

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:

§
§

Case No.
(Chapter __)

**ORDER MODIFYING AUTOMATIC STAY TO ALLOW
PROSECUTION OF DIVORCE PROCEEDING**

The automatic stay is modified as follows:

1. The debtor and debtor's spouse or former spouse may prosecute their divorce proceeding.
2. Orders regarding any minor children and the establishment or modification of the obligation to support minor children or spouses may be issued. Execution of orders is allowed only to the extent permitted by 11 U.S.C. § 362(b). Other orders of the type described in 11 U.S.C. § 362(b) may also be issued and enforced by the state court to the extent allowed by 11 U.S.C. § 362(b).
3. Orders respecting the division of community property may be issued by the state court and may be enforced as follows:
 - A. If the orders pertain to property that has been determined to be exempt property under the Bankruptcy Code, the orders may be enforced without further order of this Court.
 - B. If the orders pertain to property that has not been determined to be exempt property under the Bankruptcy Code, the orders may not be enforced except as further ordered by this Court.

ReservedForJudgeSignature

Movant Should Also Complete One Of The Attached Certificates, If Applicable

Form O-500

THE FOLLOWING BOX TO BE COMPLETED ONLY IF ORDER IS AGREED:

AGREED AND ENTRY REQUESTED:

Signature- Movant's counsel(or Movant, if pro se)

Name: _____

State Bar No.: _____

S.D. Tex. Bar No.: _____

Address: _____

Telephone: _____

Fax: _____

E-mail: _____

Signature-Non-Movant's counsel (or Non-Movant, if pro se)

Name: _____

State Bar No.: _____

S.D. Tex. Bar No.: _____

Address: _____

Telephone: _____

Fax: _____

E-mail: _____

[Document must be signed by Debtor(s) or by Debtor(s)' counsel or both. Electronic signatures may be submitted. Movant must retain copies of the original signatures.]

IF NO OPPOSITION OR REQUEST FOR HEARING HAS BEEN FILED 7 DAYS BEFORE THE SCHEDULED HEARING ON THE MOTION TO LIFT STAY, MOVANT MAY COMPLETE AND FILE THE FOLLOWING CERTIFICATION. IF THE CERTIFICATION IS MADE AT LEAST 2 DAYS PRIOR TO THE HEARING, MOVANT NEED NOT ATTEND THE HEARING. THE COURT WILL EITHER ISSUE THE DEFAULT ORDER OR WILL RESCHEDULE THE HEARING IF THE COURT DETERMINES THAT A HEARING IS NEVERTHELESS NECESSARY.

Movant's counsel's certification:

Movant's motion for relief from the stay was served in accordance with applicable bankruptcy rules on _____. I have reviewed the docket sheet in this case to confirm the accuracy of the statements in this certification. Any trustee response that has been filed reflects an absence of opposition. Additionally, I certify that (i) no response has been filed by the respondent, the debtor or any creditor; (ii) although a response was filed, the only responses reflected an absence of opposition to the requested relief; or (iii) although a response was filed, the response did not deny ANY of the factual allegations in the motion.

Movant's counsel signature

Date

Name: _____

State Bar No.: _____

S.D. Tex. Bar No.: _____

Address: _____

Telephone: _____

Fax: _____

E-mail: _____