

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA

In re: )  
 )  
 ) Case No.  
 )  
 Debtor (s) )

**MOTION TO AVOID WHOLLY UNSECURED MORTGAGE  
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 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. The creditor obtained a mortgage on the Property on (date).
3. The value of the Property as of the Petition Date is (value).
4. The total amount of all other liens on the Property is (amount).
5. The creditor's mortgage is in the amount of (amount).
6. The creditor's mortgage is wholly unsecured and is subject to avoidance under 11 U.S.C. §1322(b).

**PLEASE TAKE NOTICE THAT** any objection must be filed with the Bankruptcy Clerk within **21 days** of the date of this notice [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. Any Indianapolis case must list the address exactly as shown below.)**

**Indianapolis**

116 U.S. Courthouse  
46 E. Ohio St.  
P.O. Box 44978  
Indianapolis, IN 46244

**Evansville**

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

**New Albany**

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

**Terre Haute**

Federal Building  
921 Ohio Street  
Terre Haute, IN 47807

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 and granting such other relief as appropriate.

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

**CERTIFICATE OF SERVICE**

(See the form "[Certificate of Service - Generic](#)" on the Court's website under "Bankruptcy Forms and Instructions.")