

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI**

In Re: \_\_\_\_\_ )  
 )  
Debtor(s) \_\_\_\_\_ ) Case No. \_\_\_\_\_

**DEBTOR’S MOTION FOR ENTRY OF CHAPTER 12 DISCHARGE DUE TO  
HARDSHIP AND NOTICE OF DEADLINE AND OPPORTUNITY TO OBJECT**

Comes now the debtor and moves for the entry of an Order of Discharge pursuant to 11 U.S.C. §1228(b) despite the debtor’s failure to complete payments under the confirmed plan. In support thereof the debtor states:

1. “The debtor’s failure to complete such payments is due to circumstances for which the debtor should not justly be held accountable” in that \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ . 11 U.S.C. §1228(b)(1).

2. “The value, as of the effective date of the plan, of property actually distributed under the plan on account of each allowed unsecured claim is not less than the amount that would have been paid on such claim if the estate of the debtor had been liquidated under chapter 7 of this title on such date.” 11 U.S.C. §1228(b)(2).

3. “Modification of the plan under section 1229 of this title is not practicable” in that \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ . 11 U.S.C. §1228(b)(3).

4. If the debtor has claimed a homestead exemption in excess of \$125,000, there is no proceeding pending in which the debtor may be found guilty of a felony as described in 11 U.S.C. Section 522(q)(1)(A) and the debtor is not liable for a debt of the kind described in 11 U.S.C. §522(q)(1)(B).

WHEREFORE the debtor(s) respectfully move this Court to enter a Chapter 12 Discharge order pursuant to 11 U.S.C. §1228(b).

Date: \_\_\_\_\_

\_\_\_\_\_  
Debtor/Debtors Attorney  
[Provide signature block information per LR 9011-4]

**NOTICE OF OPPORTUNITY AND DEADLINE TO OBJECT TO MOTION FOR  
ENTRY OF CHAPTER 12 DISCHARGE DUE TO HARDSHIP**

PLEASE TAKE NOTICE THAT WITHIN TWENTY-ONE (21) DAYS AFTER THE DATE OF THIS NOTICE you must file and serve a written objection to the motion. The objection must be filed electronically with the Bankruptcy Court at [www.ecf.mowb.uscourts.gov](http://www.ecf.mowb.uscourts.gov). If you are a pro se creditor, you may file a written objection with the Clerk, United States Bankruptcy Court, Western District of Missouri, 400 East 9<sup>th</sup> Street, Room 1510, Kansas City, MO 64106. Debtor's attorney and the trustee will receive electronic notice when the objection is filed. If the debtor is pro se, you must serve your objection on the debtor.

Date: \_\_\_\_\_

\_\_\_\_\_  
Debtor/Debtors Attorney  
[Provide signature block information per LR 9011-4]

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion and Notice has been served by first class mail on all creditors and parties in interest pursuant to Fed. R. Bankr. P. 2002 and Local Rule 2002-1.

Date: \_\_\_\_\_

\_\_\_\_\_  
Debtor/Debtor's Attorney  
[Provide signature block information per LR 9011-4]

Instructions: Fill in all required information and serve on all creditors.

ECF Event: Bankruptcy>Motions/Applications/Requests>Chapter 12 Discharge - Hardship