

UNITED STATES BANKRUPTCY COURT
Southern District of Indiana

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

MOTION FOR RELIEF FROM CO-DEBTOR STAY
AND NOTICE OF OBJECTION DEADLINE
(Intended for use by a secured creditor.)

The creditor, (name of creditor), hereby moves the Court, pursuant to 11 U.S.C. §1301(c), for relief from the co-debtor stay as to (name of co-debtor); and in support of this motion, the creditor states the following:

1. The debtor(s) filed a Chapter 13 case on (date) - referred to as the APetition Date.@
2. As of the Petition Date, the creditor was the holder of a claim secured by (describe collateral), referred to as Athe Property,@ more particularly described in the (select one):
 - Option A: (Mortgage, UCC financing statement, certificate of title) - a copy of which is attached as AExhibit A@;
 - Option B: Proof of Claim (#), (option available if documents are attached to POC).
3. (If applicable) The above described (mortgage/security interest) was given to secure a promissory note - referred to as the ANote@ - dated (date) and made payable to the creditor in the original sum of (original sum of Note).
4. (If applicable) The creditor perfected an interest in the Property, as shown in a (select one):
 - Option A: (Mortgage, UCC financing statement, a certificate of title) filed with the (name of filing office) on (date). Evidence of perfection is attached as AExhibit B@;
 - Option B: Proof of Claim (#) (option available if documents showing perfection are attached to POC).

5. (If applicable) As of the date of the filing of this motion, the outstanding principal of the Note was (principal amount) and the outstanding interest was (interest amount).
6. The creditor is entitled to relief from the co-debtor stay because [provide information and cite to '1301(c)(1), (2), or (3) as applicable].

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 enter an order lifting the co-debtor stay, or if you want the court to consider your views on the motion, then on or before [date] (**14 days** from the date of service), you or your attorney must file with the court a written objection explaining your position.

Those not permitted to file electronically must deliver any objection by U.S. mail, courier, overnight/express mail, or in person at:

(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

If you mail your objection to the court, you must mail it early enough so the court will **receive** it on or before the date stated above.

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 lifting the co-debtor stay.

WHEREFORE, the creditor moves the Court to enter an order lifting the co-debtor stay and granting such other relief as appropriate.

/s/ Counsel for Creditor
Counsel for Creditor
(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)

(Note: Ensure service on co-debtor.)