

Rule 2084-15: Trustee Motion to Dismiss for Plan Payment Delinquency

(a) Trustee Motion. A motion to dismiss filed by the ~~ease~~ trustee because the debtor is delinquent in one or more plan payments may provide for dismissal of the case unless, within 30 days of the ~~ease~~-trustee filing the motion, the debtor does one of the following:

- (1) Pays the ~~ease~~-trustee the amount of the delinquent plan payments or getsobtains an informal agreement with the case trustee to catch up the payments;
- (2) If the debtor is otherwise eligible, files with the court, and serves a copy on the ~~ease~~-trustee, a notice of conversion to chapter 7 or, if the case was previously converted, a motion to convert to another chapter; or
- (3) Files and serves a motion for a moratorium of the delinquent plan payments.

(b) Dismissal. If the debtor fails to timely do one of the acts in paragraph (a), the ~~ease~~ trustee may ~~upload~~lodge an order dismissing the case and the court may summarily dismiss the case.