

United States Bankruptcy Court
Western District of Missouri

DRAFT LOCAL RULE - Reinstatement/Reopening of Dismissed Case

Rule 1017-1 is amended to read:

Rule 1017-1. Dismissal or Conversion of Case; Reinstatement or Reopening of Dismissed Case.

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E. Debtor's Motion to Vacate Dismissal and Reinstate/Reopen Case; Debtor's Motion to Reopen. If the debtor seeks to reinstate or reopen a case that has been dismissed, the debtor must file a motion to vacate the order of dismissal and to reinstate or reopen the case (See Local Form MOW 1017-1.1) which shall include the debtor's waiver of the debtor's right to object on the grounds of timeliness to complaints, motions, and proofs of claim filed pursuant to Fed. R. Bankr. P. 4004(a), 4004(c), 1017(e), and 3002(c) if the filing deadline expired on or after the date the case was dismissed or if less than thirty days remains until such deadline, so long as the complaints, motions, and proofs of claims are filed within 30 days of the notice of reinstatement or reopening. If a dismissed case has been closed, debtor's motion to reopen the case in order to vacate an order dismissing a case shall be accompanied by the applicable fee.

Movant shall serve the motion, with a notice that recipients have 21 days to object, on the trustee, if any, United States Trustee and all creditors and interested parties. If the dismissal was due to missing documents or fees, those missing documents must be filed and fees paid at the same time as the motion to ~~reopen the case~~ is filed.