**UNITED STATES BANKRUPTCY COURT**

**EASTERN DISTRICT OF NORTH CAROLINA**

**\* DIVISION**

|  |  |
| --- | --- |
| **IN RE:** | **CASE NO. \*** |
|  |  |
| **\*** |  |
|  |  |
| **DEBTOR** | **CHAPTER 13** |

**DEBTOR’S VERIFIED MOTION TO EXTEND AUTOMATIC STAY**

 Now comes the Debtor, by and through counsel, and moves this court to order, under 11 U.S.C. § 362(c)(3), that the full protections of the automatic stay be extended in this case until terminated under 11 U.S.C. § 362(c)(1) or (2), or until further order of the court. In support of this motion, the Debtor shows the court as follows:

1. The Debtor filed the above-captioned case on \*.
2. On \* (*insert date*) the Debtor filed a prior chapter 13 case bearing the assigned Case No. \*, in the \* (*insert district*) District of (*insert state*). The court dismissed that case on \* (*insert date*). The dismissal of the prior case was because of the following (*mark all that apply*):

[ ]  Debtor or Debtor’s immediate family incurred significant medical expenses;

[ ]  Debtor lost job/ had hours reduced/had wages reduced;

[ ]  Debtor incurred a significant expense on primary residence;

[ ]  Debtor incurred a significant expense on primary vehicle;

[ ]  Debtor was owed money by a third party (such as child support, alimony, worker’s compensation) and was not paid (*if so, list source of money* \*);

[ ]  Debtor incurred a significant expense related to a dependent (*if so, provide details*): \*

[ ]  Other \*

1. The Debtor’s circumstances have substantially changed because (*mark all that apply*):

[ ]  Debtor now has new income in the form of additional work hours, an additional job, additional wages from previous job, and/or a new job. Provide details: \*

[ ]  Debtor now has new income in the form of monetary assistance from a third party individual (*provide details*): \*

[ ]  Debtor now has new income in the form of monetary assistance from a third party organization (*provide details*): \*

[ ]  Debtor now has more available income in the form of reduced expenses (*provide details*): \*

[ ]  Other: \*

1. As required by E.D.N.C. LBR 4001-1 (d)(1), this motion (*mark appropriate box*)

[ ]  is filed within five (5) days of the petition date

[ ]  is NOT filed within five (5) days of the petition date.

1. The Debtor has 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.

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

Dated: \* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \*

 Attorney for Debtor

 Firm

 Address

 NC Bar No. \*

 Tel: \*

 Email: \*

DECLARATION

Under penalty of perjury, I, \*, hereby certify that I have personal knowledge of all the information contained in the pleading above and all information is true and accurate, to the best of my knowledge.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Signed)

(Typed Name)

Sworn and subscribed to me this the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public Notary Seal

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