

Filer's Name, Address, Phone, Fax, Email:



UNITED STATES BANKRUPTCY COURT
DISTRICT OF HAWAII
1132 Bishop Street, Suite 250
Honolulu, Hawaii 96813

hib_2003-1 (12/09)

Debtor:

Case No.:

Joint Debtor:
(if any)

Chapter:

**MOTION TO DISMISS CASE FOR NON-APPEARANCE
AT MEETING OF CREDITORS; NOTICE OF HEARING
Courtroom – 1132 Bishop Street, Honolulu, Hawaii**

Hearing Date:
Time:

Objections due:

The undersigned hereby declares under penalty of the perjury that the Debtor and/or Joint Debtor failed to appear at the meeting of creditors scheduled in this case, as described below. The undersigned therefore moves for an order dismissing this case based on unreasonable delay by debtor(s), prejudicial to creditors.

If checked, this motion concerns only the following debtor in a joint case: _____ .

Debtor failed to appear at the following meeting(s) held on:

Joint Debtor failed to appear at the following meeting(s) held on:

NOTICE IS HEREBY GIVEN that a hearing on this motion has been scheduled for the date and time above.

Your rights may be affected. You should read the motion or application and the accompanying papers carefully and discuss them with your attorney if you have one in this bankruptcy case or proceeding. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to dismiss the case, or if you want the court to consider your views on the motion, then you or your attorney must file a statement explaining your position **not later than 14 days before the hearing date**. Responses must be filed with the court at: **United States Bankruptcy Court, District of Hawaii, Suite 250, Honolulu, HI 96813**, and sent to the moving party at the address in the upper left corner of this document. If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the deadline stated above.

If you or your attorney do not take these steps, the court may decide that you do not oppose the motion and may cancel the hearing. If the hearing is canceled, the court may grant the relief if the moving party promptly files a declaration and request for entry of an order [local form hib_9021-1]. If the moving party wishes to proceed with a hearing in the absence of an objection, the moving party should file a request for the matter to remain on calendar [local form hib_9013-1c3].

Dated: _____ /s/ _____
Trustee/U.S. Trustee (Print name also if original signature)

[Attach supporting memoranda or declarations as needed.]