

UNITED STATES BANKRUPTCY COURT
Southern District of Indiana

In re:)
)
[Name of Debtor(s)],) Case No. (xx-xxxxx)
Debtor (s).)

MOTION TO AVOID (JUDICIAL) LIEN (ON HOUSEHOLD GOODS)
AND NOTICE OF OBJECTION DEADLINE

The debtor(s) hereby move(s) the Court, pursuant to 11 U.S.C. 522(f), to avoid the lien of [name of creditor] on the following (real/personal) property:

[Describe real property by both the common address and legal description or describe personal property by referring to the definition of "household goods" in 11 U.S.C. §522(f)(1)(B) – ("Property").

In support of the motion, the debtor(s) state(s) the following:

1. The debtor(s) filed this case on [date] ("Petition Date").
2. The value of the Property as of the Petition Date is [value].
3. The mortgage(s) and/or lien(s) on the Property which the debtor(s) will not seek to avoid is/are as follows: [list creditor(s) and lien amount(s)].
4. The mortgage(s) and other lien(s) on the Property which the debtor(s) will seek to avoid by separately filed motion(s) is/are as follows: [list creditor(s) and lien amount(s)].
5. The amount of the exemption to which the debtor(s) would be entitled but for the lien is [amount].
6. The lien is in the approximate amount of [amount].
7. (*judicial lien*) The case number and court where the underlying judgment was entered, the date of the judgment and the common address and legal description of the real estate are as follows:

Or,

(*household goods*) The creditor obtained a lien on the household goods listed above on [date debt was incurred that lien secures]. The above lien is a non-possessory, non-purchase money security

interest. The specific household goods subject to the lien are:
[provide list of items from 11 U.S.C. §522(f)(1)(B)].

NOTICE: Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the motion, or if you want the court to consider your views on the motion, then the deadline for you or your attorney to file a written objection with the court explaining your position is **21 days** from the date of service. The date of service was [date].

If you were served by mail, your deadline for filing a written objection is extended three (3) additional days. Objections may be delivered by U.S. Mail, courier, overnight/express mail, or in person to the Clerk’s office address shown below. If you mail your objection, you must mail it early enough so the court will receive it on or before the applicable deadline.

(select the appropriate address)

Indianapolis
116 U.S. Courthouse
46 East Ohio Street
Indianapolis, IN 46204

Evansville and Terre Haute
352 Federal Bldg.
101 NW Martin Luther King Jr. Blvd.
Evansville, IN 47708

New Albany
110 U.S. Courthouse
121 West Spring Street
New Albany, IN 47150

You must also send a copy of your objection to:

[movant's attorney's name and address]

[names and addresses of others to be served]

If you or your attorney do not take these steps, the court may decide that you do not oppose an order avoiding the (judicial) lien (on household goods) and may enter an order granting that relief.

WHEREFORE, debtor(s) move(s) the Court to enter an order avoiding creditor’s (judicial) lien (on household goods) and granting such other relief as appropriate.

/s/ Counsel for Debtor(s)
Counsel for Debtor(s)
(required signature block)

CERTIFICATE OF SERVICE

(Certificates of Service forms are available on the Court's website under Rules & Forms > Local Forms > Motions & Related Notices/Certificates of Service/Orders)