

Fax:
Attorney for Creditor

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re: Chapter 13
Case No. _____
R.S. No. _____

**MOTION FOR RELIEF FROM STAY AND
NOTICE OF OPPORTUNITY FOR HEARING WITH
CERTIFICATE OF SERVICE**

Debtor(s) _____
Vehicle Description:
Secured Creditor/Lessor:

TO THE DEBTOR(S): ACT NOW OR YOU WILL LOSE YOUR VEHICLE

NOTICE IS HEREBY GIVEN that the creditor moves this Court to modify the automatic stay to allow the creditor to repossess and dispose of the vehicle securing creditor's debt in any manner permitted under state law. This motion is made on the grounds that the vehicle is not adequately protected because the debtor(s) does not have collision and comprehensive insurance.

You are notified that you are given **seven (7) days** from the date of mailing of this Notice to request a hearing on this Motion, using the attached form. Such a request must include a detailed statement by the debtor(s) or the debtor(s)' attorney stating the reasons for your request for a hearing. The Court must find that your reasons constitute sufficient cause for you to be granted a hearing. The debtor(s)' request for hearing shall be filed with the Clerk of the U.S. Bankruptcy Court at the address listed below, and shall be served upon the creditor's attorney and the Chapter 13 Trustee listed below. You must inform the creditor's attorney of your request for hearing by telephone or facsimile immediately upon filing such a request. If there is no timely request for a hearing, the Court may enter an order by default granting the creditor permission to repossess and dispose of the vehicle. If a hearing is granted, you will be notified by creditor's counsel within three days of the date of entry of the order.

Dated: _____

Attorney for Creditor

- * Clerk
- * United States Bankruptcy Court
- * 280 S. First St., Room 3035
- * San Jose CA 95113
- * Chapter 13 Trustee
- * Devin Derham-Burk
- * P.O. Box 50013
- * San Jose, CA 95113

CERTIFICATE OF SERVICE

I am not less than 18 years of age and not a party to the within case. My business address is: _____
_____. I served this MOTION FOR RELIEF FROM STAY AND NOTICE OF OPPORTUNITY FOR HEARING and by first-class United States mail, postage pre-paid, at _____, California on the date noted below and addressed to the debtor(s) and the debtor(s) attorney as listed below. I declare under penalty of perjury that the foregoing is true and correct.

Dated: _____

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