

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

IN RE:

**Chapter 13
Case No.:**

Debtor.

NOTICE OF CONVERSION OF CASE TO CHAPTER 7 UNDER SECTION 1307(a)

The debtors, by their attorney, represent and state as follows:

1. The Debtor is no longer able to comply with their Chapter 13 Plan and does not desire to modify the Plan.
2. The Debtor qualifies under Chapter 7 of Title 11.
3. Under Section 1307(a) of the Bankruptcy Code, the debtors are entitled to convert their Chapter 13 case to a case under Chapter 7 at any time, and the debtors now wish to convert this Chapter 13 case to a case under Chapter 7 of Title 11, U.S.C.
4. A copy of this Notice, has on this date, been mailed to the Chapter 13 Trustee serving in this case.

Wherefore, the debtors, under Bankruptcy Rules 1017(d) and 9013, hereby gives notice of the conversion of this Chapter 13 case under Chapter 7 of Title 11, United State Code.

Dated:

Approved:

(Debtor)

(Debtor's attorney, address, etc.)

(Joint Debtor)

UNITED STATES BANKRUPTCY COURT
Northern District of New York
Utica Division

In re:

Case No.
Chapter 13

Debtors.

_____ /

ORDER CONVERTING CHAPTER 13 CASE TO CASE UNDER CHAPTER 7

The Debtors having filed a Notice of Conversion, in accordance with 11 U.S.C. Sec. 1307(a) converting this case to a case under Chapter 7 of the Bankruptcy Code.

IT IS HEREBY ORDERED THAT:

1. The chapter 13 trustee within 30 days of the date of this order shall file and transmit to the United States trustee a final report and account, as required by Federal Rule of Bankruptcy Procedure 1019(5).
2. Within 15 days of the date of this order, the chapter 13 debtors shall file a schedule of unpaid debts incurred after the commencement of the chapter 13 case, as required by Federal Rule of Bankruptcy Procedure 1019(5).
3. The chapter 13 trustee forthwith shall turn over to the chapter 7 trustee all records and property of the estate remaining in the chapter 13 trustee's custody and control, as required by Federal Rule of Bankruptcy Procedure 1019(4).
4. The debtors within 15 days of the date of this order shall file the statements and schedules required by Federal Rule of Bankruptcy Procedure 1019(1)(A) and 1007(c) if such documents have not already been filed.

5. The debtors within 30 days of the date of this order shall if the case is converted after the confirmation of a plan, file:

a. a schedule of all property not listed in the final report and account of the chapter 13 trustee which was acquired after the commencement of the chapter 13 case but before the entry of this conversion order,

b. a schedule of executory contracts and unexpired leases entered into or assumed after the commencement of the chapter 13 case but before the entry of this conversion order, and

c. a schedule of unpaid debts not listed in the final report and account of the chapter 13 trustee which were incurred after the commencement of the chapter 13 case but before the entry of this conversion order, as required by Federal Rule of Bankruptcy Procedure 1019(5); and

d. a statement of intention with respect to retention or surrender of property securing consumer debts, as required by 11 U.S.C. § 521(2)(A), and Federal Rule of Bankruptcy Procedure 1019(1)(B), and conforming to Official Form 8.

Dated: Utica, New York

_____, 2002

Honorable Stephen D. Gerling
Chief U.S. Bankruptcy Judge