

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re: {name of debtor(s)}) Case No. {case no.}
Debtor(s).) Chapter 13
)
) Hearing Date: {hearing date}
) Hearing Time: {hearing time}
) Hearing Location: {hearing location}

NOTICE AND MOTION FOR DETERMINATION OF FINAL CURE AMOUNT AND
PAYMENT PURSUANT TO LOCAL RULE 3002.1(B) AND FEDERAL RULE 3002.1(h)

WARNING: ANY RESPONSE OR OBJECTION MUST BE FILED WITH THE COURT BY {DATE}, WHICH IS 7 DAYS PRIOR TO THE HEARING LISTED ABOVE, OR THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT WITHOUT FURTHER HEARING OR NOTICE. A COPY MUST BE SERVED ON THE DEBTOR'S(S) ATTORNEY {DEBTOR IF PRO SE} AND THE CHAPTER 13 TRUSTEE.

Pursuant to Local Rule of Bankruptcy Procedure 3002.1(B) and Fed. R. Bankr. P. 3002.1(h), the {Debtor or Chapter 13 Trustee} hereby moves (the "Motion") this Court for an Order determining the final cure amount and payment on the mortgage on the Debtor's(s)' principal residence at {address}.

1. The Court has jurisdiction, and authority to finally decide this Motion as a core proceeding, pursuant to 28 U.S.C. §§ 1334 and 157, and Local Rule 9.01(B)(1) of the United States District Court for the Eastern District of Missouri.
2. This case was commenced by the filing of a petition with the Clerk of the Bankruptcy Court on {date}.
3. The Debtors' Chapter 13 plan (the "Plan") provided for a cure of the Debtor's(s)' pre-petition mortgage default and maintenance of current home mortgage payments over the life of the Plan. The Plan was confirmed by the Court.
4. The Debtor's(s)' home mortgage claimant is {name of claimant} (the "Claimant").

5. The Debtor(s) has completed all payments under the Plan. On {date}, the Chapter 13 Trustee filed the Notice of Final Cure Payment pursuant to Fed. R. Bankr. P. 3002.1(f) stating that the Debtor(s) has paid in full the amount required to cure any default on the Debtor's(s') home mortgage.
6. The Claimant failed within the time set forth in Fed. R. Bankr. P. 3002.1(g) to file the Response to Notice of Final Cure Payment required by that Rule indicating 1) whether it agreed that the Debtor(s) has paid the amount required to cure any default on the home mortgage; and 2) whether the Debtor(s) is otherwise current on all payments consistent with 11 U.S.C. §1322(b)(5).
7. The Debtor(s) has paid the amount required to cure any default on the home mortgage, has made all required post-petition payments pursuant to 11 U.S.C. §1322(b)(5), and is current on all obligations with respect to the home mortgage.

WHEREFORE, the {Debtor or Chapter 13 Trustee} prays that this Court enter an Order pursuant to Fed. R. Bankr. P. 3002.1(h) declaring that the Debtor(s) has paid the amount required to cure any default on the home mortgage and has paid all required post-petition amounts.

{attorney name and bar no., or debtor's
signature if pro se}
{address}
{phone no./fax no./e-mail}

CERTIFICATE OF SERVICE

(See L.R. 9004(D))

{attorney's name or debtor's signature if pro
se}