

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA

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DIVISION: \_\_\_\_\_

In re:

Case No.  
Chapter 13

\_\_\_\_\_  
Debtor(s) /

**DEBTOR'S CERTIFICATE OF COMPLIANCE, MOTION FOR  
ISSUANCE OF DISCHARGE BEFORE COMPLETION OF  
PLAN PAYMENTS, AND NOTICE OF DEADLINE TO OBJECT**

**NOTICE OF TIME TO OBJECT**

**Any interested party who fails to file and serve a written response to this motion within 21 days after the date of service of this motion shall, pursuant to Local Rules 4004-3(A)(3) and 9013-1(D), be deemed to have consented to the entry of an order of discharge.**

The debtor(s)\*, \_\_\_\_\_, in the above captioned matter moves this court for entry of discharge prior to completion of all payments under the plan pursuant to 11 U.S.C. §1328(b) and certifies as follows:

1. A. The debtor is unable to complete payments under the confirmed plan due to the following circumstances for which the debtor should not justly be held accountable:
  - B. The value, as of the effective date of the plan, of property actually distributed under the plan on account of each allowed unsecured claim is not less than the amount that would have been paid on such claim if the estate of the debtor had been liquidated under chapter 7 of the Bankruptcy Code, on such date. The debtor offers the following in support of this allegation:
  - C. Modification of the plan under section 1329 of the Bankruptcy Code is not practicable because:

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\*Unless otherwise specified, each reference to the "debtor" shall include and refer to both debtors in a case filed jointly by two individuals.

2. The debtor has completed an instructional course concerning personal financial management described in 11 U.S.C. §111 and has filed the requisite certificate on \_\_\_\_\_.

3. Compliance with 11 U.S.C. §101(14A):

\_\_\_\_\_ A. The debtor has not been required by a judicial or administrative order, or by statute, to pay any domestic support obligation as defined in 11 U.S.C. §101(14A) either before this bankruptcy was filed or at any time after the filing of this bankruptcy.

or

\_\_\_\_\_ B. The debtor certifies that as of the date of this certification, the debtor has paid all amounts due under any and all domestic support obligations as defined in 11 U.S.C. §101(14A), required by a judicial or administrative order or by statute, including amounts due before, during and after this case was filed. The name and address of each holder of a domestic support obligation is as follows:

\_\_\_\_\_  
(NAME)  
\_\_\_\_\_  
(ADDRESS)  
\_\_\_\_\_  
\_\_\_\_\_

4. The debtor's mailing address for receipt of court notices is as follows:  
[Note: Providing an updated debtor address here constitutes a change of address pursuant to Local Rule 2002-1(G). No separate Notice of Change of Address is required to be filed.]

\_\_\_\_\_  
(ADDRESS)  
\_\_\_\_\_  
\_\_\_\_\_

5. The name and address of the debtor's most recent employer is as follows:

\_\_\_\_\_  
(NAME)  
\_\_\_\_\_  
(ADDRESS)  
\_\_\_\_\_  
\_\_\_\_\_

6. The following creditors hold a claim that is not discharged under 11 U.S.C. §523(a)(2) or (a)(4) or a claim that was reaffirmed under 11 U.S.C. §524(c):

\_\_\_\_\_  
(NAME)  
\_\_\_\_\_  
(NAME)  
\_\_\_\_\_

7. Compliance with 11 U.S.C. §1328(h):

\_\_\_\_\_ A. The debtor has not claimed an exemption under §522(b)(3) in an amount in excess of \$155,675 in property of the kind described in §522(q)(1) [generally the debtor's homestead];

or

\_\_\_\_\_ B. The debtor has claimed an exemption under §522(b)(3) in an amount in excess of \$155,675 in property of the kind described in §522(q)(1) but there is no pending proceeding in which the debtor may be found guilty of a felony of a kind described in §522(q)(1)(A) or found liable for a debt of the kind described in §522(q)(1)(B).

8. The debtor has not received a discharge in a case filed under chapter 7, 11, or 12 during the 4 year period preceding the filing of the instant case or in a case filed under chapter 13 during the 2 year period preceding the filing of the instant case.

I declare under penalty of perjury that the information provided in this Certificate is true and correct. I respectfully request that the Court grant a discharge under 11 U.S.C. § 1328(b) and provide such other and further relief as is just.

/s/ \_\_\_\_\_  
Debtor

/s/ \_\_\_\_\_  
Debtor

### CERTIFICATE OF SERVICE

Attach or file separately a Local Rule 2002-1(F) certificate of service reflecting manner and date of service on parties in interest.

If the debtor is appearing pro-se, the clerk's office will serve this Certificate and Motion.