

Motion to Dismiss (For Trustees)

This will go over the screens of how to file a Motion to Dismiss. Prior to starting the action, you will need to verify any information that needs to be redacted is redacted in your word document of the Motion to Dismiss. Then please print your Motion to Dismiss document into PDF format (which flattens the document). **NOTE:** Do not just save the word document as a PDF because that does not flatten the document and may allow for editing to occur.

1. Click on **Bankruptcy** on the CM/ECF Main Menu Bar.



2. Click on **Trustee Ch. 7**.



3. Enter the **Case Number**. Click **Next**.



- 4. Click on **Dismiss Case**, and then click **Next**.

CM ECF Bankruptcy Adversary Query Reports Utilities Search Help Log Out

Trustee action

[24-10028-M Winnie The Pooh](#)

Type: bk Chapter: 7 v Office: 4 (Tulsa)
Assets: y Judge: M Case Flag: CounDue, DebtEdDue

Start typing to find another event. Hold down Ctrl to add additional items.

Available Events (click to select events)

- Compromise
- Compromise and Settlement of Controversy
- Confirm
- Corrected Meeting of Creditors
- Defer Fee
- Determine Value of Property
- Disallow Claim(s)
- Dismiss Case**
- Dismiss Case as to One Debtor
- Dismiss Case under 521(i)
- Dismissal of Adversary Proceeding
- Employ
- Exhibit(s)
- Extend Time to Object to Discharge
- Extend or Shorten Time
- File a Document Under Seal

Selected Events (click to remove events)

- Dismiss Case

- 5. You are now ready to navigate to find the PDF of the Motion to Dismiss that has already been created. Click on **Browse** to navigate to your Motion to Dismiss on your computer. When filing in the live database, right click and view the document prior to selecting. The PDF you attach will be an officially filed document with the court and cannot be deleted once it has been filed.

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Trustee action:

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Filename

No file selected.

Attachments to Document: No Yes

6. After selecting your document, click **Next**.

The screenshot shows the CM ECF Trustee action page for case 24-10028-M Winnie The Pooh. The page includes a navigation menu with options like Bankruptcy, Adversary, Query, Reports, Utilities, Search, Help, and Log Out. Below the case information, there is a section for document selection. A red box highlights the 'Filename' field, which contains '24-10028 Motion to Dismiss.pdf'. Another red box highlights the 'Next' button. The 'Attachments to Document' section has radio buttons for 'No' (selected) and 'Yes'.

7. The reason we are filing the Motion to Dismiss is failure of the debtor to turn over taxes. So, we are going to select **Taxes** and click **Next**.

The screenshot shows the CM ECF Trustee action page for case 24-10028-M Winnie The Pooh. The page includes a navigation menu with options like Bankruptcy, Adversary, Query, Reports, Utilities, Search, Help, and Log Out. Below the case information, there is a section titled 'Select Reason for Filing the Motion'. Three radio button options are listed: 'Plan Payments', 'Taxes' (selected and highlighted with a red box), and 'Other Reason'. A 'Next' button is also highlighted with a red box.

8. We are filing a **Motion**, so we are going to leave the default selection and click **Next**.

The screenshot shows the CM ECF Trustee action page for case 24-10028-M Winnie The Pooh. The page includes a navigation menu with options like Bankruptcy, Adversary, Query, Reports, Utilities, Search, Help, and Log Out. Below the case information, there is a section titled 'Check the appropriate type'. Three radio button options are listed: 'Motion' (selected and highlighted with a red box), 'Application', and 'Request'. A 'Next' button is also highlighted with a red box.

- 9. The next screen is asking if we want to refer to existing event, but we do not have any events to refer to at this time. Click **Next**.

CM ECF Bankruptcy Adversary Query Reports Utilities Search Help Log Out

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[24-10028-M Winnie The Pooh](#)

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Refer to existing event(s)?

Next Clear

- 10. This screen is asking if there is a notice of opportunity. If there is no notice of opportunity, you can leave it blank and click **Next**. In this scenario, we have a 24-day notice of opportunity. Type **24** in the blank, and then click **Next**.

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If motion is filed with notice of opportunity of hearing please type the number of days in the text box. If not, leave blank. 24

Next Clear

- 11. This screen is asking if we have a Certificate of Service or Request for Expedited Hearing. Since we have a **Certificate of Service**, we checked the box next to it. Then click **Next**.

CM ECF Bankruptcy Adversary Query Reports Utilities Search Help Log Out

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[24-10028-M Winnie The Pooh](#)

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If your pleading contains the following, please check.

Certificate of Service
 Request for Expedited Hearing

Next Clear

12. Docket Text Screen displays. Review the docket entry and add any additional text, if needed. We do not need to add anything, so click **Next**.

CM ECF Bankruptcy Adversary Query Reports Utilities Search Help Log Out

Trustee action:

24-10028-M Winnie The Pooh

Type: bk Chapter: 7 v Office: 4 (Tulsa)
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Docket Text: Modify as Appropriate.

▼ Motion to Dismiss Case for Failure to Timely File Tax Return . Notice of Opportunity for Hearing: Written Response or Objection due within 24 days. If no response or objection is timely filed, the Court may grant the requested relief without hearing or further notice. Certificate of Service attached. Filed by Trustee. (TestAccount, Trustee)

Next Clear

13. The Final Text Screen displays. You will have no further opportunity to modify this submission if you continue. If there are no modifications to be made to the docket text, click on the **Next** button. If you need to modify the docket text, click on the **Back** button to the appropriate screen and make corrections. Remember, once you change a screen, you must complete all screens after that point again.

CM ECF Bankruptcy Adversary Query Reports Utilities Search Help Log Out

Trustee action:

24-10028-M Winnie The Pooh

Type: bk Chapter: 7 v Office: 4 (Tulsa)
 Assets: y Judge: M Case Flag: CounDue, DebtEdDue

Docket Text: Final Text

Motion to Dismiss Case for Failure to Timely File Tax Return . Notice of Opportunity for Hearing: Written Response or Objection due within 24 days. If no response or objection is timely filed, the Court may grant the requested relief without hearing or further notice. Certificate of Service attached. Filed by Trustee. (TestAccount, Trustee)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.
 Have you redacted?

Next Clear

- 14. The Notice of Electronic Filing will appear. The Notice of Electronic Filing screen display is the verification that the filing has been sent electronically to the court's database. Clicking on the case number hyperlink will display the docket report for this case. Click on Run Report to view the docket sheet. Clicking on the document number hyperlink will display the PDF image of the document just filed.

CM/ECF Bankruptcy Adversary Query Reports Utilities Search Help Log Out

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*****NOTICE:** This document constitutes an official stamp of the Court and, if attached to the document identified below, serves as a file stamped copy of the pleading. The first page of this document may be used in lieu of the Court's mechanical file stamp for the named document only, and misuse will be treated the same as misuse of the Court's official mechanical stamp. The Court's Electronic Document Stamp is a verifiable mathematical computation unique to the filed document and the Court's private encryption key. This alpha-numeric code assures that any change can be detected.

U.S. Bankruptcy Court
Northern District of Oklahoma

Notice of Electronic Filing

The following transaction was received from TestAccount, Trustee entered on 3/1/2024 at 1:48 PM CST and filed on 3/1/2024

Case Name: Winnie The Pooh
Case Number: 24-10028-M
Document Number: 10

Docket Text:
Motion to Dismiss Case for Failure to Timely File Tax Return . Notice of Opportunity for Hearing: Written Response or Objection due within 24 days. If no response or objection is timely filed, the Court may grant the requested relief without hearing or further notice. Certificate of Service attached. Filed by Trustee. (TestAccount, Trustee)

Document description:Main Document
Original filename:24-10028 Motion to Dismiss.pdf
Electronic document Stamp:
[STAMP bkecfStamp_ID=1052166465 [Date=3/1/2024] [FileNumber=5189668-0] [80eefbb39233c809cd04d3ab40a8f97722fa29c7d64197a7e7e9c17851811d3e9d ed97b6358ecc48864b24930ee8936bf9d6909557cb87d2aad7c44df2142]]

24-10028-M Notice will be electronically mailed to:

Patrick J. Malloy, III
malloylawfirm@example.com, pjmiim@example.com, pmalloy@example.com

Office of the United States Trustee
USTPRRegion20.TU.ECF@example.com

Johany Paxter on behalf of Debtor Winnie The Pooh
erdoknb+jpaxter@gmail.com, jole_awtrey@oknb.uscourts.gov

Trustee TestAccount on behalf of Trustee Patrick J. Malloy, III
erdoknb+trustee@gmail.com

24-10028-M Notice will not be electronically mailed to:

If you have any questions regarding filing in the CM/ECF system, you can contact the CM/ECF Helpdesk using one of the following methods.

Phone: 918-699-4072

Email: cmecf@oknb.uscourts.gov

