

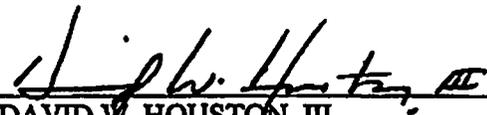
UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI

**STANDING ORDER REGARDING MOTION TO  
EXTEND OR IMPOSE THE AUTOMATIC STAY**

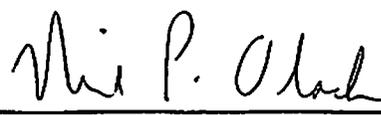
**IT IS HEREBY ORDERED** that the court may grant a motion to extend or impose the automatic stay pursuant to § 362(c)(3)(B) or (c)(4)(B) ("the Motion") without conducting a hearing subject to the following procedures:

1. Pursuant to 28 U.S.C. §1746, the debtor must file a *Declaration in Support of the Motion* ("the Declaration") (forms attached hereto) as an attachment to the Motion.
2. The debtor must serve a copy of the Motion and Declaration on all parties against whom the debtor seeks to continue or impose the stay within 2 days of the filing of the Motion and Declaration and file a certificate of service with the clerk.
3. A motion to extend the automatic stay pursuant to § 362(c)(3)(B) must be filed within 4 days after the date of the filing of the petition.
4. For a motion to extend the automatic stay pursuant to § 362(c)(3)(B), the court shall set a hearing in accordance with Miss. Bankr. L. R. 4001-1(e)(2).
5. For a motion to impose the automatic stay pursuant to § 362(c)(4)(B), the court shall not set a hearing with less than 14 days notice except under extraordinary circumstances.
6. If a response or objection to the Motion is not timely filed, and the debtor has filed an appropriate Declaration in support of the Motion, the court may grant the Motion without conducting a hearing.
7. Nothing contained in this Standing Order shall change the provisions of Miss. Bankr. L. R. 4001-1(e).

**SO ORDERED.** Effective: September 22, 2011.

  
\_\_\_\_\_  
DAVID W. HOUSTON, III  
UNITED STATES BANKRUPTCY JUDGE

Entered 9-22-11 at 4:00 P.M. A.M.  
United States Bankruptcy Court  
Northern District of Mississippi  
David J. Puddister, Clerk 

  
\_\_\_\_\_  
NEIL P. OLACK  
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

In re:

Case No.:

Chapter

**DECLARATION IN SUPPORT OF MOTION TO EXTEND  
THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362(c)(3)**

The debtor[s], in support of the Motion to Extend the Automatic Stay, state as follows:

1. [I/We] have personal knowledge of the facts listed in the foregoing situation.
2. [I/We] [am/are] over the age of 18, of sound mind, [am/are] capable of making this Declaration, and [am/are] fully competent to testify to the matters stated herein.
3. [I/We] filed this bankruptcy petition on [date].
4. [I/We] previously filed bankruptcy, [case number], under Chapter [#] on [date] and that case was dismissed on [date].
5. [I/We] have had no other pending bankruptcy cases in the preceding one-year period.
6. [I/We] have not had any prior case[s] dismissed in the past year for any of the following reasons:
  - failure to file or amend the petition or other required documents without substantial excuse;
  - failure to provide adequate protection as ordered by the Court; or
  - failure to perform the terms of a plan confirmed by the Court.
7. [I/We] have had a substantial change in [my/our] financial or personal affairs since the dismissal of the last case, and [I/we] believe that this case will:
  - [If a Chapter 7] be concluded with a discharge; or
  - [If a Chapter 11 or 13] result in a confirmed plan that will be fully performed.

8. Those changes are as follows:

*[Describe in detail].*

Check the appropriate box:

If executed within the United States, its territories, possessions or commonwealths:

*[I/We]* declare under penalty of perjury that the foregoing is true and correct.

If executed outside the United States:

*[I/We]* declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: \_\_\_\_\_  
*(date)*

\_\_\_\_\_  
Debtor's Signature

Executed on: \_\_\_\_\_  
*(date)*

\_\_\_\_\_  
Joint Debtor's Signature *(if applicable)*

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

In re:

Case No.:

Chapter

**DECLARATION IN SUPPORT OF MOTION TO IMPOSE  
THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362(c)(4)**

The debtor[s], in support of the Motion to Impose the Automatic Stay, state as follows:

1. [I/We] have personal knowledge of the facts listed in the foregoing situation.
2. [I/We] [am/are] over the age of 18, of sound mind, [am/are] capable of making this Declaration, and [am/are] fully competent to testify to the matters stated herein.
3. [I/We] filed this bankruptcy petition on [date].
4. [I/We] previously filed the following bankruptcy cases:
  - [case number], under Chapter [#] on [date] dismissed on [date].
  - [case number], under Chapter [#] on [date] dismissed on [date].
5. [I/We] have had no other pending bankruptcy cases in the preceding one-year period.
6. [I/We] have not had any prior case[s] dismissed in the past year for any of the following reasons:
  - failure to file or amend the petition or other required documents without substantial excuse;
  - failure to provide adequate protection as ordered by the Court; or
  - failure to perform the terms of a plan confirmed by the Court.
7. [I/We] have had a substantial change in [my/our] financial or personal affairs since the dismissal of the last case, and [I/we] believe that this case will:
  - [If a Chapter 7] be concluded with a discharge; or
  - [If a Chapter 11 or 13] result in a confirmed plan that will be fully performed.

8. Those changes are as follows:

*[Describe in detail].*

Check the appropriate box:

If executed within the United States, its territories, possessions or commonwealths:

*[I/We]* declare under penalty of perjury that the foregoing is true and correct.

If executed outside the United States:

*[I/We]* declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: \_\_\_\_\_  
(date)

\_\_\_\_\_  
Debtor's Signature

Executed on: \_\_\_\_\_  
(date)

\_\_\_\_\_  
Joint Debtor's Signature *(if applicable)*

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

In re: [Debtor]

Case No.:

Chapter \_\_\_\_

**NOTICE OF HEARING AND DEADLINES**

\_\_\_\_\_, debtor, has filed a Motion to Extend or Impose the Automatic Stay (the "Motion") (Dkt. #\_\_\_\_) with the Court in the above-styled case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you might wish to consult one.)**

The Court will hold a hearing on \_\_\_\_\_, at \_\_\_\_\_ .m. at \_\_\_\_\_, Mississippi, to consider and act upon the Motion.

If you do not want the Court to grant the Motion, or if you want the Court to consider your views on the Motion, you or your attorney must file a written response explaining your position so that the Court receives it on or before \_\_\_\_\_. Attorneys and Registered Users of the Electronic Case Filing (ECF) system should file any response using ECF. Others should file any response at the United States Bankruptcy Court, 703 Highway 145 North, Aberdeen, Mississippi 39730. If you file a response, you or your attorney are required to attend the hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the Motion. If no response is filed, and the debtor has filed a declaration in support of the motion, in accordance with the *Standing Order Regarding Motion to Extend or Impose the Automatic Stay*, the Court may grant the Motion without conducting a hearing.

Dated:

David J. Puddister, Clerk of Court  
United States Bankruptcy Court  
703 Highway 145 North  
Aberdeen, MS 39730  
662-369-2596

**Parties Noticed:**

**ALL CREDITORS AND PARTIES LISTED ON THE COURT'S MAILING MATRIX**