

Judge Drake- New Instructions for Motions to Avoid Lien

On June 1, 2007, Judge Drake will begin accepting proposed orders electronically through the E-Orders function of the CM/ECF system. At that time, you will also be asked to begin submitting proposed orders on motions to avoid lien. After July 31, 2007, the Court will no longer prepare orders on motions to avoid lien and, if no order is submitted, your motion may be denied for want of prosecution.

Attached for your reference is the preferred form of order. **Proposed orders should be submitted only after the objection period has passed** (23 days from the date of service of the motion) and only if no response has been filed to the motion to avoid lien. If a response is filed, the Court will set the motion and response for a hearing.

IN THE MATTER OF:	:	CASE NUMBER:
	:	
	:	
	:	
	:	N-XX-XXXXXX-WHD
	:	
Debtor.	:	
_____	:	
	:	
	:	
	:	CONTESTED MATTER
Movant,	:	
	:	
v.	:	
	:	
	:	IN PROCEEDINGS UNDER
	:	CHAPTER XX OF THE
Respondent.	:	BANKRUPTCY CODE

Before the Court is the Motion to Avoid Lien (the “Motion”) of the above-named debtor(s), as provided by 11 U.S.C. §522(f) and Federal Rule of Bankruptcy Procedure 4003(d). The respondent has not filed a response; thus, the Motion is deemed to be unopposed. *See* BLR 6008-2, N.D. Ga.

ORDERED AND ADJUDGED that the lien(s) held by the Respondent upon exempt

property of the above-named Movant Debtor is **AVOIDED** to the extent that such lien impairs an exemption to which Movant would have been entitled pursuant to 11 U.S.C. § 522 (b).

The clerk is directed to serve a copy of this Order upon Movant, Respondent, and their respective counsel.

END OF DOCUMENT