| CSD 1163 [05/15/03] Name, Address, Telephone No. & I.D. No. | | _ |
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| UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF CALIFORNIA | | |
| 325 West "F" Street, San Diego, California 92101 | -6991 | |
| In Re | | |
| | - 1. | BANKRUPTCY NO. |
| | Debtor. | |
| | | RS NO. |
| | Moving Party | |
| | | |
| | | |
| | Respondent(s) | |

Respondent(s)

MOTION FOR RELIEF FROM AUTOMATIC STAY (UNLAWFUL DETAINER)

Movant in the above-captioned matter moves this Court for an Order granting relief from the automatic stay on the grounds set forth below.

| 1. | A Petition under Chapter 7 11 12 12 13 was filed on | | | | |
|----|---|--|--|--|--|
| 2. | Procedural Status: a. Name of Trustee Appointed <i>(if any)</i> : | | | | |
| | b. Name of Attorney of Record for Trustee (<i>if any</i>): | | | | |
| | c. (Optional) Prior Filing Information: Debtor has previously filed a Bankruptcy Petition on: If applicable, the prior case was dismissed on: | | | | |
| | d. (If Chapter 13 case): Chapter 13 Plan was confirmed on or a confirmation hearing is set for | | | | |
| | Movant alleges the following in support of its Motion: | | | | |
| 1. | Debtor occupies the premises commonly known as (specify street address): | | | | |
| | | | | | |
| 2. | Debtor occupies the premises: | | | | |

| on a month-to-month tenancy | pursuant to a lease in default |
|-----------------------------|--------------------------------|
| on a hold-over tenancy | after a foreclosure sale |
| on a tenancy at will | pursuant to a terminated lease |

Debtor has failed to pay the monthly rent of \$______since _____. 3.

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- 4. Procedural status in State Court (*fill in all applicable data for completed steps*):
 - a. On ______, Movant served a Notice to Pay Rent or Quit on the Debtor(s).
 - b. On _____, Movant filed a Complaint for Unlawful Detainer in State Court.
 - c. Trial was held on _____.
 - d. A Judgment was entered on said Complaint by the State Court on _____.

When required, Movant has filed separate Declarations pursuant to Local Bankruptcy Rule 4001-2(a)(5).

Movant attaches the following:

- 1. Copy of the State Court Unlawful Detainer Judgment.
- 2. Other relevant evidence:

3. (Optional) Memorandum of points and authorities upon which the moving party will rely.

WHEREFORE, Movant prays that this Court issue an Order granting the following:

Relief as requested.

Other:

Dated:

[Attorney for] Movant