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10 UNITED STATES BANKRUPTCY COURT
11 EASTERN DISTRICT OF CALIFORNIA

12 In re:

13 Rickie Walker,

14 Debtor.

Case No. 10-21656-E-11

DCN: MLA-01

15
16 **MOTION OF DEBTOR FOR ORDER PURSUANT TO BANKRUPTCY**
17 **RULE 1007(C) EXTENDING TIME FOR DEBTOR TO**
18 **FILE HIS SCHEDULES AND STATEMENT OF AFFAIRS**

19 The Debtor in the above-captioned case (the “Debtor”) hereby moves this Court for entry of
20 an order, under Rule 1007(a) and (c) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy
21 Rules”), extending the deadline by which the Debtor must file his schedules of assets and liabilities
22 (the “Schedules”) and statement of financial affairs (the “SOFA”) by 14 days.

23 **JURISDICTION AND VENUE**

- 24 1. This Court has jurisdiction to consider this Motion under 28 U.S.C. §§ 157 and
25 1334. This is a core proceeding under 28 U.S.C. § 157(b). Venue of this case and this
26 Motion in this district is proper under 28 U.S.C. §§ 1408 and 1409.
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1 The legal predicates for the relief requested herein are Bankruptcy Rule 1007(a)
2 and (c).

3 **BACKGROUND**

- 4 1. On January 25, 2010 (the "Petition Date"), the Debtor filed his voluntary petition in this
5 Court for relief under chapter 11 of the Bankruptcy Code. The factual background
6 regarding the Debtor, the events leading to the filing of this bankruptcy case, and the
7 need for extension of time to file his Schedules and SOFA is set forth in the Declaration
8 of Rickie Walker ("Walker declaration").
9
10 2. A trustee has not been appointed in this chapter 11 case.

11 **RELIEF REQUESTED**

- 12 3. By this Motion, the Debtor requests that the Court enter an order extending the deadline
13 to file his Schedules and SOFA from February 8, 2010 through and including February
14 22, 2010.

15 **APPLICABLE AUTHORITY**

- 16 4. Under Bankruptcy Rule 1007(c), the Debtor may obtain a further extension of the
17 Schedules and SOFA deadline for "cause" shown.
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19 5. Debtor incurred severe hardship after he lost a substantial portion of his income through
20 loss of clientele in his janitorial business. These events have caused Debtor to become
21 extremely delinquent in his debt repayment. Debtor faced imminent foreclosure of his
22 home. Debtor's last recourse was to file an emergency Chapter 11 petition to stay the the
23 sale of two of his real properties. (See "Walker declaration"). Debtor submits that
24 "cause" exists to extend the Schedules deadline by 14 days. The requested extension will
25 enhance the accuracy of the Debtor's Schedules and SOFA and avoid the necessity of
26 subsequent amendments.
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NO PRIOR REQUEST

1
2 6. No previous request for the relief sought herein has been made to this Court or any other
3 court.

4 **CONCLUSION**

5 WHEREFORE, the Debtor respectfully requests that the Court enter an order granting the
6 relief requested in the Motion and such other and further relief as may be just and proper.

7 Dated: 08-Feb-2010

8 Respectfully submitted,

9 /s/ Mitchell L. Abdallah

10 Mitchell L. Abdallah

11 Attorney for Debtor

12 Rickie Walker