UNITED STATES BANKRUPTCY COURT

WESTERN DISTRICT OF MISSOURI

IN RE: Enter debtor(s) name )

 )

 )

Debtor(s) ) Case No. Enter Case No.

 )

**DEBTOR’S MOTION FOR ENTRY OF CHAPTER 13 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. §1328(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 Enter text. 11 U.S.C. §1328(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. §1328(b)(2).

3. “Modification of the plan under section 1329 of this title is not practicable” in that Enter text. 11 U.S.C. §1328(b)(3).

4. The debtor has shown proof of completion, after the filing of this case, of the Personal Financial Management course required by 11 U.S.C. §1328(g)(1); or, alternatively, the debtor is aware that the Personal Financial Management course is required by 11 U.S.C. §1328(g)(1); and, proof of said completion must be filed before the court enters an order of discharge.

5. Pursuant to 11 U.S.C. §1328(f), the debtor has not received a discharge in a case filed under chapter 7, 11, or 12 in the 4-year period preceding the date of the order for relief under this chapter and has not received a discharge in a case filed under chapter 13 in the 2-year period preceding the date of such order.

6. 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. s522(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).

Date: Click to enter date. Enter signature

 Debtor/Debtors Attorney

**NOTICE OF OPPORTUNITY AND DEADLINE TO OBJECT TO MOTION FOR ENTRY OF CHAPTER 13 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 9th 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: Click to enter date. Enter signature

 Debtor/Debtors Attorney

**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 requesting notice.

Date: Click to enter date. Enter signature

 Debtor/Debtor’s Attorney

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

ECF Event: Bankruptcy>Motions/Applications/Requests>Chapter 13 Discharge - Hardship