

UNITED STATES BANKRUPTCY COURT
Southern District of Indiana

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

**MOTION TO AVOID WHOLLY UNSECURED MORTGAGE/LIEN
AND NOTICE OF OBJECTION DEADLINE**

The debtor(s) hereby move(s) the Court, pursuant to 11 U.S.C. §1322(b), to avoid the wholly unsecured mortgage/lien of (name of creditor) on the following (real/personal) property:

(Describe real property by commonly known address) - referred to as the "Property."

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

1. The debtor(s) filed a case on (date) - referred to as the "Petition Date."
2. (If applicable) The creditor obtained a mortgage/lien on the Property on (date).
3. The value of the Property as of the Petition Date is (value).
4. The other mortgages/liens on the Property are as follows: (list lienholders and amounts), and the total amount of all other liens on the Property is (amount). [Also identify any of the other mortgages/liens that the debtor has or will be seeking to avoid by separate motion.]
5. The creditor's mortgage/lien is in the amount of (amount).
6. The creditor's mortgage/lien is wholly unsecured and is subject to avoidance under 11 U.S.C. §1322(b).

NOTICE IS GIVEN that any objection must be filed with the Bankruptcy Clerk within **21 days** from date of service [or such other time period as may be permitted by Fed.R. Bankr.P. 9006(f)]. Those not required or 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 St
Indianapolis, IN 46204

Evansville and Terre Haute

352 Federal Bldg.
101 NW M.L. King Jr. Blvd.
Evansville, IN 47708

New Albany

110 U.S. Courthouse
121 W. Spring St.
New Albany, IN 47150

The objecting party must ensure delivery of the objection to the party filing the motion.
If an objection is NOT timely filed, the requested relief may be granted.

WHEREFORE, debtor(s) move(s) the Court to enter an order avoiding creditor's mortgage/lien and granting such other relief as appropriate.

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

CERTIFICATE OF SERVICE

(See "Certificate of Service - Generic" on the Court's website under "Forms/Local/Motions & Related Notices-Certificates of Service-Orders/Certificates of Service/Generic.")