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YOUR DOCUMENT SHOULD BE CUSTOMIZED ACCORDING TO THE FACTS OF
YOUR OWN CASE, AND THE REQUIREMENTS OF YOUR BANKRUPTCY COURT.

UNITED STATES BANKRUPTCY COURT

FOR THE _____ **DISTRICT OF** _____
(name of district) *(state)*

In re _____)
(name))
)
) Case no. _____
)
Address _____)
)
) Chapter 7
)
Last four digits of Social Security or Taxpayer)
ID number _____)
)
Employer Tax ID number _____)

MOTION TO AVOID JUDICIAL LIEN ON REAL ESTATE

TO THE HONORABLE COURT:

Debtor, _____ (“Debtor”) respectfully moves this Court for the
avoidance of a judicial lien on her real estate, and in support states as follows:

1. Debtor commenced this case on _____ *(date)* by filing the above-numbered
voluntary petition for relief under chapter 7 of Title 11, United States Code.

2. This motion is filed pursuant to 11 U.S.C. § 522(f) to avoid and cancel a judicial lien held by _____ (*name of lien holder*) on real property used as the Debtor's residence.
3. In _____ (*year*), Debtor received a loan in the amount of _____ from _____ (*name of lien holder*). On or about _____ (*date*), _____ (*name of lien holder*) obtained a judicial lien in and on the real property used as Debtor's residence at _____ (*address*). This judicial lien is entered of record as follows: (*description of lien as it appears in public records*)
4. The fair market value of the property referred to in the preceding paragraph is _____.
5. The property is encumbered by a first mortgage, which had an outstanding balance of _____ as of the petition date.
6. The Debtor's interest in the property has been claimed as fully exempt in her bankruptcy case.
7. The existence of _____ (*name of lien holder*)'s lien on Debtor's real property impairs exemptions to which the Debtor would be entitled under 11 U.S.C. § 522(b).

WHEREFORE, Debtor prays for an Order against _____ (*name of lien holder*) for the cancellation and avoidance of the judicial lien on her residential real estate, and for such additional or alternative relief as may be just and proper.

Dated: _____, 20____

Respectfully submitted,

Name
Debtor, Pro Se
Address:
City, State, ZIP
Phone:
Email: