

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA**

**COURT ORDERS INFORMATION SHEET**

Listed below is the paragraph language which is used in the local court orders entered pertaining to the dismissal of a chapter 13 case and to the confirmation of a chapter 13 plan. The paragraph numbers below correspond to the paragraph numbers on the original orders.

**JUDGE DUNCAN**

**Orders Re: Dismissal of Chapter 13 Cases**

- \_\_\_\_\_ P-I The relief sought is granted and the case is hereby dismissed.
- \_\_\_\_\_ P-II The relief sought is denied.
- \_\_\_\_\_ P-III The relief sought is denied based upon an agreement between the trustee and the debtor(s) and/or the attorney for the debtor(s), whereby this case may be dismissed upon request of the trustee, without further notice or hearing, if the debtor(s) fail(s) to comply with the terms of this agreement. If this matter arose because of the debtor(s) failure to make payments to the trustee, the case may also be dismissed upon request of the trustee, without further notice or hearing, if the debtor(s) fail(s) to make future payments, as they become due.
- \_\_\_\_\_ P-IV The relief sought is granted and the case is hereby dismissed with prejudice based upon a previous Order directing that any dismissal of this case would be with prejudice. The debtor(s) is/are hereby directed not to file a Petition under <Chapter 13 **OR** Chapters 11, 12, and 13> for a period of <one-hundred eighty (180) days **OR** one year> from entry of this Order.

**Order Re: Confirmation of Chapter 13 Plan**

- \_\_\_\_\_ C-I The plan as presently filed may be confirmed if the trustee recommends confirmation. If the plan is not confirmed within forty-five (45) days, a further confirmation hearing will be held on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. At that hearing, the Court may also review the attorney's fees being charged in this case to determine their reasonableness under the circumstances of the case. The Court may also consider dismissal of the case pursuant to SC LBR 3015-3, if appropriate.
- \_\_\_\_\_ C-II The plan does not comply with the requirements for confirmation. Therefore, confirmation of the plan and any modifications considered for confirmation is denied. The debtor(s) shall prepare and file a chapter 13 plan within fourteen (14) days from the entry of this order. If no such plan is timely filed, this case may be dismissed without further notice or hearing. A hearing on confirmation of that plan and of any timely modifications to that plan will be held on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. At that hearing, the Court may also review the attorney's fees being charged in this case to determine their reasonableness under the circumstances of the case. The Court may also consider dismissal of the case pursuant to SC LBR 3015-3, if appropriate.
- \_\_\_\_\_ C-III A The plan does not comply with the requirements of Chapter 13. Therefore, confirmation is denied and the case is hereby dismissed.
- \_\_\_\_\_ C-III B The plan does not comply with the requirements of Chapter 13. Therefore, confirmation is denied and the case is hereby dismissed with prejudice based upon a previous Order directing that any dismissal of this case would be with prejudice. The debtor(s) is/are hereby directed not to file a Petition under <Chapter 13 **OR** Chapters 11, 12, and 13> for a period of <one-hundred eighty (180) days **OR** one year> from entry of this Order.
- \_\_\_\_\_ C-IV Confirmation of the plan is denied. The case will be dismissed unless a motion to convert to another chapter is filed within ten (10) days.

## JUDGE BURRIS

### Orders Re: Dismissal of Chapter 13 Cases

- \_\_\_\_\_ P-I The relief sought is granted and the case is hereby dismissed.
- \_\_\_\_\_ P-II The relief sought is denied.
- \_\_\_\_\_ P-III The relief sought is denied based upon an agreement between the trustee and the debtor(s) and/or the attorney for the debtor(s), whereby this case may be dismissed upon request of the trustee, without further notice or hearing, if the debtor(s) fail(s) to comply with the terms of this agreement. If this matter arose because of the debtor(s) failure to make payments to the trustee, the case may also be dismissed upon request of the trustee, without further notice or hearing, if the debtor(s) fail(s) to make future payments, as they become due.
- \_\_\_\_\_ P-IV The relief sought is granted and the case is hereby dismissed with prejudice based upon a previous Order directing that any dismissal of this case would be with prejudice. The debtor(s) is/are hereby directed not to file a Petition under *<Chapter 13 OR Chapters 11, 12, and 13>* for a period of *<one-hundred eighty (180) days OR one year>* from entry of this Order.

### Order Re: Confirmation of Chapter 13 Plan

- \_\_\_\_\_ C-I The plan as presently filed on \_\_\_\_\_ will be confirmed if the trustee recommends confirmation. Any other conditions incident to confirmation which may have been made orally by the Court during the hearing are hereby made a part of this order.
- \_\_\_\_\_ C-II The plan does not currently comply with the requirements of Chapter 13. The debtor(s) is/are given ten (10) days from the date of this Order within which to propose, file and serve a modified plan pursuant to SC LBR 3015-2, and/or to provide the Chapter 13 trustee with any documents and information requested at or before the confirmation hearing. If the debtor fails to comply with the terms of this Order, this case may be dismissed without further notice or hearing. The plan, or any modified plan, may be confirmed without further notice or hearing upon the trustee's recommendation.
- \_\_\_\_\_ C-III A The plan does not comply with the requirements of Chapter 13. Therefore, confirmation is denied and the case is hereby dismissed.
- \_\_\_\_\_ C-III B The plan does not comply with the requirements of Chapter 13. Therefore, confirmation is denied and the case is hereby dismissed with prejudice based upon a previous Order directing that any dismissal of this case would be with prejudice. The debtor(s) is/are hereby directed not to file a Petition under *<Chapter 13 OR Chapters 11, 12, and 13>* for a period of *<one-hundred eighty (180) days OR one year>* from entry of this Order.
- \_\_\_\_\_ C-IV Confirmation of the plan is denied. The case will be dismissed unless a motion to convert to another chapter is filed within ten (10) days.

## JUDGE WAITES

### Orders Re: Dismissal of Chapter 13 Cases

- \_\_\_\_\_ P-I The relief sought is granted and the case is hereby dismissed.
- \_\_\_\_\_ P-II The relief sought is denied.
- \_\_\_\_\_ P-III The relief sought is denied based upon an agreement between the trustee and the debtor(s) and/or the attorney for the debtor(s), whereby this case may be dismissed upon request of the trustee, without further notice or hearing, if the debtor(s) fail(s) to comply with the terms of this agreement. If this matter arose because of the debtor(s) failure to make payments to the trustee, the case may also be dismissed upon request of the trustee, without further notice or hearing, if the debtor(s) fail(s) to make future payments, as they become due.
- \_\_\_\_\_ P-IV The relief sought is granted and the case is hereby dismissed with prejudice based upon a previous Order directing that any dismissal of this case would be with prejudice. The debtor(s) is/are hereby directed not to file a Petition under <Chapter 13 **OR** Chapters 11, 12, and 13> for a period of <one-hundred eighty (180) days **OR** one year> from entry of this Order.

### Order Re: Confirmation of Chapter 13 Plan

- \_\_\_\_\_ C-I The plan as presently filed will be confirmed if the trustee recommends confirmation. If the plan is not confirmed, a continued confirmation hearing shall be held on\_\_\_\_\_. Any other conditions incident to confirmation which may have been orally approved by the Court during the hearing are hereby made a part of this Order. If a debtor fails to comply with the requirements of these conditions as ordered, the case may be dismissed without further notice or hearing.
- \_\_\_\_\_ C-II The plan does not currently comply with the requirements of Chapter 13. Therefore, confirmation of the plan as presently filed is denied. The debtor(s) is/are given ten (10) days from the date of this Order within which to propose and file an amended plan, along with an affidavit which certifies that a copy of such amended plan was properly served in accordance with SC LBR 3015-2. The amended plan may be confirmed if there are no objections and the Trustee recommends confirmation. If filed and not confirmed, a continued confirmation hearing shall be held on the amended plan on\_\_\_\_\_. If no such amended plan and/or certificate of mailing is filed, this case may be dismissed without further notice or hearing. Any other conditions incident to confirmation which may have been orally approved by the Court during the hearing are hereby made a part of this Order. If a debtor fails to comply with the requirements of these conditions as ordered, the case may be dismissed without further notice or hearing.
- \_\_\_\_\_ C-III A The plan does not comply with the requirements of Chapter 13. Therefore, confirmation is denied and the case is hereby dismissed.
- \_\_\_\_\_ C-III B The plan does not comply with the requirements of Chapter 13. Therefore, confirmation is denied and the case is hereby dismissed with prejudice based upon a previous Order directing that any dismissal of this case would be with prejudice. The debtor(s) is/are hereby directed not to file a Petition under <Chapter 13 **OR** Chapters 11, 12, and 13> for a period of <one-hundred eighty (180) days **OR** one year> from entry of this Order.
- \_\_\_\_\_ C-IV Confirmation of the plan is denied. The case will be dismissed unless a motion to convert to another chapter is filed within ten (10) days.
- \_\_\_\_\_ C-V Order Granting Request to Continue. The Confirmation Hearing is Continued. Any other conditions or requirements which may have been stated orally by the Court at the hearing in granting the continuance are hereby made a part of this Order. If a debtor fails to comply with the requirements of these conditions as ordered, the case may be dismissed without further notice or hearing. AND IT IS SO ORDERED. Signed by: Judge John E. Waites, US Bankruptcy Court - District of South Carolina (related document(s) ). The continued hearing is scheduled for [date] [time][location]. The case judge is John E. Waites.