

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE: _____,  Debtor(s).	C/A No. _____  Chapter __
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**CERTIFICATION OF NONCOMPLIANCE WITH 11 U.S.C. § 109(h)(1) AND  
REQUEST FOR EXEMPTION<sup>1</sup>**

Under penalty of perjury, I/we certify and attest to the following:

I/we (each referred to as the “Undersigned”) am the/a debtor in the above styled bankruptcy action filed on \_\_\_\_\_ (“Petition Date”). Within the one-hundred eighty (180) days prior to the Petition Date, Undersigned did not receive the credit counseling required by 11 U.S.C. § 109(h)(1).

Undersigned certifies that exigent circumstances exist to waive the pre-petition credit counseling requirement. These exigent circumstances are described in detail as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Undersigned also certifies that, prior to the Petition Date, Undersigned requested credit counseling services from an approved nonprofit budget and credit counseling agency, known as \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (list the name, address, phone number, and, if applicable, the website of the credit counseling agency). Undersigned made a request for credit counseling services from this credit counseling agency on the following date \_\_\_\_\_, but was unable to obtain the credit counseling services offered by this credit counseling agency within the five day period beginning on that date for the following reasons: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

<sup>1</sup> All sections of this Certification must be completed in order for the request for an exemption to be considered by the Court.

Undersigned requests that the Court order an exemption under 11 U.S.C. § 109(h)(3) and allow Undersigned additional time to obtain the required credit counseling. If the Court allows additional time to obtain credit counseling, Undersigned agrees to obtain the credit counseling required by 11 U.S.C. § 109(h)(1) and file with the Court a certificate from an approved nonprofit budget and credit counseling agency that Undersigned has completed the required credit counseling. Undersigned agrees to obtain the required credit counseling and file the required certificate within thirty (30) days from the Petition Date or by such other time as the Court may order, which may be shorter than thirty (30) days from the Petition Date.

Undersigned agrees and understands that failure to comply with any order of the Court made pursuant to this request may result in this case being dismissed with prejudice, as to any Chapter under Title 11, for a period of one-hundred eighty (180) days.

UNDERSIGNED EACH SO CERTIFY TO THE TRUTHFULNESS AND ACCURACY OF THE REPRESENTATIONS MADE HEREIN.

\_\_\_\_\_  
(Debtor's Signature)

\_\_\_\_\_  
(Co-Debtor's Signature)

\_\_\_\_\_, 200\_\_