

SAMPLE FORM INDEX

Sample Form 1:	Notice of Motion for Abandonment and Relief from Stay
Sample Form 2:	Notice of Motion for Relief from Stay
Sample Form 3:	Motion to Avoid Judicial Lien
Sample Form 4:	Notice of Motion to Avoid Judicial Lien
Sample Form 5:	Order Granting Motion to Avoid Judicial Lien
Sample Form 6:	Motion to Avoid Lien
Sample Form 7:	Notice of Motion to Avoid Lien
Sample Form 8:	Order Granting Motion to Avoid Lien
Sample Form 9:	Motion to Redeem Property
Sample Form 10:	Notice of Motion to Redeem Property
Sample Form 11:	Order Granting Motion to Redeem Property

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

IN RE:)
) CASE NO.
)
)
 Debtor(s))

NOTICE

PLEASE TAKE NOTICE that parties in interest in the above captioned case shall have **fifteen (15) days from the date this Notice is served** to file an objection to the Motion for Abandonment and Relief from Stay filed herein on behalf of [ENTER CREDITOR'S NAME] regarding property legally described as:

[ENTER PROPERTY DESCRIPTION]

Objections must be filed in writing in accordance with Local Rule S.D.Ind. B-9013-1 with the Clerk's Office and served on the attorney for the moving party at the addresses listed below. If no objection is timely filed, an order may be entered by the Court for the relief requested.

Certificate of Service

This is to certify that a true and accurate copy of this Notice of the Motion for Abandonment and Relief from Stay, was served on all creditors and other parties in interest by placing a copy in the U.S. Mail this _____ day of _____, 2003, at the addresses listed below or attached hereto.

Date: _____
Creditor's Attorney
Address

U.S. Bankruptcy Court
[Add correct divisional office address]

[Names and addresses for parties served are required on certificate of service.]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

IN RE:)
) CASE NO.
)
)
 Debtor(s))

NOTICE

PLEASE TAKE NOTICE that parties in interest shall have **fifteen (15) days from the date this Notice is served** to file an objection to the attached Motion for Relief from Stay filed herein on behalf of [ENTER CREDITOR'S NAME]. Objections must be filed in writing in accordance with Local Rule S.D.Ind. B-9013-1 with the Clerk's Office and served on the attorney for the moving party at the addresses listed below. If no objection is timely filed, an order may be entered by the Court for the relief requested.

Certificate of Service

This is to certify that a true and accurate copy of this Notice of Motion for Relief from Stay was served on all creditors and other parties in interest by placing a copy in the U.S. Mail this _____ day of _____, 2003, at the addresses listed below or attached hereto.

Date: _____
Creditor's Attorney
Address

U.S. Bankruptcy Court
[Add correct divisional office address]

[Names and addresses for parties served are required on certificate of service.]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

In re:)
) Case No.
)
)

MOTION TO AVOID JUDICIAL LIEN

The Debtor(s) hereby move the Court pursuant to 11 U.S.C. § 522(f) to avoid the lien of {ENTER CREDITOR NAME} on the following described property:

{ENTER PROPERTY DESCRIPTION}

In support of said Motion, the Debtor submits the following information:

1. The above-mentioned lien is a judicial lien recorded in {ENTER COURT NAME} under case # {ENTER CASE #}.
2. The amount of the lien: \$_____
3. The amount of all other liens on the property: \$_____
4. Amount of the impaired exemption: \$_____
5. Value of the subject collateral: \$_____

The Debtor's interest in the property referred to in the preceding paragraph and encumbered by the lien has been claimed as exempt in this bankruptcy case. The existence of the lien impairs the exemptions to which the Debtor would be entitled under 11 U.S.C. § 522(b).

WHEREFORE, the Debtor moves the Court to enter an order avoiding the judicial lien and granting such other relief as may be appropriate.

Date: _____
{ATTORNEY NAME & ADDRESS}

CERTIFICATE OF SERVICE

This is to certify that a true and accurate copy of this Motion to Avoid Judicial Lien was served on the parties by placing a copy in the U.S. Mail this _____ day of _____, 2004, at the addresses listed below or attached hereto.

{ENTER NAMES & ADDRESSES OF PARTIES SERVED}

{ATTORNEY NAME}

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

IN RE:)
) CASE NO.
)
)
 Debtor(s))

NOTICE

PLEASE TAKE NOTICE that parties in interest shall have **twenty (20) days from the date this Notice is served** to file an objection to the attached Motion to Avoid Judicial Lien of [ADD CREDITOR’S NAME] filed herein on behalf of the debtor. Objections must be filed in writing in accordance with Local Rule S.D.Ind. B-9013-1 with the Clerk’s Office and served on the attorney for the debtor at the addresses listed below. If no objection is timely filed, an order may be entered by the Court for the relief requested.

Certificate of Service

This is to certify that a true and accurate copy of this Notice of Motion to Avoid Judicial Lien was served on the parties by placing a copy in the U.S. Mail this _____ day of _____, 2003, at the addresses listed below or attached hereto.

Date: _____
Debtor’s Attorney
Address

U.S. Bankruptcy Court
[Add correct divisional office address]

[Names and addresses for parties served are required on certificate of service.]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

IN RE:)
) CASE NO.
)
)
 Debtor(s))

ORDER GRANTING MOTION TO AVOID JUDICIAL LIEN

The debtor has filed a motion pursuant to 11 U.S.C. Section 522(f)(1)(A) seeking to avoid the judicial lien of [ENTER CREDITOR'S NAME] in the property described herein:

[ENTER PROPERTY DESCRIPTION]

It is therefore ORDERED by the Court that the Motion to Avoid Judicial Lien is hereby GRANTED.

Date: _____

[Enter Judge's Name]
JUDGE, U.S. BANKRUPTCY COURT

cc: Debtor
Attorney for Debtor
Trustee
U.S. Trustee
Creditor

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

In re:)
) Case No.
)
)

MOTION TO AVOID LIEN

The Debtor(s) hereby move the Court pursuant to 11 U.S.C. § 522(f) to avoid the lien of {ENTER CREDITOR NAME} on the following described property:

{ENTER PROPERTY DESCRIPTION}

In support of said Motion, the Debtor submits the following information:

1. The above-mentioned lien is a nonpossessory, nonpurchase money security interest in the described property.
2. The amount of the lien: \$_____
3. The amount of all other liens on the property: \$_____
4. Amount of the impaired exemption: \$_____
5. Value of the subject collateral: \$_____

The Debtor's interest in the property referred to in the preceding paragraph and encumbered by the lien has been claimed as exempt in this bankruptcy case. The existence of the lien impairs the exemptions to which the Debtor would be entitled under 11 U.S.C. § 522(b).

WHEREFORE, the Debtor moves the Court to enter an order avoiding the lien and granting such other relief as may be appropriate.

Date: _____
{ATTORNEY NAME & ADDRESS}

CERTIFICATE OF SERVICE

This is to certify that a true and accurate copy of this Motion to Avoid Lien was served on the parties by placing a copy in the U.S. Mail this _____ day of _____, 2004, at the addresses listed below or attached hereto.

{ENTER NAMES & ADDRESSES OF PARTIES SERVED}

{ATTORNEY NAME}

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

IN RE:)
) CASE NO.
)
)
 Debtor(s))

NOTICE

PLEASE TAKE NOTICE that parties in interest shall have **twenty (20) days from the date this Notice is served** to file an objection to the attached Motion to Avoid Lien re: [ADD CREDITOR NAME] filed herein on behalf of the debtor. Objections must be filed in writing in accordance with Local Rule S.D.Ind. B-9013-1 with the Clerk’s Office and served on the attorney for the debtor at the addresses listed below. If no objection is timely filed, an order may be entered by the Court for the relief requested.

Certificate of Service

This is to certify that a true and accurate copy of this Notice of Motion to Avoid Lien was served on the parties by placing a copy in the U.S. Mail this _____ day of _____, 2003, at the addresses listed below or attached hereto.

Date: _____

Debtor’s Attorney
Address

U.S. Bankruptcy Court
[Enter correct divisional office address]

[Names and addresses for parties served are required on certificate of service.]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

IN RE:)
) CASE NO.
)
)
 Debtor(s))

ORDER GRANTING MOTION TO AVOID LIEN

The debtor has filed a motion pursuant to 11 U.S.C. Section 522(f)(1)(B) seeking to avoid the lien of [ENTER CREDITOR'S NAME]. A notice was duly issued and no objections were filed.

It is therefore ORDERED that the Motion to Avoid Lien is hereby GRANTED.

Date: _____

[ENTER JUDGE'S NAME]
JUDGE, U.S. BANKRUPTCY COURT

cc: Debtor
Attorney for Debtor
Trustee
U.S. Trustee
Creditor

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

IN RE:)
) CASE NO.
)
 Debtor(s))

MOTION TO REDEEM PROPERTY

Debtor hereby moves the Court, pursuant to Section 722 of the Bankruptcy Code, for an Order permitting the debtor to redeem an item of tangible personal property from a lien securing a dischargeable consumer debt.

- 1) The item of personal property involved is [LIST PROPERTY] , which is intended primarily for personal, family or household use.
- 2) The debtor originally purchased the property on [ENTER DATE] and the original purchase price was \$_____.
- 3) The debtor has/has not obtained an appraisal and believes the fair market value of the property to be \$_____.
- 4) The security interest of [ENTER CREDITOR’S NAME] in said property is a dischargeable consumer debt.

Wherefore, the debtor moves the Court for an Order permitting the debtor to redeem said property by paying said creditor the aforesaid sum, and finding that the remainder of the claim of said creditor is a dischargeable consumer debt.

Date: _____

Attorney for Debtor

Certificate of Service

This is to certify that a true and accurate copy of this Motion to Redeem Property was served on the parties by placing a copy in the U.S. Mail this _____ day of _____, 2003, at the addresses listed below or attached hereto.

Date: _____

Signature

[Names and addresses for parties served are required on certificate of service.]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

IN RE:)
) CASE NO.
)
)
 Debtor(s))

NOTICE

PLEASE TAKE NOTICE that parties in interest shall have **twenty (20) days from the date this Notice is served** to file an objection to the attached Motion to Redeem Property re: [ADD CREDITOR NAME] filed herein on behalf of the debtor. Objections must be filed in writing in accordance with Local Rule S.D.Ind. B-9013-1 with the Clerk’s Office and served on the attorney for the debtor at the addresses listed below. If no objection is timely filed, an order may be entered by the Court for the relief requested.

Certificate of Service

This is to certify that a true and accurate copy of this Notice of Motion to Redeem Property was served on the parties by placing a copy in the U.S. Mail this _____ day of _____, 2003, at the addresses listed below or attached hereto.

Date: _____

Debtor’s Attorney
Address

U.S. Bankruptcy Court
[Enter correct divisional office address]

[Names and addresses for parties served are required on certificate of service.]

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

IN RE:)
) CASE NO.
)
)
 Debtor(s))

ORDER GRANTING MOTION TO REDEEM PROPERTY

Notice having been given and no objections having been filed,

IT IS HEREBY ORDERED that the debtor be allowed to redeem the property described as:

[ENTER PROPERTY DESCRIPTION]

by paying to the creditor, [ENTER CREDITOR'S NAME], the sum of \$_____ or by surrendering the property to the creditor.

Date: _____

[ENTER JUDGE'S NAME]
JUDGE, U.S. BANKRUPTCY COURT

cc: Debtor
Attorney for Debtor
Trustee
U.S. Trustee
Creditor