

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF IDAHO

In Re: )  
 )  
BERNAL, ROBERT D JR. ) Chapter 13  
BERNAL, JANET FAYE ) Case No. 97-41367-13  
 )  
 ) TRUSTEE'S MOTION TO DISMISS  
 ) AND NOTICE  
\_\_\_\_\_  
(Debtor(s) )

*JW*

MOTION TO DISMISS

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

*DEBTORS ARE DELINQUENT \$75.36 FOR THE MONTH OF SEPTEMBER AND \$240.00 FOR THE MONTHS OF OCTOBER, NOVEMBER AND DECEMBER 1999 FOR A TOTAL OF \$795.36.*

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 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 twenty (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: December 22, 1999

L. D. FITZGERALD, TRUSTEE

\_\_\_\_\_  
*L. D. Fitzgerald*

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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: December 22, 1999

  
Staci Hernandez

cc: ROBERT AND JANET BERNAL  
1035 FALLS AVENUE  
AMERICAN FALLS ID 83211

DAVID RAYBORN  
ATTORNEY AT LAW  
PO BOX 1  
POCATELLO ID 83204-0001