

**Rule 1017-2**  
**Dismissal for Want of Prosecution**

**(a) *Sua Sponte* Action by the Court.** The court may dismiss a case for want of prosecution after notice to the debtor, the debtor's attorney (if any), and all creditors, unless the debtor cures the deficiency in a timely fashion and/or the debtor or any other party in interest requests a hearing within fourteen (14) days of service of the notice of intent to dismiss. An exception to this subsection is the automatic dismissal as permitted by [LBR 1007-1\(c\)](#) & [\(d\)](#).

**(b) Want of Prosecution Defined.** The term "want of prosecution" in Fed. R. Bankr. P. 1017 shall include, but is not limited to:

- (1) failure to file lists, schedules, and statements within the time allowed by Fed. R. Bankr. P. 1007;
- (2) failure to be represented by counsel within the time set by order of the court if the debtor is a corporation;
- (3) failure to pay any required filing fee;
- (4) failure to file a plan, disclosure statement, or other document or pleading within the time required by the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, these LBRs, or orders of the court;
- (5) failure of a party or counsel to appear at a hearing;
- (6) failure of the debtor to appear at the initial § 341 meeting, or any continued meeting, as provided for in [LBR 2003-1](#); and
- (7) failure to abide by any court order requiring the filing of papers or payment of fees, costs, or sanctions.