

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

IN RE:
STEVEN MARK SAMBLIS

CASE NO. 6:04-bk-07173-KSJ

Debtor(s).

_____ /

MOTION TO DISMISS FOR FAILURE TO
MAINTAIN TIMELY PLAN PAYMENTS

TOTAL DUE: \$ 10,110.00

NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

PURSUANT to Local Rule 2002-4, the Court will consider this motion, without further notice or hearing unless a party in interest files a response or objection within 21 days of the service of this paper. If you object to the relief requested in this paper, you must file your response with the Clerk of the Court at the United States Bankruptcy Court, 135 W. Central Blvd., Suite 950, Orlando, FL 32801, and serve a copy on:

the debtor(s):
STEVEN MARK SAMBLIS
10861 WOODCHASE CIRCLE
ORLANDO, FL 32836

the Chapter 13 Trustee
LAURIE K. WEATHERFORD
POST OFFICE BOX 3450
WINTER PARK, FL 32790

and upon the Debtor's counsel:
ROBERT H. PFLUEGER
377 MAITLAND AVENUE
SUITE 102
ALTAMONTE SPRINGS, FL 32701

or pay the arrearage by forwarding the specified sum to the payment address at **Post Office Box 1103, Memphis, TN 38101-1103**.

If you file and serve a response or objection within the time permitted, the Court will schedule a hearing and you will be notified. If you do not file an objection or pay the arrearage within the time permitted, the Court will consider that you do not oppose the granting of the relief requested in this paper, will proceed to consider the pleading without further notice and hearing, and may grant the relief requested.

COMES NOW Laurie K. Weatherford, Chapter 13 Standing
Bankruptcy Trustee for the Middle District of Florida, Orlando

Division, and shows:

1. The Debtor(s) filed this Chapter 13 case on Jun 22, 2004.

2. Pursuant to 11 USC 1322(a)(1) the debtor(s) was to file a plan which among other things provides for the submission of all or such portion of future earnings or other income of the Debtor(s) to the supervision and control of the Trustee as is necessary for the execution of the plan.

3. The Debtor(s) has failed to submit to the supervision and control of the Trustee funds necessary for a plan to be successful in this case.

4. That review of the Debtor(s) Report of Receipts and of the Debtor(s) individual payments for this case reflects that the Debtor(s) is delinquent in payments under the Chapter 13 Plan in the amount of \$ 6,740.00 through Aug 28, 2004 and will be delinquent an additional payment of \$ 3,370.00 which will come due on Sep 28, 2004 for a delinquency in the sum of \$ 10,110.00 . Said total sum includes the next plan payment due under the Chapter 13 Plan which will become due and payable within the time frame allowed by the court for the Debtor(s) to become current in the plan payments. A copy of the Trustee's Report of Receipts is attached hereto as **EXHIBIT "A"**.

WHEREFORE, the Trustee moves this honorable court for an order dismissing this case with an injunction enjoining the Debtor(s) from refileing a bankruptcy petition for a period of 180 days unless the Debtor(s) pays the entire arrearage as listed above to the Chapter 13 Trustee on or before **Sep 21, 2004** by mailing said sum to the payment address at **Post Office Box**

1103, Memphis, TN 38101-1103 , and granting such relief as the court may deem appropriate.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a true and correct copy of the foregoing Motion to Dismiss for Failure to Maintain Timely Plan Payments has been furnished by the United States mail, postage pre-paid, to:

Debtor(s):

STEVEN MARK SAMBLIS
10861 WOODCHASE CIRCLE
ORLANDO, FL 32836

Debtor(s) Council:

ROBERT H. PFLUEGER
377 MAITLAND AVENUE
SUITE 102
ALTAMONTE SPRINGS, FL 32701

Dated this 31st day of Aug, 2004.

LAURIE K. WEATHERFORD,
Chapter 13 Trustee

By: /S/ LAURIE K. WEATHERFORD
Laurie K. Weatherford
Samuel R. Pennington, Esq.
Attorney for Trustee
FL. Bar No. 0779326
P.O. Box 3450
Winter Park, FL 32792
Telephone: (407) 648-8841
Facsimile: (407) 648-2665

EXHIBIT "A"

DATE	SOURCE	AMOUNT	DATE	SOURCE	AMOUNT
