

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

In re:

[NAME OF DEBTOR(S)]

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Case No.

CHAPTER 13

**DEBTOR(S)' MOTION TO DEEM
CLAIM SECURED BY REAL PROPERTY CURRENT**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

To the Honorable United States Bankruptcy Judge:

_____ (the "Debtor(s)), files this Motion to Deem Claim Secured by Real Property Current.

NOTICE OF FINAL CURE PAYMENT

1. Debtor(s) have completed all payments to Trustee due under the confirmed plan in this case. Pursuant to FED. R. BANKR. P. 3002.1(f) and the Chapter 13 Trustee Procedures for Administration of Claims Secured by Real Property, you are hereby notified that (i) the Debtor(s) were current on all payments on this claim at the commencement of the case; and (ii) the Debtor(s) have made all payments due during the pendency of this bankruptcy case. You are further notified pursuant to FED. R. BANKR. P. 3002.1(f) and the Chapter 13 Trustee Procedures for Administration of Claims Secured by Real Property, that within twenty-one (21) days after service of this notice, each holder of a claim secured by Debtor(s)' real property is required to file and

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serve on Debtor(s), Debtor(s)' counsel, and Trustee a statement indicating whether Debtor(s) are current on all payments consistent with 11 U.S.C. § 1322(b)(5) and the Chapter 13 Trustee Procedures for Administration of Claims Secured by Real Property. The statement must itemize the required cure or post-petition amounts, if any, that the holder contends remain unpaid as of the date of the statement. The statement must be filed as a supplement to the holder's proof of claim and is not subject to FED. R. BANKR.P. 3001(f).

Motion to Deem Claim(s) Secured by Real Property Satisfied

3. With respect to the claims listed in this paragraph 3, the Debtor(s) requests an order determining that the claims, all escrow deficiencies, and all legal fees, inspection fees and other charges chargeable by the holder of the claims have been fully satisfied.

Creditor	Court Claim #/ Trustee Claim ID	Creditor's Address	Address or Legal description of Debtor(s)' Property

4. With respect to the claims listed in this paragraph 4, the Debtor(s) requests an order determining that (i) all pre-petition and post-petition defaults have been cured; (ii) all escrow deficiencies have been cured; (iii) all legal fees, inspection fees and other charges chargeable by the holder of the claim have been fully satisfied; and (iv) payments due on the claim are current under applicable non-bankruptcy law; and (iv) the prepetition loan is fully reinstated, with the balance to be paid in accordance with the parties' prepetition contracts. The first post-plan payment is due in the amount and on the date shown below:

Creditor	Court Claim #/ Trustee Claim ID	Creditor's Address	Address or Legal description of Debtor(s)' Property	Monthly Payment Amount	Due Date of First Post-Plan Payment

The Debtor(s) requests that the Court grant the requested relief.

Dated: _____.

Respectfully submitted,

/s/ [Counsel to Debtor(s)]

[Name]

[Address 1]

[City, State Zip]

[Telephone Number] Telephone

[Facsimile Number] Facsimile

CERTIFICATE OF SERVICE

I hereby certify that this instrument was served by United States first class mail, with proper postage affixed, addressed to the parties set forth on the attached Service List on this day of __, 20 .

Counsel to Debtor(s)

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**[RESERVED FOR SIGNATURE BY PRESIDING JUDGE]
[DEBGTOR TO SUBMIT PROPOSED FORM OF ORDER WITH APPROPRIATE BOX MARKED]**