

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re:) Case No. 12-40164-659
BURTON DOUGLAS MORRISS,) Honorable Kathy Surratt States
) Chapter 7
)
Debtor.)
)
) Hearing Date: April 23, 2012
) Hearing Time: 10:00 a.m.

MOTION TO EXTEND TIME TO OBJECT TO DISCHARGE/DISCHARGEABILITY

COMES NOW Charles W. Riske, the duly appointed Trustee for the Bankruptcy Estate of Burton Douglas Morriss, by and through his undersigned attorneys, and for his Motion to Extend Time to Object to Discharge/Dischargeability, states to the Court as follows:

1. Burton Douglas Morriss (“Debtor”) filed his Voluntary Petition for Relief under Chapter 11 of the United States Bankruptcy Code, 11 U.S.C. §§ 101 *et seq.* [“the Code”] on January 9, 2012. His case was converted to a Chapter 7 on February 13, 2012.

2. Charles W. Riske (“Trustee”) is the duly acting Chapter 7 Bankruptcy Trustee in this matter.

3. The Trustee currently is investigating potential assets in this case and does not wish to waive his rights, or the rights of the United States Trustee and any other creditors or parties in interest, regarding denial of the Debtor’s discharge or the dischargeability of any debts in this matter until due diligence is completed.

4. The deadline to file a complaint to determine the dischargeability of the Debtor’s debts or to oppose the Debtor’s discharge in this case is May 7, 2012.

5. Federal Rule of Bankruptcy Procedure 4004(b) and 9006(b)(1)(1) permits this Court to extend the time for the filing of a complaint to determine discharge for cause, upon request, as

long as that request is filed before the expiration of the time period allotted for the filing of a complaint regarding discharge or determine dischargeability of debts under 11 U.S.C. § 523.

7. The time period for the filing of a complaint objecting to discharge has not expired as of the date and time of the filing of this Motion.

8. Debtor has failed to file Schedules and the Statement of Financial Affairs, has failed to appear at his 341 meeting of creditors and has failed to cooperate in connection with these proceedings. Rather, Debtor has allegedly asserted his Fifth Amendment privilege.

9. This case is complicated and requires substantial due diligence.

10. A purported creditor, Eric Sarasin, has requested an extension of time to object to dischargeability of debts and discharge until such time as Debtor fulfills his duties as required by law.

11. Trustee requests that an extension of time as requested herein for him, the United States Trustee and all creditors and parties in interest would expedite this matter and eliminate the need for each and every creditor to seek such an extension.

12. At this time, Trustee requests an additional six (6) months from May 7, 2012, the present discharge date, to and through November 7, 2012, for objections to discharge and dischargeability for all individuals and entities identified herein with the understanding that further extensions may be required.

WHEREFORE, Charles W. Riske, Trustee, requests that this Court extend the deadline for him, the Office of the U.S. Trustee, and all creditors and other parties in interest to object to the Debtor's discharge and dischargeability herein through November 7, 2012 and grant such other and further relief as this Court may deem just and proper.

Respectfully Submitted,
SUMMERS COMPTON WELLS PC

Date: March 26, 2012

By: /s/ David A. Sosne
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served via electronic filing in the CM/ECF system of the United States Bankruptcy Court for the Eastern District of Missouri to the parties requesting service by electronic filing. I hereby also certify that a copy of the foregoing was served via United States Mail, first class postage prepaid, on the date of the electronic filing of this document to those individuals and entities not requesting service by electronic filing. The individuals and entities being served electronically or by mail are:

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March 26, 2012

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