

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF MISSISSIPPI**

In re: \_\_\_\_\_  
*Debtor(s)*

Case No. \_\_\_\_\_  
Chapter 13

**Debtor's Certification and  
Motion for Entry of Chapter 13 Discharge  
Pursuant to 11 U.S.C. § 1328 (a) and (h)**

**This motion seeks an order discharging the debtor(s) pursuant to § 1328(a) of the bankruptcy code. If you oppose this motion, you must file a response with the court within twenty-one (21) days from the date listed below in the certificate of service. Your response must set forth the specific factual allegations with which you disagree, and a copy of your response must be served on the debtor(s) and debtor's(s') attorney. If no timely response is filed, the court may grant this motion without holding a hearing. A timely response is necessary for a hearing to be held.**

1. By signing below, the debtor(s) certifies under penalty of perjury that the following statements are true and correct:

- A. For cases filed on or after March 10, 2008, I/we have completed a personal financial management instructional course provided through an agency approved by the United States Trustee and have filed a statement prepared as prescribed by Official Form 423 (In a joint case, both husband and wife must each complete the course and file an Official Form 423) or the approved personal financial management course provider has notified the court that I/we have completed a post-petition instructional course concerning personal financial management. **11 U.S.C. § 1328(g)**
- B. All pre-petition amounts owed by me on a domestic support obligation ("Domestic Support Obligation" as defined at 11 U.S.C. § 101(14A)), if any, have been paid to the extent provided by the plan. All post-petition amounts owed by me on a domestic support obligation, if any, have been paid. **11 U.S.C. § 1328(a)**
- C. I/We have not received a discharge under chapter 7, 11 or 12 of the Bankruptcy Code in a prior case filed during the four-year period preceding the date that the petition was filed in this case. **11 U.S.C. § 1328(f)(1)**
- D. I/We have not received a discharge under chapter 13 of the Bankruptcy Code in a prior case filed during the two-year period before the date that the petition was filed in this case. **11 U.S.C. § 1328(f)(2)**
- E. I/we have not been convicted of a felony, the circumstances of which would demonstrate that the filing of this bankruptcy case constituted an abuse of the provisions of the Bankruptcy Code. **11 U.S.C. § 1328(h)(1) and § 522(q)(1)(A)**

- F. If I/we owe a debt arising from: (i) any violation of any State or Federal securities laws, regulations or orders, (ii) fraud, deceit or manipulation in a fiduciary capacity or in connection with the purchase or sale of any security, (iii) a civil remedy under § 1964 of Title 18 of the United States Code, or (iv) any criminal act, intentional tort, or willful or reckless misconduct that caused serious injury or death to another individual in the preceding five (5) years, then I/we have not claimed an exemption for my/our property in an amount in excess of the statutory cap as prohibited by § 522(q)(1) of the Bankruptcy Code. **11 U.S.C. § 1328(h)(1) and § 522(q)(1)(B)**
- G. No proceeding is pending in which I/we may be found guilty of a felony of the kind described in § 522(q)(1)(A) or in which I/we may be found liable for a debt of the kind described in § 522 (q)(1)(B). **11 U.S.C. § 1328(h)(2)**
- H. I/We have made all payments required by my confirmed Chapter 13 plan.

2. Debtor(s) hereby move the Court for the entry of a discharge order in this case.

Signed: \_\_\_\_\_ Date \_\_\_\_\_  
 Debtor's Signature

\_\_\_\_\_ Date \_\_\_\_\_  
 Spouse's Signature (in Joint Cases only)

\_\_\_\_\_ Date \_\_\_\_\_  
 Attorney for the Debtor(s)  
 State Bar No. \_\_\_\_\_  
 Address \_\_\_\_\_  
 Telephone Number \_\_\_\_\_  
 e-mail address \_\_\_\_\_

3. Mailing address for filing responses: *{change address as appropriate}*

Jackson Office:  
 Danny L. Miller, Clerk of Court  
 United States Bankruptcy Court  
 Thad Cochran U.S. Courthouse  
 501 E. Court Street, Suite 2.300  
 Jackson, Mississippi 39201

Gulfport Office:  
 Danny L. Miller, Clerk of Court  
 United States Bankruptcy Court  
 Dan M. Russell, Jr. U.S. Courthouse  
 2012 15<sup>th</sup> Street, Suite 244  
 Gulfport, Mississippi 39501

Certificate of Service

On \_\_\_\_\_, a copy of this pleading was served on each of the persons listed on the attached service list either by prepaid United States mail or via electronic service through the Court's CM/ECF system at the mailing addresses and/or email addresses indicated.

\_\_\_\_\_  
Signature