

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA**

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In re:

Case No.
Chapter 7

Debtor /

ORDER CONVERTING CASE UNDER CHAPTER 7 TO CASE UNDER CHAPTER 13

The debtor has filed a motion to convert this case to a case under chapter 13 pursuant to 11 U.S.C. § 706(a). Since the case has not been previously converted under 11 U.S.C. § 1112, § 1208 or § 1307, the court finds that the debtor is eligible to be a debtor under chapter 13.

It is **ORDERED** that:

1. This chapter 7 case is converted to a case under chapter 13.
2. The chapter 7 trustee shall file, within 30 days of the date of this order:
 - a. A final accounting for all receipts and disbursements made in the chapter 7 case; and
 - b. A report on the administration of the case pursuant to 11 U.S.C. § 704(9).
3. The chapter 7 trustee forthwith shall turn over to the debtor, all records and property of the estate remaining in the chapter 7 trustee's custody and control.
4. The debtor shall provide notice to affected parties of the deadline set pursuant to Local Rule 1019-1(F)(1) for filing by a nongovernmental unit a request for payment of an administrative expense (including, as permitted by Local Rule 3001-1(B) a proof of claim alleging a section 503 claim).
5. The chapter 7 trustee shall provide to the chapter 13 trustee, within 10 days of the date of this order, a copy of the petition, schedules and lists filed by the debtor under chapter 7.
6. The debtor shall file, within 15 days from the date of this order, the statement of

financial affairs and schedules required by Bankruptcy Rule 1007(b) and Local Rule 1019-1(C), and in accordance with Local Rules 1007-2 and 1009-1(C), if such documents have not already been filed. Amendments to these documents shall be filed by the deadline set forth in Local Rule 1009-1(F).

7. The debtor shall file, within 15 days from the date of this order, a chapter 13 plan on the one page Local Form required by Local Rule 3015-1(B)(1). Amendments to the plan shall be filed by the deadline set forth in Local Rule 3015-2.

8. Pursuant to Local Rule 3015-1(B)(2), contemporaneously with the filing of a chapter 13 plan, the debtor shall serve on the chapter 13 trustee evidence of debtor's income, including copies of debtor's tax return for the year preceding the filing of the petition and the last three pay stubs received prior to the filing of the petition. These documents shall not be filed with the court.

9. The debtor shall commence plan payments to the chapter 13 trustee within 30 days from the date of this order in the manner prescribed by that trustee as required by Local Rule 3070-1. If, at the first meeting of creditors, the debtor is not current in plan payments under the plan as originally filed, the chapter 13 trustee may submit a proposed order dismissing the debtor's chapter 13 case and the case may be dismissed without further notice of hearing. Dismissal shall be with prejudice to the debtor filing any bankruptcy case for a period of 180 days from entry of the order of dismissal (see Local Rule 3070-1(B)(1)).

Failure of the debtor to comply with the provisions of this order may result in dismissal of this case without further hearing or notice.

ORDERED in the Southern District of Florida on _____.

UNITED STATES BANKRUPTCY JUDGE

Copies to:
Debtor
Attorney for Debtor
U.S. trustee
Chapter 7 trustee
Chapter 13 trustee