

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

In Re: \_\_\_\_\_ ) Chapter 13  
 \_\_\_\_\_ )  
 \_\_\_\_\_ ) Case No.  
 \_\_\_\_\_ )  
 Debtor(s) \_\_\_\_\_ )

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

Debtor(s) move(s) the Court for an order extending [or imposing] the automatic stay, pursuant to 11 U.S.C. § 362(c)(3) [or (4)], and state and allege:

1. Debtor(s) filed this bankruptcy case on \_\_\_\_\_.
2. **Most recently filed prior case:** The Debtor(s) previously filed a Chapter \_\_ bankruptcy, Case No. \_\_\_\_\_, on \_\_\_\_\_ [if not filed in the W.D. of MO, add: in \_\_\_\_\_ District].
3. The most recently filed prior case was dismissed on \_\_\_\_\_ for (check 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): \_\_\_\_\_.
  - Other (explain): \_\_\_\_\_.
4. **History of other filed bankruptcy cases:**
  - Besides the most recently filed prior case, the Debtor(s) had no other pending bankruptcy cases in the preceding one-year period; or
  - The Debtor(s) had prior cases pending within the preceding one-year period and that were dismissed as follows: [add case number, district, date filed, and why the case was dismissed]: \_\_\_\_\_; and/or
  - Other relevant history of prior cases filed by the Debtor(s) before the preceding one-year period: \_\_\_\_\_
5. **Comparison of financial information in this case vs. the mostly recently filed previous case** [use the most recent amended Schedules I/J from the prior case]:

Financial Information	Current Case	Prior Case No.	Prior Case No.
Schedule I Net income (line 12)			
Schedule J Monthly Expenses (line 22c)			
Monthly Net Income (line 23b)			
Plan Payment			
Wage Order (yes or no)			

6. Debtor(s) [did or did not] have any prior case(s) dismissed in the past year for any of the following reasons:

- Failure to file or amend other required documents without substantial excuse.
- Failure to provide adequate protection as ordered by the Court.
- Failure to perform the terms of a plan confirmed by the Court.

[If yes, explain: \_\_\_\_\_]

7. Debtor(s) [did or did not] have any motions for relief filed by creditor(s) that were pending or had been resolved by terminating, conditioning, or limiting the stay as to actions by such creditor(s).

[If so, list creditor(s), the status of any motions for relief, and any explanation here: \_\_\_\_\_]

8. [If seeking to extend the stay]: The automatic stay will terminate on [insert date] \_\_\_\_\_ without further order of the Court.

9. Explanation of how the Debtor(s)' circumstances have substantially changed so that the reason for dismissal in the most recent prior case is not likely to recur (*provide details*): \_\_\_\_\_

10. Based of the foregoing, the Debtor(s) [*has/have*] demonstrated by clear and convincing evidence that the current case is filed in good faith. The Debtor[s]' circumstances have substantially changed so that the reason for dismissal in the prior case is not likely to recur and this case can be completed.

[I/We], (*name of declarant(s)*), hereby declare that [I/we] am familiar with the Debtor[s]' case, including the reasons for dismissal in the prior case. [I/We] rebut any presumption under § 362(c)(3)(C) [or § 362(c)(4)(D)]. [I/We] declare under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
Signature of Debtor

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Signature of Joint Debtor

\_\_\_\_\_  
Dated

Wherefore, Debtor(s) request[s] the Court to enter an order extending [or imposing] the automatic stay as to all creditors until it would terminate under 11 U.S.C. §§ 362(c)(1) or (c)(2), or until further order of the Court, and for such further relief as the Court deems just and appropriate.

Attorney signature block