

LOCAL BANKRUPTCY FORM 4001-1.1
[Caption as in Bankruptcy Official Form 16A]

**NOTICE OF MOTION FOR RELIEF FROM STAY
AND OPPORTUNITY FOR HEARING PURSUANT TO 11 U.S.C. § 362(d)**

OBJECTION DEADLINE: (month/day/year) .

YOU ARE HEREBY NOTIFIED that a Motion for Relief from Stay has been filed, a copy of which is attached hereto.

A hearing on the motion has been set for (month/day/ year) at (time) at the U.S. Bankruptcy Court, U.S. Custom House, 721 19th Street, Courtroom (), Fifth Floor, Denver, Colorado 80202. The hearing will be conducted in accordance with the provisions of **L.B.R. 4001-1**.

IF YOU DESIRE TO OPPOSE THIS MOTION, you must file with this court a WRITTEN OBJECTION to the motion on or before the objection deadline listed above and serve a copy upon movant's attorney, whose address is listed below.

If you file an objection, you are REQUIRED to comply with **L.B.R. 4001-1** regarding hearing procedures, including (1) the timely submission and exchange of witness lists and exhibits and (2) attendance at the above-scheduled hearing in person or through counsel, if represented.

IF YOU FAIL TO FILE AN OBJECTION, and the scheduled hearing will be **vacated**, an order granting the relief requested may be granted without further notice to you.

Dated: _____

By: _____
Counsel to _____
Attorney registration number (if applicable)
Business address (or home address for *pro se*)
Telephone number
Facsimile number
E-mail address

LOCAL BANKRUPTCY FORM 4001-1.2
[Caption as in Bankruptcy Official Form 16A]

RELIEF FROM STAY COVER SHEET FOR 11 U.S.C. § 362(d)

Date Petition Filed: _____
Prior hearings on this obligation: _____
Nature of Relief: Terminate Stay, Annul Stay, Modify Stay, Condition Stay,
 Other (describe) _____
Is relief sought from the co-debtor's stay? Yes, No

1. MOVANT:

Secured Creditor (name) _____
 Lessor (name) _____
 Other (describe) _____
Moving Party's position (first trust deed, second, owner, etc.): _____

2. COLLATERAL:

Real Property (type, address) _____
 Vehicle (year, make and model) _____
 Other personal property (describe) _____
Fair market value of collateral: \$ _____
Source of value: _____ If appraisal, date: _____

3. DEBT:

Contract Balance: \$ _____, as of _____.
Monthly Payment: \$ _____, includes: principal, interest, taxes,
 insurance, other _____.

4. DEFAULT:

Pre-Petition Default: No. of months: _____ Amount \$ _____
 Post-Petition Default: No. of months: _____ Amount \$ _____
 Other default or amounts owed: _____
 Payment history attached to motion. If a default is alleged as to payment on the debt, attach a detailed payment history regarding the debt and arrearages.
Notice of Default (date): _____
Notice of Trustee's Sale (date): _____
Advances to Senior Lienholders: \$ _____

5. OTHER ALLEGATIONS:

Lack of Adequate Protection, 11 U.S.C. § 362(d)(1)
 No insurance
 Taxes unpaid Amount \$ _____
 Rapidly depreciating asset
 Other (describe) _____
No Equity and Not Necessary for an Effective Reorganization, 11.U.S.C. § 362(d)(2)
 Other "Cause," 11 U.S.C. § 362(d)(1)
 Bad Faith (describe) _____

- Other (describe) _____
- Movant seeking in rem relief, 11 U.S.C. § 362(d)(4)
- Other pertinent information or reasons for filing motion (i.e. to pursue state court litigation): _____

6. OTHER LIENS AND ENCUMBRANCES:

Specify name & status of other liens & encumbrances, if known (e.g. trust deeds, tax liens, etc):

Position	Name	Amount	Mo. Payment	Defaults
1 st Trust Deed:		\$	\$	\$
2 nd Trust Deed		\$	\$	\$
Other		\$	\$	\$
Other		\$	\$	\$
Totals		\$	\$	\$

7. SIGNATURE:

Dated: _____

By: _____

Counsel to _____
 Attorney registration number (if applicable)
 Business address (or home address for *pro se*)
 Telephone number
 Facsimile number
 E-mail address

Commentary

L.B. Form 4001-1.2 is a cover sheet only. While its completion is mandatory, it is not intended to be a substitute for submission of the motion pursuant to FED. R. BANKR. P. 4001 and **L.B.R. 4001-1**.

Complete the sections and check the box(es) that are applicable to your motion.

LOCAL BANKRUPTCY FORM 4001-1.4
[Caption as in Bankruptcy Official Form 16A]

ORDER ON MOTION FOR RELIEF FROM STAY

_____, Movant, has filed herein a motion for relief from stay

1. to foreclose on and/or take possession and control of property described as follows: _____.

2. to proceed with the liquidation of claims involving the debtor or the debtor's estate pursuant to certain proceedings presently pending in: _____.

3. other: _____.

The court, being duly advised, and any objections having been resolved, withdrawn, or overruled, hereby orders that the relief sought by the motion should be granted, and _____ (Movant), is hereby granted relief from stay in order to proceed to take possession of, by way of the appointment of a receiver and otherwise, and to foreclose on the collateral above described, or if applicable, to proceed with the above described litigation (but not to seek to enforce any judgment _____ (Movant) may obtain against the debtor personally or the debtor's post-petition property.)

Dated: _____

BY THE COURT:

United States Bankruptcy Judge

Commentary:

The court, in its discretion, may use this proposed form of order or enter a virtual order.

LOCAL BANKRUPTCY FORM 4001-2.1
[Caption as in Bankruptcy Official Form 16A]

**NOTICE OF MOTION REGARDING TERMINATION, ABSENCE,
OR EXTENSION OF AUTOMATIC STAY**

OBJECTION DEADLINE: (month/day/year) .

YOU ARE HEREBY NOTIFIED that a Motion regarding (insert specific type of motion, i.e. termination, absence, extension or imposition of stay or determination that property is of consequential value) has been filed, a copy of which is attached hereto.

A hearing on the motion has been set for (month/day/ year) at (time) at the U.S. Bankruptcy Court, U.S. Custom House, 721 19th Street, Courtroom () , Fifth Floor, Denver, Colorado 80202.

IF YOU DESIRE TO OPPOSE THIS MOTION, you must file with this court a WRITTEN OBJECTION to the motion on or before the objection deadline listed above, and serve a copy upon Movant's attorney, whose address is listed below.

If you file an objection, you are REQUIRED to comply with **L.B.R. 4001-1(c)** regarding hearing procedures, including (1) the timely submission and exchange of witness lists and exhibits and (2) attendance at the above-scheduled hearing in person.

IF YOU FAIL TO FILE AN OBJECTION, the scheduled hearing will be **vacated** and an order granting the relief requested may be granted without further notice to you.

Dated: _____

By: _____

Counsel to _____
Attorney registration number (if applicable)
Business address (or home address for *pro se*)
Telephone number
Facsimile number
E-mail address

LOCAL BANKRUPTCY FORM 4001-2.2
[Caption as in Bankruptcy Official Form 16A]

ORDER CONFIRMING TERMINATION OR ABSENCE OF STAY

_____, Movant, has filed herein a request seeking an order confirming termination or absence of the automatic stay of 11 U.S.C. § 362(c).

[] [*insert as applicable – stay terminated after 30 days*] The record reflects that the debtor(s) previously filed a bankruptcy petition less than one year prior to the current filing but was dismissed. Pursuant to 11 U.S.C. § 362(c)(3), the court confirms that the stay as to _____ terminated effective, (month/day/year), thirty (30) days following the petition date.

[] [*insert as applicable – absence of stay*] The record reflects that the debtor(s) had two (2) or more bankruptcy petitions pending within the one year period prior to the current filing but were dismissed. Pursuant to 11 U.S.C. § 362(c)(4)(A)(ii), the court confirms that no stay is in effect.

[] [*insert as applicable – absence of stay with respect to specific property*] The record reflects that the debtor(s) failed to comply with 11 U.S.C. § 521(a)(2). Pursuant to 11 U.S.C. § 362(h), it is the order of this court that the stay does not apply to the following personal property: _____ (description of personal property), and such property is no longer property of the estate.

Dated: _____

BY THE COURT:

United States Bankruptcy Judge