

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

UNITED STATES BANKRUPTCY COURT
DISTRICT OF IDAHO

U.S. COURTS
01 OCT 25 AM 8:34
REC'D FILED
CAMERON S. BURKE
CLERK IDAHO

In Re:) Chapter 13
)
RICHARD S./BARBARA L GORDON) Case Number 01 00288
RT. #1, BOX 3806)
HOMEDALE, ID 83628)
) 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:

THE DEBTOR'S ARE DELINQUENT ON THEIR CHAPTER 13 PAYMENTS TO THE TRUSTEE FOR A TOTAL DUE OF \$1440.00 THROUGH SEPTEMBER 2001. THEIR NEXT PAYMENT OF \$480.00 IS DUE ON OCTOBER 25, 2001.

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 24th day of October, 2001


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:

RICHARD S./BARBARA L GORDON
RT. #1, BOX 3806
HOMEDALE, ID 83628

CYRUS J. ROEDER,
ATTORNEY AT LAW
355 W. MYRTLE SUITE 102
BOISE, IDAHO 83702

Date of Service: 10-24-01

By: STACY GIBSON