

OFFICE OF THE UNITED STATES TRUSTEE  
304 N 8<sup>th</sup> St., Rm 347  
BOISE, IDAHO 83702  
(208) 334-1300

CLERK OF COURTS

2003 NOV 14 PM 1 41

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF IDAHO

CLERK OF COURTS  
CLERK, IDAHO

In Re: )  
 )  
Gerald Lindsey )  
 )  
 )  
 )  
Debtor(s) )  
\_\_\_\_\_ )

Case No.03-21652-13  
EX PARTE APPLICATION  
FOR DISMISSAL

The United States Trustee, Diane E. Tebelius, by and through her attorney Jeffrey G. Howe, pursuant to Sections 707(a)(3), 1112(c), and 1208 or 1307(c)(9) and (10) of the Bankruptcy Code, requests dismissal of the petition, for the following reasons:

1. Sections 110(h)(1), 329(a), 521(1) and 1321 of the Bankruptcy Code and Rules 1007, 2016(b) and 3015(b) of the Federal Rules of Bankruptcy Procedure require that certain documents be filed within 15 days of the filing of a voluntary bankruptcy petition.

2. The notice provided by the United States Bankruptcy Court of the filing of this case provided notice that if the debtor(s) failed to file the required documents within 20 days of the date of the notice and no extension of time was granted, the United States Trustee would apply for an ex parte order of dismissal after the deadline passes. The docket indicates that this notice was served upon the debtor(s).

3. The docket indicates that all required documents have not been filed within 20 days of the date of the notice. The missing documents consist of all schedules, the statement of financial affairs and the Chapter 13 Plan.

Wherefore, the United States Trustee requests that an order be entered dismissing this bankruptcy.

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DATED this 12th day of November, 2003.

Respectfully Submitted,

DIANE E. TEBELIUS  
United States Trustee



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By: GARY L. MCCLEENDON  
Attorney

U.S. TRUSTEE OFFICE  
304 N 8<sup>th</sup> St., Rm 347  
BOISE ID 87302  
(208-334-1300)

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF IDAHO

InRe: ) Case No. 03-21652-13  
Gerald Lindsey )  
Debtor, ) Certificate of Mailing  
)

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I hereby certify on the 12<sup>th</sup> day of November, 2003, true and correct copies of the United States Trustee's Ex Parte Motion to Dismiss were mailed postage pre-paid to the following:

Gerald Lindsey  
HC01 Box 109B  
White Bird ID 83554

Brit Groom  
P O Box 218  
Grangeville ID 83530

Barry Zimmerman  
P O Box 1240  
Coeur d'Alene ID 83816

  
PATRICIA DELIGHT  
Legal Clerk