

APPENDIX H

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
DIVISION**

In re

Debtor.)
) Bk. No.
)
) Chapter
)

MOTION TO AVOID LIEN

Comes now the Debtor in the above-styled matter, by and through his attorney of record, and pursuant to 11 U.S.C. § 522(f), hereby moves this Honorable Court to enter an order avoiding the lien of _____, to the extent that such lien impairs an exemption to which the Debtor is entitled, which lien is:

a judicial lien recorded in Book _____ at Page _____, _____ County, AL (Copy of recorded Certificate of Judgment attached.)

a nonpossessory, nonpurchase-money security interest in any of the following:

- 1. household furnishings, household goods, wearing apparel, appliances, books, animals, crops, musical instruments, or jewelry that are held primarily for the personal, family, or household use of the Debtor or a dependent of the Debtor;
- 2. implements, professional books, or tools, of the trade of Debtor or the trade of the dependent of the Debtor; or
- 3. professionally prescribed health aids for the Debtor or a dependent of the Debtor.

Attorney for Debtor

NOTICE AND CERTIFICATE OF MAILING

A copy of the foregoing Motion has been filed with the Court. An Order granting said Motion will be entered by the Court at the expiration of 23 days from the date of this notice unless said creditor files an objection and request for a hearing with the Court within that time.

I hereby certify that I have served a copy of the foregoing Motion on said creditor and trustee this the ____ day of _____, ____.

Attorney for Debtor

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
DIVISION**

In re:

) Case. No.
)
)
Debtor.)

STATEMENT OF DEBTOR

State of Alabama*

County of Jefferson*

Before me, the undersigned Notary Public, in and for said county and state, personally appeared _____ (Debtor), who is known to me, and after, by me being first duly sworn, and under oath, did depose and say as follows:

My name is _____ (Debtor). I am the Debtor in the above-styled cause. I own property of the kind described in 11 U.S.C. § 522(f) which was pledged to _____ (creditor) as collateral on a loan, but the proceeds of the loan were not used to acquire this property. I still have this property and I claim it is exempt property and if appropriate, hereby amend my bankruptcy schedules to show this property as exempt.

Date _____.

Debtor

Sworn to and subscribed before me on this the _____ day of _____, 19__.

Notary Public

Attorney for Debtor
Attorney's Address

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the above and foregoing on _____ (Trustee, Trustee's address), and on _____ (creditor, creditor's address), by placing a copy of same in the United States mail, properly addressed, first class postage prepaid, on this the _____ day of _____, 19__.

Attorney for Debtor

