bankruptcy Rule 1007(a)(3).
 - b. the statements and schedules required by Bankruptcy Rules 1007(b), if such documents have not already been filed.
 - c. a Statement of Your Current Monthly Income (Form 122B).
4. The debtor, within 2 days of the date of this orders, shall file a list of names, addresses and amount of claims of the creditors that hold the 20 largest unsecured claims, as required by Bankruptcy Rule 1007(d).
5. The Movant shall pay the \$800.00 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 debtor'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 11". After completing this entry, the attorney shall pay the fee electronically. Failure to do so shall result in dismissal of the case without further notice.

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

IN RE:

**CASE NO. – TRC
CHAPTER 13**

Debtor(s).

Re:

Filed:

Docket Entry No(s):

ORDER CONVERTING CHAPTER 12 CASE TO A CHAPTER 13 CASE

[Movant's Name] has filed a motion in accordance with 11 U.S.C. §1208(e) and Rules 9014 and 1017 (f)(1) Fed. R. Bankr. P., seeking to convert this case to a case under Chapter 13 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 13 and, after notice, that the motion should be granted.

IT IS ORDERED THAT:

1. This Chapter 12 case is converted to a Chapter 13.
2. The Chapter 12 trustee, within 30 days, shall file:
 - a. a final report and account of all receipts and disbursements made in the
 - b. Chapter 12 case, and
 - c. a report on the administration of the case pursuant to 11 U.S.C.

§704(a)(9).The Chapter 12 trustee shall forthwith turnover to the Chapter 13 trustee a copy of the petition, schedules, all records and property of the estate remaining in the trustee's custody and control.

3. The trustee or any other party entitled to compensation may within 30 days of the date of this order file an application for compensation and reimbursement of expenses.
4. The debtor, within 14 days of this order, shall file;
 - a. the statements and schedules required by Bankruptcy Rule 1007(b), if such documents have not already been filed.
 - b. a Statement of Your Current Monthly Income and Calculation of Commitment Period (Form 122C-1) and Calculation of Your Disposable Income (Form 122C-2)
 - c. a Chapter 13 Plan. If an extension is not granted by Court order, prior to the original due date, the Court will enter an ORDER DISMISSING your case without further notice or hearing.
6. The Movant shall pay the \$35.00 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 debtor'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 Chapter 12 to Chapter 13". After completing this entry, the attorney shall pay the fee electronically. Failure to do so shall result in dismissal of the case without further notice.

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