

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH DAKOTA

---

GENERAL ORDER RE: DOCUMENTS TO BE FILED AFTER  
CONVERSION OF A CHAPTER 13 CASE TO A CHAPTER 7 CASE

---

IT APPEARING a uniform procedure is needed regarding the documents to be filed after a chapter 13 case is converted to a chapter 7 case; now, therefore,

IT IS HEREBY ORDERED a debtor whose case is converted from a chapter 13 case to a chapter 7 case shall, on or before the 14th day after the entry of the notice of conversion or the order of conversion, file and serve on parties in interest:

- (1) a Statement of Current Monthly Income and Means-test Calculation (Official Form 22A, also known as form B 22A) that:
  - (a) sets forth the debtor's financial circumstances as of the petition date; and
  - (b) has attached to it an Exhibit Schedule I and an Exhibit Schedule J that set forth the debtor's financial circumstances as of the conversion date;
- (2) a schedule of either unpaid debts incurred after the filing of the petition and before conversion of the case, as set forth in Fed.R.Bankr.P. 1019(5)(B)(i), or if a plan was confirmed, unpaid debts incurred after confirmation but before conversion, as set forth in Fed.R.Bankr.P. 1019(5)(C)(ii). If more than five creditors are listed in this schedule, the debtor, regardless of whether the debtor is represented by counsel, shall attach to the schedule a mailing list of the creditors that conforms to Appendix 1E of the Local Bankruptcy Rules for the District of South Dakota; and
- (3) if the case was converted after confirmation of a plan,
  - (a) and the Court has determined 11 U.S.C. § 348(f)(2) applies, a

schedule of property acquired after the filing of the petition but before conversion, as set forth in Fed.R.Bankr.P. 1019(5)(C)(i); and

- (b) a schedule of executory contracts and unexpired leases entered into or assumed after the filing of the petition but before conversion, as set forth in Fed.R.Bankr.P. 1019(5)(C)(iii).

IT IS FURTHER ORDERED the debtor may combine the information required by paragraphs (2) and (3) above in one schedule titled Schedule of Required Disclosures after Conversion that conforms to the sample at Appendix 1K, attached hereto.

IT IS FURTHER ORDERED a debtor whose case is converted from a chapter 13 case to a chapter 7 case shall, on or before the 30th day after the entry of the notice of conversion or the order of conversion or before the first date set for the chapter 7 meeting of creditors, whichever is earlier, file and serve on parties in interest a Statement of Intention (Official Form 8).

IT IS FURTHER ORDERED this general order is effective upon entry and remains in effect pending formal promulgation of a local rule and attendant appendix that incorporate the provisions of this order and the attachment to this order.

So ordered this 15th day of October, 2012.

BY THE COURT:



Charles L. Nail, Jr.  
Bankruptcy Judge

**Appendix 1K. Schedule of Required Disclosures after Conversion.**

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH DAKOTA

In re:	)	Bankr. No. 13-90000
	)	Chapter 7
WADE GUY EARNER	)	
aka W.G. Earner	)	
SSN/ITIN xxx-xx-0000	)	
	)	SCHEDULE OF REQUIRED
and	)	DISCLOSURES AFTER CONVERSION
	)	
WANDA GAL EARNER	)	
SSN/ITIN xxx-xx-0001	)	
	)	
Debtors.	)	

Pursuant to 11 U.S.C. § 348, Fed.R.Bankr.P. 1019, and Bankr. D.S.D. R. 1019-1, Debtors hereby disclose the following information:

Unpaid Debts Incurred Post-petition

<i>Creditor:</i>	<i>Date Incurred/Description:</i>	<i>Amount:</i>
Ryan's Tire Service 321 Round Rim Road Inflated, South Dakota 50000	April 12, 2012	\$113.11 unsecured
Pharmco Dakota 1808 West Health Road Hills, South Dakota 59999	Oct. 8, 2012	\$241.11 unsecured
BestWestern Hotel of Blunt 101 S. Highway 14 Blunt, South Dakota 57522	Oct. 9, 2012	\$147.92 unsecured
LaFortune's Kitty Kare Barn 112 Ranch Road Holabird, South Dakota 57540	Oct. 9, 2012	\$56.60 unsecured
Parched County Parched County Treasurer P.O. Box 192 Inflated, South Dakota 50000	2011 real estate taxes due in 2012	\$2,412.00

Property Acquired Post-petition but Pre-conversion

<i>Property:</i>	<i>How Held:</i>	<i>Current Market Value:</i>
steel fence posts (40, heavy duty)	husband	\$250.21
hay (large square bales), 14 ton	husband	\$2,940.00
time-share at Great Bear Estates (one week per year)	joint	\$2,200.00

Executory Contracts and Unexpired Leases Entered  
into or Assumed Post-petition but Pre-conversion

<i>Other Party to Agreement:</i>	<i>Description:</i>
Triple H Ranch 1111 River Road Hisle, South Dakota 57577	On April 17, 2012, Debtors leased (two-year term) 107 acres of hay ground (grass) to Triple H Ranch.
Ranchers Dodge Dealership 8899 Tailpipe Lane Bridgeview, Nebraska 60000	On January 8, 2013, Debtors leased (five years) a 2014 Dodge Ram pickup (double cab, 4WD) from Ranchers Dodge Dealership.

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTORS

I declare, under penalty of perjury, that I have read the foregoing schedule consisting of two pages and they are true and correct to the best of my knowledge, information, and belief.

Date: February 19, 2013                      Signature: /s/ Wade Guy Earner                      Debtor

Date: February 19, 2013                      Signature: /s/ Wanda Gal Earner                      Debtor