

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK
(UTICA DIVISION)

In re:

MILES BURTON MARSHALL
a/k/a M. BURTON MARSHALL

Debtor.

Hearing Date/Time: April 24, 2023
Hearing Time: 9:30 a.m.
Hearing Location: Utica, New York

Main Case No. 23-60263-6-REL

Chapter 11

**MOTION FOR AN ORDER PROHIBITING UTILITY COMPANIES
FROM ALTERING, REFUSING OR DISCONTINUING SERVICES TO
AND/OR DISCRIMINATING AGAINST THE DEBTOR ON ACCOUNT
OF THE BANKRUPTCY FILING OR ANY PREPETITION AMOUNTS
DUE, AND (B) DETERMINING THAT THE DEBTOR'S UTILITIES
ARE ADEQUATELY ASSURED OF FUTURE PAYMENT**

Upon the motion, (the "Motion") of Miles Burton Marshall a/k/a M. Burton Marshall, debtor and debtor in possession (the "Debtor"), hereby moves this Court for entry of an order, in substantially the forms attached hereto as Exhibit B, pursuant to Section 366 of Title 11 of the United States Code (the "Bankruptcy Code") (a) prohibiting utility companies from altering, refusing, or discontinuing services to and/or discriminating against the Debtor on account of the bankruptcy filing or any pre-petition amounts due, and (b) determining that the Debtor's utility companies are adequately assured of future payment. In support of this Motion, the Debtor respectfully represents as follows:

JURISDICTION

1. The Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

BACKGROUND

2. On April 20, 2023 (the "Commencement Date"), the Debtor commenced a voluntary case under Chapter 11, of Title 11 of the United States Code (the "Bankruptcy Code").