

BERNIE RAKOZY TRUSTEE
P. O. BOX 1738
BOISE, IDAHO 83701
208-343-4476

U.S. COURTS

AUG 19 AM 8:11

UNITED STATES BANKRUPTCY COURT
DISTRICT OF IDAHO

RECD FILED
CAMERON S. BURKE
CLERK IDAHO

In Re:)	Chapter 13
)	
DAVID S./KIMBERLY M. JENNINGS)	Case Number 97 02406
P.O. BOX 1152)	
FRUITLAND, ID 83619)	
)	TRUSTEE'S MOTION TO DISMISS
Debtor(s))	AND NOTICE
-----)	

MOTION TO DISMISS

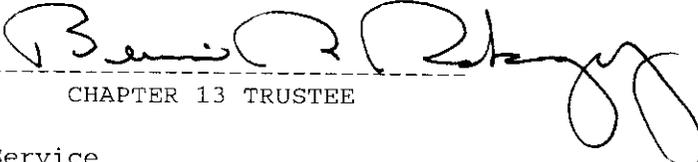
COMES NOW the undersigned Chapter 13 Trustee, and pursuant to 11 U.S.C. Section 1307(C) hereby moves to dismiss this case for "cause" including the following:

According to the debtors' 1998 taxes, they had an annual increase in income of over \$9600.00. The Trustee sent a letter to the debtors on July 13, 1999 regarding this increase in income. The Trustee has yet to hear from the debtors or thier attorney regarding this issue. The Trustee would like the income discrepancy addressed within 20 days or the case will be dismissed without further notice.

YOU ARE HEREBY NOTIFIED THAT if you object to entry of an Order Dismissing this Chapter 13 case for the cause stated above, YOU ARE REQUIRED TO CONTACT THE CHAPTER 13 TRUSTEE at the above address to either (A) request that this motion be set for a hearing before the Court, or (B) to make arrangements with the Chapter 13 Trustee to cure any default under the Chapter 13 plan.

YOU ARE FURTHER HEREBY NOTIFIED THAT if you fail to contact the Chapter 13 Trustee within 20 days of the date of service of this motion, that the Chapter 13 Trustee will present an Order dismissing this case to the Court for entry without further notice to you or a hearing.

DATED This 17th day of August, 1999


CHAPTER 13 TRUSTEE

Certificate of Service

The undersigned hereby certifies that he/she mailed a true copy of this Trustee's Motion to Dismiss and Notice, to the Debtors and to their attorney (if any) at the address(s) and on the date shown below:

DAVID S./KIMBERLY M. JENNINGS
P.O. BOX 1152
FRUITLAND, ID 83619

JAKE PETERSON
ATTORNEY AT LAW
1215 W. HAYS
BOISE, ID 83702

30

