

**THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG/HARRISONBURG/CHARLOTTESVILLE DIVISION**

RE:JOE DOE

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CHAPTER 13  
CASE NO. 00-00000

Debtor(s)

**MOTION TO EXTEND AUTOMATIC STAY  
ORDER AND NOTICE OF OPPORTUNITY FOR HEARING**

The Debtor(s), by Counsel, state as follows:

1. That on [**Petition filing date**], the Debtor(s) filed in this Court a Petition under Chapter 13 of the US Bankruptcy Code.
2. The Debtor's previous case was dismissed within the last twelve months prior to the filing of the current case.
3. Due to the dismissal of the previous case, the automatic stay will expire 30 days after the date of filing this new petition.
4. The Debtor(s) is requesting that the Court extend the automatic stay for the following reason(s). **The Debtor has been able to obtain full time employment and believes that she will be able to make her Chapter 13 payments for the duration of the plan. [this is an example only]**

**WHEREFORE**, your Debtor(s) prays that the Court, after notice and an opportunity for hearing, enter an Order extending the automatic stay until such time the Court deems otherwise.

**JOE DOE**

Dated:

**By:** \_\_\_\_\_

Attorney Name and Address

**NOTICE AND ORDER FOR HEARING**

It appearing to the Court proper so to do, it is **ORDERED** that any affected party or creditor (the "Respondent(s)") shall have twenty (20) days from the date of the entry of this order on docket to file with the *Clerk of the United States Bankruptcy Court, PO Box 6400, Lynchburg, Virginia 24505*, and **serve upon the Counsel for the Debtor(s)** at the address given above a written response to said MOTION and absent same, the Debtor may, without further notice or hearing, tender an order extending the automatic stay for the duration of the case.

If Respondent(s) timely files a response to the Debtor's MOTION and requests a hearing on the same, a hearing shall be held in the *United States Bankruptcy Court, 1101 Court Street, Lynchburg, Virginia*, on [**Hearing Date**], at **10:00 a.m.**, on the Debtor's MOTION TO EXTEND AUTOMATIC STAY and Respondent's response thereto. The Respondent must be present in person, or represented by Counsel at said hearing.

The Court further finds that cause exists to extend the automatic stay temporarily in order to facilitate this noticing procedure for the extension of the stay pursuant to 11 U.S.C. 362(c)(3)(B) that is necessary to provide all interested parties sufficient time to review object to the Debtor(s)' motion; it is therefore **ORDERED** that the automatic stay is extended temporarily through [**Day/Date**].

The Debtor(s) shall serve a copy of this order upon all affected parties, within 5 days of the date of entry of this order on docket, and certify in writing to the Court that he or she has done so.

**DATED:**

\_\_\_\_\_  
**United States Bankruptcy Judge**

I hereby, certify that I have this date mailed a true copy of the foregoing motion and order to all creditors on the mailing matrix in this case.

DATED:

\_\_\_\_\_  
Counsel for Debtor(s)