

1 **UNITED STATES BANKRUPTCY COURT**
2 **EASTERN DISTRICT OF CALIFORNIA**

3)
4 Debtor(s))
5 _____)
6)
7 vs. Plaintiff(s))
8)
9 Defendant(s))
10 _____)

Bankruptcy Case No.

Adversary Proceeding No.

11 **APPLICATION BY TRUSTEE DEBTOR-IN-POSSESSION TO DEFER**
12 **PAYMENT OF FEE FOR FILING COMPLAINT**

13 The undersigned trustee debtor-in-possession for the estate of the
14 above-named debtor, hereby declares under penalty of perjury that:

- 15 1. Applicant is filing herewith a complaint commencing an adversary
16 proceeding under Part VII of the Federal Rules of Bankruptcy Procedure.
17 2. The amount of money on deposit for the debtor's estate is presently less
18 than the requisite adversary proceeding filing fee of \$350.00.
19 3. The filing of this complaint is in the best interest of the estate.
20 4. If this is a chapter 11 case, the chapter 11 plan has not yet been
21 confirmed.

22 **WHEREFORE**, Applicant requests permission to file the above-entitled
23 complaint without prepayment of the filing fee, and that payment of the fee be deferred
24 until funds of the estate are available to pay the fee in full, or until 10 days after
25 the order confirming chapter 11 plan is entered, whichever occurs first.

26
27 DATED: _____
28