

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In Re:
TIMOTHY P. MCQUISTON
450 South Lake Street #5
Hustisford, WI 53034

Chapter 13

Case No. 2016-30950-BEH-13

Debtor

MOTION AND NOTICE OF MOTION TO DISMISS - UNCONFIRMED PLAN

NOTICE IS HEREBY GIVEN that the Chapter 13 Standing Trustee, Rebecca R. Garcia pursuant to 11 U.S.C. 1307(c), does hereby move the Court for an Order dismissing this case for cause, including;

Material delay detrimental to creditors, specifically for the reason that the debtor:

The Debtor is, pursuant to 11 U.S.C. § 109(e), ineligible to be a Debtor under Chapter 13 of Title 11 as the Debtor lists noncontingent, liquidated, unsecured debts of greater than the allowed amount of \$394,725.00.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, should you have one in this case. (If you do not have an attorney, you may wish to consult one).

ANY OBJECTION TO THE RELIEF REQUESTED BY THIS MOTION SHOULD BE IN WRITING SPECIFYING LEGALLY SUFFICIENT GROUNDS WHY THE MOTION SHOULD NOT BE GRANTED AND SHOULD BE FILED IN DUPLICATE WITH THE CLERK OF THE U.S. BANKRUPTCY COURT, ROOM 126, U.S. COURTHOUSE, 517 EAST WISCONSIN AVENUE, MILWAUKEE, WISCONSIN 53202 WITHIN 21 DAYS OF THE DATE OF THE MAILING OF THIS NOTICE. SHOULD AN OBJECTION NOT BE IN COMPLIANCE WITH THESE REQUIREMENTS THE COURT MAY GRANT THE MOTION WITHOUT A HEARING. IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION AND MAY ENTER AN ORDER GRANTING THAT RELIEF.

/s/ Rebecca R. Garcia
Chapter 13 Trustee

**Rebecca R. Garcia
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