

L.D. Fitzgerald
Chapter 13 Trustee
845 W Center Suite D
Pocatello ID 83204
Telephone: (208)233-0500
Facsimile: (208)232-4721

FILED
APR 28 2004
CLERK OF COURT

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO

IN RE:)
)
HAUERT, SCOTT) CHAPTER 13
)
) CASE NO. 04-40281-13
)
) TRUSTEE'S MOTION TO DISMISS
) AND NOTICE
)

MOTION TO DISMISS

COMES NOW, the undersigned Chapter 13 Trustee, and pursuant to United States Bankruptcy Rule 9014 and 11 U.S.C. § 1307(c) hereby moves to dismiss this case for "cause" including the following:

Debtor is deceased. No further action can be taken on this Chapter 13.

NOTICE OF RIGHT TO OBJECT TO DISMISSAL
AND TO REQUEST A HEARING

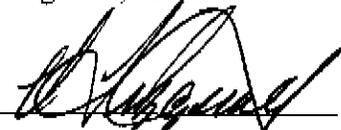
TO: The above Debtor(s) and to their Attorney:

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 HEREBY FURTHER NOTIFIED THAT if you fail to contact the Chapter 13 Trustee within twenty (20) days of the date of service of this Motion, 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: April 27, 2004

L.D. Fitzgerald, Trustee

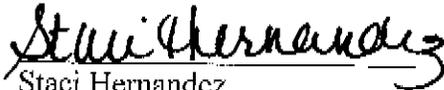


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CERTIFICATE OF SERVICE

The undersigned hereby certifies that she mailed a true copy of this Trustee's Motion to Dismiss and Notice, to the Debtor and to their attorney on the date shown below:

Dated: April 27, 2004


Staci Hernandez

SCOTT A. HAUERT (**DECEASED**)
717 5TH STREET
RUPERT ID 83350

BRUCE PALMER
ATTORNEY AT LAW
PO BOX 306
POCATELLO ID 83204-0306