

Forms are generic suggestions. Parties and their attorneys should revise them to address the unique circumstances of each case.

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

DIVISION
www.flmb.uscourts.gov

In re _____)
)
,) Case No. ____: __-bk-____-____
) Chapter ____
Debtor*)
_____)

**VERIFIED MOTION TO AVOID JUDICIAL LIEN
OF [INSERT LIEN HOLDER NAME] ON EXEMPT PROPERTY**

NOTICE OF OPPORTUNITY TO OBJECT AND REQUEST FOR HEARING

Pursuant to Local Rule 2002-4, the Court will consider the relief requested in this paper without further notice or hearing unless a party in interest files a response within 21 days from the date set forth on the attached proof of service, plus an additional three days for service if any party was served by U.S. Mail.

If you object to the relief requested in this paper, you must file a response with the Clerk of the Court at [address] and serve a copy on the movant's attorney, [name and address], and any other appropriate persons within the time allowed. If you file and serve a response within the time permitted, the Court will either schedule and notify you of a hearing, or consider the response and grant or deny the relief requested without a hearing.

If you do not file a response within the time permitted, the Court will consider that you do not oppose the relief requested in the paper, will proceed to consider the paper without further notice or hearing, and may grant the relief requested.

Debtor(s), [insert debtor(s) name], by and through undersigned counsel, file(s) this Motion to Avoid the Judicial Lien of [insert lien holder] and states as follows:

1. Debtor(s) filed this Chapter [insert number] bankruptcy case on [insert petition date].

* All references to "Debtor" shall refer to both debtors in a case filed jointly by two individuals.

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2. Debtor(s) seek(s) to avoid the judicial lien of [insert name of lien holder] (the “Lien”) that was created by the filing of [judgment or judgment lien certificate] on [recording of filing date] at [O.R. Book xxx, Page xxx or Document No. xxx], of the [Public Records of {County, State}] or [the Florida Department of State Judgment Lien Registry].

3. The Lien impairs the following property that is otherwise exempt under 11 U.S.C. § 522(f):

[Description of property, including legal description and street address of real property and VIN number of vehicle]

WHEREFORE, the Debtor(s) respectfully request(s) that the Court enter an order avoiding the Lien and for such other and further relief as the Court deems appropriate.

Dated: [insert date].

/s/ Signature
Attorney Name
Attorney Bar No.
Attorney E-Mail
Attorney Address
Attorney Phone Number
Attorney for Debtor(s)

****[INSERT VERIFICATION STATEMENT and DEBTOR SIGNATURE]****

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PROOF OF SERVICE

A true and correct copy of the foregoing has been sent by either electronic transmission or U.S. Mail on _____ to: All creditors and interested parties as listed on attached matrix [be sure to add the matrix].

/s/ Signature

Attorney Name

Attorney Bar No.

Attorney E-Mail

Attorney Address

Attorney Phone Number

Attorney for Debtor(s)