

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

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In re _____,
Debtor(s).

Case No. ____:____-bk-____-____
Chapter ____

**DEBTOR(S)' VERIFIED
MOTION TO [EXTEND OR IMPOSE] AUTOMATIC STAY**

Debtor(s) seek entry of an order extending [or imposing] the automatic stay under
11 U.S.C. § [362(c)(3)(C) or 362(c)(4)(D)].

1. ***Date of Filing.*** Debtor(s) filed this bankruptcy case on [insert filing date].
2. [If seeking to extend the stay] ***Date on Which the Stay Will Terminate:*** Absent an order of the Court, the automatic stay will terminate on [insert date].
3. ***Most Recently Filed Prior Case.*** On [insert filing date], Debtor(s) previously filed a Chapter ____ case, Case No. [insert case number] [if not filed in the Middle District of Florida, add in the _____ District of _____].
4. ***Reason for Dismissal of Prior Case.*** The most recently filed prior case was dismissed on [insert dismissal date] for the following reasons(s): [check box for 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): [list documents]
- ☐ Other (explain): [provide explanation]

5. ***History of Previously Filed Bankruptcy Cases.*** (check the box that that applies)

☐ Other than the most recently filed prior case, Debtor(s) has/had had no other pending bankruptcy cases in the preceding one-year period; or

☐ Debtor(s) has/had that following bankruptcy case(s) pending in the one-year period before filing this case, which was/were dismissed for the following reason(s):

Case No.:	
District:	
Date Filed:	
Reason for Dismissal:	(provide explanation and/or other relevant information)

6. ***Comparison of Debtor's Income and Expenses in Current Case and the Most Recently Filed Prior Case:*** [use the most recent Schedules I/J, as amended, from the prior case]:

	Current Case ¹	Prior Case [Insert Case Number] _____
Schedule I Net income (line 12)		
Schedule J Monthly Expenses (line 22c)		
Schedule J Monthly Net Income (line 23c)		
Plan Payment		
Wage Order	Yes or No	Yes or No

7. ***Plan Payments made in Prior Case(s):***

Case No. [Insert case number] [Insert total plan payments made]

Case No. [Insert case number] [Insert total plan payments made]

¹ If Schedules I and J have not been filed in this case, include estimates based on information available at the time this declaration is filed.

8. ***Motions for Relief from the Automatic Stay in Prior Case(s)***. Prior to the dismissal of any case(s) pending in the one-year period before the filing of this case, there were no motions for relief from the automatic stay that (a) the Court granted, or (b) were pending, except:

[None or provide explanation]

9. ***Change in Personal or Financial Circumstances***. As set forth below, Debtor(s)' personal or financial circumstances have substantially changed since the filing of the most recent prior case such that the reason for dismissal in that case is not likely to recur:

[Provide explanation]

WHEREFORE, Debtor(s) respectfully request that the Court enter an order extending [or imposing] the automatic stay as to all creditors until such time as the stay would terminate as a matter of law under 11 U.S.C. §§ 362(c)(1) or (c)(2) or until further order of the Court.

/s/ Signature

Attorney for Debtor(s)

Attorney Name

Attorney Bar No.

Attorney E-Mail

Attorney Address

Attorney Phone Number

DEBTOR(S) VERIFICATION STATEMENT AND SIGNATURE

I, [insert debtor name], declare [or certify, verify, or state] under penalty of perjury [if executed outside the U.S., include "under the laws of the United States of America"] that the foregoing is true and correct.

[If applicable] I, [insert Joint Debtor's name], declare [or certify, verify, or state] under penalty of perjury [if executed outside the U.S., include "under the laws of the United States of America"] that the foregoing is true and correct.

Signature of Debtor

Dated

Signature of Joint Debtor

Dated

PROOF OF SERVICE

A true and correct copy of the foregoing has been sent by either electronic transmission or U.S. Mail, postage prepaid, on [Insert Date] to:

/s/ Signature
Attorney for Debtor(s)
Attorney Name
Attorney Bar No.
Attorney E-Mail
Attorney Address
Attorney Phone Number