

LOCAL OFFICIAL FORMS TABLE OF CONTENTS

LOCAL OFFICIAL FORM 1002-1:	NOTICE TO INDIVIDUAL CONSUMER DEBTOR	75
LOCAL OFFICIAL FORM 1006-1:	APPLICATION TO PAY FILING FEE, ADMINISTRATIVE FEE, AND TRUSTEE SURCHARGE FEE IN INSTALLMENTS	76
LOCAL OFFICIAL FORM 1007-1(a):	REQUEST FOR WAIVER	77
LOCAL OFFICIAL FORM 1007-1(b):	CERTIFICATION VERIFYING CREDITOR MATRIX	78
LOCAL OFFICIAL FORM 1007-2:	DEBTOR'S CLAIM FOR PROPERTY EXEMPTION	79
LOCAL OFFICIAL FORM 2082-1:	CHAPTER 12 PLAN	85
LOCAL OFFICIAL FORM 3011-1(a):	INDIVIDUAL IDENTIFICATION FORM FOR UNCLAIMED DIVIDENDS	87
LOCAL OFFICIAL FORM 3011-1(b):	CORPORATION/BUSINESS IDENTIFICATION FORM FOR UNCLAIMED DIVIDENDS	88
LOCAL OFFICIAL FORM 3011-1(c):	MOTION FOR PAYMENT OF UNCLAIMED DIVIDENDS	89
LOCAL OFFICIAL FORM 3011-1(d):	ORDER AUTHORIZING PAYMENT OF UNCLAIMED DIVIDENDS	91
LOCAL OFFICIAL FORM 3012-1(a):	MOTION TO VALUE SECURITY UNDER 11 U.S.C. § 506(a)	92
LOCAL OFFICIAL FORM 3012-1(b):	ORDER SETTING VALUE OF SECURITY	93
LOCAL OFFICIAL FORM 3015-1(a):	NOTICE, CHAPTER 13 PLAN AND RELATED MOTIONS	94
LOCAL OFFICIAL FORM 3015-1(b):	NOTICE OF PLAN MODIFICATION BEFORE CONFIRMATION	99
LOCAL OFFICIAL FORM 3015-1(c):	NOTICE OF PLAN MODIFICATION AFTER CONFIRMATION	100
LOCAL OFFICIAL FORM 3015-1(d):	CERTIFICATION	101
LOCAL OFFICIAL FORM 3018-1:	BALLOT FOR ACCEPTING OR REJECTING PLAN	102
LOCAL OFFICIAL FORM 4001-1(a):	NOTICE OF MOTION FOR RELIEF FROM AUTOMATIC STAY (11 U.S.C. § 362)	103
LOCAL OFFICIAL FORM 4001-1(b):	CERTIFICATION OF FACTS	104
LOCAL OFFICIAL FORM 4001-1(c):	SETTLEMENT ORDER	105
LOCAL OFFICIAL FORM 4001-3(a):	MOTION FOR PERMISSION TO COLLECT CHILD SUPPORT	106
LOCAL OFFICIAL FORM 4001-3(b):	CERTIFICATION OF SERVICE	107
LOCAL OFFICIAL FORM 4001-3(c):	ORDER GRANTING MOTION FOR PERMISSION TO COLLECT CHILD SUPPORT	108

LOCAL OFFICIAL FORM 4001-4:	NOTICE AND MOTION PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 4001(d)	109
LOCAL OFFICIAL FORM 4003-1(a):	MOTION TO AVOID JUDICIAL LIEN (11 U.S.C. § 522(f)) . . .	110
LOCAL OFFICIAL FORM 4003-1(b):	MOTION TO AVOID SECURITY INTEREST (11 U.S.C. § 522(f)(1)(B))	111
LOCAL OFFICIAL FORM 4003-1(c):	ORDER AVOIDING NON-PURCHASE MONEY, NONPOSSESSORY SECURITY INTEREST (11 U.S.C. § 522(f)(1)(B))	112
LOCAL OFFICIAL FORM 4003-1(d):	ORDER AVOIDING JUDICIAL LIEN (11 U.S.C. § 522(f)(1)(A))	113
LOCAL OFFICIAL FORM 5010-1:	ORDER UPON MOTION REOPENING CASE	114
LOCAL OFFICIAL FORM 6004-1(a):	NOTICE AND APPLICATION FOR SALE OF PROPERTY FREE AND CLEAR OF LIENS	115
LOCAL OFFICIAL FORM 6004-1(b):	REPORT OF SALE	117
LOCAL OFFICIAL FORM 6004-1(c):	ORDER AUTHORIZING SALE OF ASSET	118
LOCAL OFFICIAL FORM 6007-1(a):	NOTICE AND APPLICATION FOR ABANDONMENT OF PROPERTY	119
LOCAL OFFICIAL FORM 6007-1(b):	ORDER AUTHORIZING ABANDONMENT OF PROPERTY	120
LOCAL OFFICIAL FORM 6007-1(c):	CONSENT ORDER AUTHORIZING ABANDONMENT OF PROPERTY AND MODIFYING STAY (FOLLOWING SERVICE OF APPLICATION FOR ABANDONMENT OF PROPERTY)	121
LOCAL OFFICIAL FORM 6007-1(d):	CONSENT ORDER AUTHORIZING ABANDONMENT OF PROPERTY AND MODIFYING STAY (FOLLOWING ANNOUNCEMENT OF ABANDONMENT AT 11 U.S.C. § 341 MEETING OF CREDITORS)	122
LOCAL OFFICIAL FORM 6007-1(e):	CERTIFICATE OF NO OBJECTION	123
LOCAL OFFICIAL FORM 7016-1:	CERTIFICATE OF SETTLEMENT OF CONTESTED MATTER OR AN ADVERSARY PROCEEDING	124
LOCAL OFFICIAL FORM 9014-1:	CERTIFICATION OF NECESSITY FOR EMERGENCY HEARING	125
LOCAL OFFICIAL FORM 9014-2(a):	NOTICE OF MOTION/APPLICATION AND OPPORTUNITY FOR HEARING	126
LOCAL OFFICIAL FORM 9014-2(b):	MOTIONS/APPLICATIONS APPROVED FOR “PASSIVE” NOTICE	127
LOCAL OFFICIAL FORM 9019-1:	NOTICE AND APPLICATION FOR SETTLEMENT AND COMPROMISE	128

LOCAL OFFICIAL FORM 1002-1 TO SC LBR 1002-1

United States Bankruptcy Court for the District of South Carolina

NOTICE TO INDIVIDUAL CONSUMER DEBTOR

The purpose of this notice is to acquaint you with the four chapters of the United States Bankruptcy Code (Code) under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Neither the judges nor the court's employees may provide you with legal advice.

Chapter 7: Liquidation (\$155.00 filing fee and \$ 39.00 administrative fee and \$15.00 trustee surcharge fee = \$209.00 total fee)

Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Under chapter 7, a trustee takes possession of all your property. You may claim certain of your property as exempt under governing federal and state law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities set by the Code.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Code, your discharge may be denied by the court, and the purpose for which you filed the bankruptcy petition will be defeated. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts including, but not limited to, certain taxes and student loans, alimony and child support, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.

Under certain circumstances you may keep property that you have purchased subject to valid security interest. Your attorney can explain the options that are available to you.

Chapter 11: Reorganization (\$800.00 filing fee and \$39.00 administrative fee = \$839.00 total fee)

Chapter 11 is designed primarily for the reorganization of a business but is also available to consumer debtors. Its provisions are complex and any decision to file a chapter 11 should be made in consultation with an attorney.

Chapter 12: Family Farmer (\$200.00 filing fee and \$39.00 administrative fee = \$239.00 total fee)

Chapter 12 is designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family owned farm.

Chapter 13: Repayment of All or Part of the Debts of an Individual (\$155.00 filing fee and \$39.00 administrative fee = \$194.00 total fee)

Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Code.

Under chapter 13, you must file a plan with the court to repay your creditors all or part of the money that you owe them, using future earnings. Usually the period allowed by the court to repay debts is three years, but not more than five years. Your plan must be approved by the court before it can take effect. Under chapter 13, unlike chapter 7, you may keep your property, both exempt and nonexempt, as long as you continue to make payments according to the plan.

After completion of payments under your plan, your debts are discharged except alimony and support payments, student loans, certain debts including criminal fines and restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long term secured obligations.

ACKNOWLEDGMENT

CASE NO _____

I hereby certify that I have read this notice.

Date: _____

Debtor

Joint Debtor (if applicable)

INSTRUCTIONS: If the debtor is an individual, a copy of this notice personally signed by the debtor must accompany any bankruptcy petition filed with the clerk. If filed by joint debtors, the notice must be personally signed by each.

LOCAL OFFICIAL FORM 1006-1 TO SC LBR 1006-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:) CASE NO: _____
) CHAPTER: _____
)
) APPLICATION TO PAY FILING FEE,
) ADMINISTRATIVE FEE, AND TRUSTEE SURCHARGE
) FEE IN INSTALLMENTS
DEBTOR.)

In accordance with Federal Rule of Bankruptcy Procedure 1006, application is made for permission to pay the filing fee, administrative fee, and the trustee surcharge fee on the following terms:

\$_____ with the filing of the petition, and the balance of

\$_____ in three (3) installments, as follows:

\$_____ on or before_____

\$_____ on or before_____

\$_____ on or before_____

I certify that I have not paid any money or transferred any property to an attorney or any other person for services in connection with this case or in connection with any other pending bankruptcy case and that I will not make any payment or transfer any property for services in connection with the case until the filing fee, administrative fee, and the trustee surcharge fee is paid in full.

I certify that I am unable to pay the filing fee, administrative fee, and the trustee surcharge fee except in installments because

I understand that this case may be dismissed without further notice pursuant to South Carolina Local Bankruptcy Rule 1006-1 if an installment payment is not received by the due date unless I file a request for a hearing on dismissal prior to the due date.

Date: _____, _____

Signature of Debtor

Signature of Debtor

Signature of Attorney

Typed/Printed Name/Address/Telephone

District Court I.D. Number

LOCAL OFFICIAL FORM 1007-1(a) TO SC LBR 1007-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

)
)
)
)
)
)
)
)

REQUEST FOR WAIVER

DEBTOR.

The debtor hereby requests that the court waive the requirement that the mailing matrix be submitted on a computer disk as required by South Carolina Local Bankruptcy Rule 1007-1. Because of financial constraints and the inability of the debtor or debtor's counsel (if applicable) to access the equipment necessary to comply with this requirement, the debtor requests that the court accept the matrix in the format set forth in the "Clerk's Instruction: Submission of the Lists of Creditors on Hard Copy in a Scannable Format (CI-1007-1(b))".

Date: _____, _____

Signature of Debtor

Signature of Debtor

Signature of Attorney

Typed/Printed Name/Address/Telephone

District Court I.D. Number

5. Cash and Other Liquid Assets (Total value not to exceed \$1,000 per debtor. This exemption is available only to a debtor who did not make a claim under item 1 of this form.)

A. Cash \$ _____

B. Other Liquid Assets

- 1. Deposits _____
- 2. Securities _____
- 3. Notes _____
- 4. Drafts _____
- 5. Unpaid earnings _____
- 6. Accrued vacation pay _____
- 7. Refund _____
- 8. Prepayments _____
- 9. Income tax refunds _____
- 10. Other receivables _____

TOTAL \$ _____

6. Tools of Trade (Total net value not to exceed \$750 for each debtor.)

<u>Description</u>	<u>Market Value</u>	<u>Lien Holder</u>	<u>Amount of Lien</u>	<u>Net Value</u>

Total Net Value \$ _____

7. Unmatured Life Insurance Contract

Name of Insurance Company: _____
 Policy No: _____ Name of Insured: _____
 Name of Insurance Company: _____
 Policy No: _____ Name of Insured: _____

8. Dividend, Interest/Loan Value of Unmatured Life Insurance Contract
 (Debtor's interest not to exceed \$4,000 for each debtor, also see Section 12(D) and (E).)

Name of Insurance Company: _____
 Policy No: _____ Name of Insured: _____
 Value Claimed: \$ _____ Overage: \$ _____
 Name of Insurance Company: _____
 Policy No: _____ Name of Insured: _____
 Value Claimed: \$ _____ Overage: \$ _____

9. Professionally Prescribed Health Aids (No limit on value or number of items.)

Description:

10. Debtor's Right to Receive the Following Benefits: (Check applicable benefits and attach explanation.)

- A. A social security benefit, unemployment compensation, or a local public assistance benefit.
- B. A veteran's benefit.
- C. A disability, illness or unemployment benefit (except for a levy or execution of judgments for criminal restitution or fines. See S.C. Code Ann. § 15-41-33).
- D. Alimony, support or separate maintenance.
- E. A payment under a stock bonus, pension, profit sharing annuity, or similar plan or contract on account of illness, disability, death, age or length of service unless,
 - (i) such plan or contract was established by or under the auspices of an insider who employed the debtor at the time the debtor's rights under such plan or contract arose;
 - (ii) such payment is on account of age or length of service; and
 - (iii) such plan or contract does not qualify under §§ 401(a), 403(a), 403(b), or 409 of the Internal Revenue Code of 1954 [26 U.S.C. §§ 401(a), 403(a), 403(b), 408 or 409.]

11. Debtor's Right to Receive, or Property that is Traceable to:
(Check applicable benefits and attach explanation.)

- A. An award under a crime victim reparation law.
- B. A payment on account of the bodily injury of the debtor or of the wrongful death or bodily injury of another individual of whom the debtor was or is a dependent.
- C. A payment under a life insurance contract that insured the life of an individual of whom the debtor was a dependent on the date of such individual's death, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor.

12. Other Exemptions Under South Carolina Law: (Check the applicable exemptions.)

- A. Fraternal benefit association benefits under § 38-38-330.
- B. The right to an annuity or a retirement allowance or to the return of contributions, an annuity or retirement allowance itself, any optional benefit or other right accrued or accruing from the South Carolina Retirement System (§ 9-1-1680), the Retirement System for Judges and Solicitors (§ 9-8-190), the Retirement System for the General Assembly (§ 9-9-180), the Police Officers Retirement System (§ 9-11-270), or any private retirement system operated by a municipality as provided for under § 9-1-1680. (Please specify which statute applies _____.)
- C. Any pension fund either before or after distribution under Firemen's Pension Funds held by any municipality (§ 9-13-230).
- D. All proceeds and cash surrender value from an individual life insurance policy which is for the benefit of the insured's spouse, children or dependents under § 38-63-40 (provided the policy was not purchased within two years of the filing of bankruptcy).

- ___ E. All proceeds of group life insurance policies as provided by § 38-63-40(C).
- ___ F. All benefits from accidental disability insurance contracts, § 38-64-40(D).
- ___ G. \$50,000 in cash surrender value or proceeds from a group life insurance policy which is for the benefit of the insured's spouse, children or dependents, § 38-65-90.
- ___ H. Worker's compensation, § 42-9-360.
- ___ I. Public aid and assistance, § 43-5-190.
- ___ J. Crime victim's compensation, § 16-3-1300.
- ___ K. Partnership property, § 33-41-960.
- ___ L. Funds invested in or funds received from a College Investment Trust Program, § 59-2-140.
- ___ M. Funds invested in or funds received from the S.C. College Tuition Program, § 59-4-40.
- ___ N. Other state exemptions: (List each item with the statutory basis for the exemption.)

13. The Federal Exemptions (Other than those under 11 U.S.C. § 522(d)):
 (Check applicable exemption.)

- ___ A. Disability or death compensation for government employees, 5 U.S.C. § 8130.
- ___ B. Civil service retirement annuity, 5 U.S.C. § 729, 2265, 8346.
- ___ C. Deposits of savings of members of the U.S. Armed Services while on duty outside the U.S., 10 U.S.C. § 1035.
- ___ D. Armed services retirement or retainer pay annuity, 10 U.S.C. § 1440.
- ___ E. Military survivor annuity, 10 U.S.C. § 1450.
- ___ F. Foreign service retirement and disability, 22 U.S.C. § 4060.
- ___ G. Certain debts of Klamath Tribe Indians, 25 U.S.C. § 543, 545.
- ___ H. Annuities for survivors of judicial officials, 28 U.S.C. § 376.
- ___ I. ERISA qualified plans, 29 U.S.C. § 1056.
- ___ J. Pensions of surviving spouses of lighthouse service personnel, 33 U.S.C. § 775.
- ___ K. Longshoremen's and harbor worker's compensation and benefits, 33 U.S.C. § 916.
- ___ L. Pensions of persons on the Medal of Honor roll, 38 U.S.C. § 1562, 3101.
- ___ M. Benefits from Servicemen's or Veteran's Group Life Insurance, 38 U.S.C. § 1970(g).
- ___ N. Veteran's benefits, 38 U.S.C. § 5301, 45 U.S.C. § 352(E).
- ___ O. Social security paid or payable, 42 U.S.C. § 407.
- ___ P. War risk hazard compensation benefits, 42 U.S.C. § 1717.

- ____ Q. Federal homestead lands on debts contracted before issuance of the patent, 43 U.S.C. § 1701.
- ____ R. Railroad Retirement Act annuities, pensions, and supplemental annuities, 45 U.S.C. § 231.
- ____ S. Railroad workers unemployment compensation, 45 U.S.C. § 352(e).
- ____ T. Wages of fishermen, seamen and apprentices, 46 U.S.C. § 601.
- ____ U. The clothing of a seaman, 46 U.S.C. § 11110.
- ____ V. Pensions of Spouses of CIA employees, 50 U.S.C. § 2001.
- ____ W. CIA retirement, 50 U.S.C. § 2094.
- ____ X. Other federal exemptions: (List each item with the statutory basis for each exemption.)

Debtor's Signature

Date: _____, _____

LOCAL OFFICIAL FORM 2082-1 TO SC LBR 2082-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

)
)
)
)
)
)
)
)

CASE NO: _____

CHAPTER 12 PLAN

DEBTOR.

The debtor certifies that:

- (1) All motions to establish the value of collateral have been filed or are filed contemporaneously herewith.
(2) All motions to avoid liens have been filed or are filed contemporaneously herewith.
(3) All fees, charges and amounts required to be paid before confirmation pursuant to chapter 12 of Title 28 of the United States Code have been paid.

FUNDING OF PLAN
(INSTRUCTION: INCLUDE THE APPLICABLE FUNDING LANGUAGE)

The debtor hereby submits his/her future income in the amount of _____ per month for a period of _____ beginning _____.

The debtor hereby submits his/her future income in the amount of _____ per quarter for _____ beginning _____.

The debtor hereby submits his/her future income in the amount of _____ per year for a period of _____ years. Annual payments are to begin on _____ and on _____ each year for a period of _____ years.

After deduction of ten (10%) percent from the above amount, to be applied towards administrative expenses, the trustee shall make disbursements as follows:

- (1) To the attorney's fees of the debtor in an amount not to exceed _____, after approval by the court, at the rate of ten (10%) percent of the gross payment, until paid in full. This percentage may be reduced or increased by the trustee as necessary.
(2) Payments to secured creditors, as follows: [INSTRUCTION: THE LANGUAGE SET FORTH IS TO BE REPEATED FOR EACH SECURED CREDITOR AND FOR EACH CLASS OF COLLATERAL HELD BY A SECURED CREDITOR.]

Name of Creditor: _____
Claim No: _____ Claim Amount: _____
Collateral: _____

The court established the value of this creditor's collateral as \$ _____ by order dated _____.

or

Motions to value collateral are filed contemporaneously herewith.

or

This creditor is wholly secured in the amount of _____ as of the effective date of confirmation.

The unsecured portion of this creditor's claim is \$ _____.

This creditor is to be paid \$ _____ per _____ for a period of _____ which includes interest at _____ % per annum.

The collateral held by this creditor is hereby surrendered to it. No payment will be made to this creditor.

Payments to this creditor shall be based on any unsecured deficiency claim that may be filed.

Other provisions for this creditor: _____

- (3) Subsequent to the above, dividends to priority creditors, including tax claims, will be paid on a pro-rata basis until paid in full. These are as follows: _____ [INSTRUCTION: THE FOLLOWING SHOULD BE COMPLETED FOR EACH PRIORITY CREDITOR.]

Name: _____

Claim No: _____ Claim Amount: _____

Payment Amount: _____ (monthly, quarterly or annually)

This creditor shall be paid no interest on its claim.

This creditor shall be paid interest at _____ % per annum on its claim.

- (4) Subsequent to the above, unsecured creditors will be paid on a pro-rata basis.

- (5) The following leases or executory contracts will be treated as follows:

Upon confirmation of the plan, property of the estate will remain property of the estate, but title to the property shall revert in the debtor. Unless the plan otherwise provides, secured creditors shall retain their liens upon their collateral until the allowed amounts of their claims are paid in full.

The automatic stay provisions of 11 U.S.C. § 362(a) shall remain in effect until the case is closed.

The effective date of confirmation is the date upon which the order of confirmation becomes final.

Date: _____, _____

Signature of Debtor

Signature of Debtor

Signature of Attorney

Typed/Printed Name/Address

District Court I.D. Number

LOCAL OFFICIAL FORM 3011-1(c) TO SC LBR 3011-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

CASE NO:
CHAPTER:

MOTION FOR PAYMENT
OF UNCLAIMED DIVIDENDS

DEBTOR

NOW APPEARS the movant, (name), of (address), (phone number) and states that on (date) (name) became entitled to receive \$ as a distribution in the above-named case, and now appears on the records of this court as the owner of said funds. The amount requested is being held in the United States Treasury as unclaimed funds pursuant to 11 U.S.C. § 347(a). The reason that the original disbursement was not presented for payment was because

(specifically state reason and include brief history of creditor/claimant from filing of claim to present).

The movant represents that he/she/it is entitled to receive the requested funds and that no other party is entitled to the funds based upon: (check the statement(s) that apply):

movant is the pro se creditor/claimant/self-representative of said funds and is the owner of the funds appearing on the records of this court;

movant is an individual not personally appearing before the court; however, alleges that he/she/it is the owner of the funds as evidenced in the identification form as prescribed by South Carolina Local Bankruptcy Rule 3011-1 (SC LBR 3011-1) and the accompanying Clerk's Instruction 3011-1;

movant is a representative of the estate of a deceased claimant (owner of the funds), as evidenced in the attached documents as prescribed by SC LBR 3011-1 and the accompanying Clerk's Instruction 3011-1;

movant is a duly authorized corporate officer (if a corporation) or a general partner (if a partnership) and is the representative of the owner of the funds, as evidenced in the attached documents as prescribed by SC LBR 3011-1 and the accompanying Clerk's Instruction 3011-1;

movant is an attorney (admitted to practice in this court in accordance with SC LBR 9010-1 and Local Rule 83.I.01 of the Local Rules of the United States District Court for the District of South Carolina) representing the interests of the owner/creditor/claimant, as evidenced in the attached documents as prescribed by SC LBR 3011-1 and the accompanying Clerk's Instruction 3011-1;

movant has been assigned the claim, as evidenced in the attached documents as prescribed by SC LBR 3011-1 and the accompanying Clerk's Instruction 3011-1;

movant is named in the attached notarized Power of Attorney by the owner of the funds, valid under the laws of the State of South Carolina, that empowers movant to collect the unclaimed funds described above on behalf of the owner-(check the applicable statement(s):

- as the owner of the claim
as the owner's attorney at law, with authorization to receive said funds

_____ as the assignee of the owner's claim to said funds
_____ as the owner's successor in interest, or
_____ as the personal representative of the owner's estate

WHEREFORE, the movant submits to the jurisdiction of this court and requests that an order be entered directing payment of the unclaimed funds described above to the movant.

The movant declares under penalty of perjury that the foregoing is true and correct:

Name of Movant: _____

Signature of Movant: _____

Title: _____

Date: _____

Certificate of Service

_____ I certify that I have mailed a copy of this motion and all attachments, postage prepaid, to the:

United States Attorney
for the District of South Carolina
1441 Main Street, Suite 500
Columbia, SC 29201

United States Trustee
1835 Assembly Street, Suite 953
Columbia SC 29201

This _____ day of _____, _____.

(Name) _____
(Address) _____
(Phone No.) _____

_____ I, a notary public for the State of _____, certify that I have examined the motion for payment of unclaimed dividend, the identification form, and, when the motion is by an individual claimant or a representative of the estate of a deceased claimant, the following document which establishes identity (check appropriate line):

- ___ birth certificate
- ___ unexpired passport
- ___ valid driver's license
- ___ original Social Security card

and the above motion was subscribed and sworn to before me in _____,
(city/town), _____ (state), this _____ day of _____, _____.

(seal)
Notary Public
My commission expires: _____

LOCAL OFFICIAL FORM 3012-1(a) TO SC LBR 3012-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

)
)
)
)
)
)
)

CASE NO: _____
CHAPTER: _____
MOTION TO VALUE
SECURITY UNDER
11 U.S.C. § 506(a)¹

DEBTOR.

NAME AND ADDRESS OF SECURED CREDITOR:

SECURITY:

DEBTOR'S VALUATION OF THE SECURITY:

METHOD OF VALUATION (blue book, comparable real estate sales, etc.):

Claims secured by perfected security interest(s):

Amount: \$

The undersigned moves in accordance with 11 U.S.C. § 506(a) to value the secured claim held by the creditor named above.

Each of the undersigned acknowledges reading and understanding Federal Rule of Bankruptcy Procedure 9011.

Date: _____, _____

Signature of Movant

Signature of Attorney

Typed/Printed Name/Address/Telephone

District Court I.D. Number

¹ This form is for use only in chapter 11 and chapter 12 cases. See SC LBR 3015-1 for chapter 13 notice.

LOCAL OFFICIAL FORM 3012-1(b) TO SC LBR 3012-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

)
)
)
)
)
)
)
)
)

CASE NO: _____

CHAPTER: _____

ORDER SETTING VALUE OF
SECURITY¹

DEBTOR.

Before the court is the 11 U.S.C. § 506(a) valuation motion of _____ regarding security described as _____ . As no timely objections to the granting of the motion have been filed with this court, it is,

ORDERED, that the claim of _____ is secured in the amount of \$ _____. The balance, if any, of the creditor's claim is unsecured. If the proof of claim filed by this creditor is either unsecured or secured in an amount less than the value set herein, this order will not operate to change the classification or amounts set out in the proof of claim. If a prior perfected lien encumbers the collateral, the collateral is subject to such lien, unless the court orders otherwise.

United States Bankruptcy Judge

Columbia, South Carolina
_____, _____

¹ This form is for use only in chapter 11 and chapter 12 cases. See SC LBR 3015-1 for chapter 13 notice.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:)
)
) **NOTICE, CHAPTER 13**
) **PLAN AND RELATED MOTIONS**
) Bankruptcy No.:
Last four digits of Soc. Sec. # _____)
Last four digits of Soc. Sec. # _____)
)
)
_____ Debtor(s).)

NOTICE OF: 1) DEADLINE FOR FILING OBJECTIONS TO CONFIRMATION OF CHAPTER 13
PLAN;
2) MOTION FOR VALUATION; 3) MOTION TO AVOID CERTAIN LIENS; AND
4) ASSUMPTION OR REJECTION OF EXECUTORY CONTRACTS

The following Chapter 13 Plan and Related Motions have been filed in the above-captioned case. They will be considered at the Confirmation Hearing, notice of which is given in the Notice of Meeting of Creditors. Any objections to the confirmation of the plan, to the payment of attorney's fees, to the Motion to Value Security, to the Motion to Avoid Judicial Lien or to Avoid a Nonpurchase Money, Nonpossessory Security Interest and Lien, or to the assumption or rejection of an executory contract, all as requested herein, must be made in writing, served upon the undersigned counsel for the debtor(s), **, the Chapter 13 Trustee, (**, appropriate address for trustee) and filed with the Clerk of Court, United States Bankruptcy Court, P.O. Box 1448, Columbia, SC 29202, within twenty-five (25) days from the date of filing this Notice, Chapter 13 Plan and Related Motions. All objections must comply with South Carolina Local Bankruptcy Rule 9014-4 (SC LBR 9014-4).

The Notice and Chapter 13 plan shall be served on or before the date they are filed with the Court and according to Federal Rules of Bankruptcy Procedure, Rules 3015 and 2002. Related Motions shall be served on or before the date of their filing with the Court and according to Federal Rules of Bankruptcy Procedure, Rule 7004.

The Plan and Related Motions propose to value the security of the following creditors:

The Chapter 13 Plan and Related Motions propose to avoid a judicial lien or to avoid a nonpurchase money, nonpossessory security interest and lien of the following creditors:

REVIEW THE PLAN AND RELATED MOTIONS CAREFULLY
TO DETERMINE TREATMENT OF YOUR CLAIM

If an objection is filed within twenty-five (25) days after the date of filing and such timely objection is filed before the Confirmation Hearing, the objection will be heard at the Confirmation Hearing, notice of which is given in the Notice of Meeting of Creditors. If an objection is filed within twenty-five (25) days after the date of filing and such timely objection is filed after the Confirmation Hearing, a hearing on the objection will be scheduled and notice of such hearing will be given.

If no objection is timely filed in accordance with SC LBR 9014-4, the Court, upon the recommendation of the Trustee and without further hearing or notice, may enter an order confirming the plan following the Meeting of Creditors (11 U.S.C. §341 meeting) and granting the other relief requested therein.

NOTICE
(TO BE COMPLETED ONLY IF FORM PLAN IS ALTERED)

The plan below contains language that is in addition to that approved for use in the Chapter 13 Plans in the United States Bankruptcy Court for the District of South Carolina, or otherwise alters the approved Form Plan. Such language is highlighted by ____ (state whether by bold type, italics, or underlining).

The unapproved language referred to above appears in Paragraph _____. Parties wishing to object to the inclusion of unapproved language or any other provision of the Plan should review the Notice, Chapter 13 Plan and Related Motions for the correct procedure to be followed.

CHAPTER 13 PLAN AND RELATED MOTIONS

1. The future earnings and income of the debtor(s) are submitted to the supervision and control of the trustee, and the debtor(s) shall pay to the trustee the sum of \$_____ per month for a period of _____() months, or longer if necessary, for completion of this plan according to its terms, but not to exceed 60 months. In addition to the above, the debtor(s) will pay any portion of a recovery under a pre-petition claim or cause of action, that constitutes disposable income or is not exempt, to the trustee.
2. After the deduction from all disbursements of the allowed trustee's commission and expenses, the trustee shall make disbursements as follows:
3. Subject to review and objection, a proof of claim for the attorney's fees of the debtor(s) in the amount of \$_____ will be filed, and may be amended from time to time, and shall be paid at a rate of _____% of the monthly payments to creditors (if no percentage rate is stated, then payment will be made at twenty-five (25%), until paid in full). This percentage may be reduced or increased by the trustee in order to ensure that there are funds available for payment to secured and support creditors as set forth below.
4. Secured creditors will be treated as follows:
 - (a) Long term or mortgage debt - ARREARAGE ONLY (including, but not limited to, all past due payments and escrow amounts), to be paid to _____ at \$_____ or more per month, along with _____% interest. Regular payments will be made directly by the debtor(s), beginning _____ 20_____.
 - (b) Long term or mortgage debt - ARREARAGE ONLY (including, but not limited to, all past due payments and escrow amounts), to be paid to _____ at \$_____ or more per month, along with _____% interest. Regular payments, will be made directly by the debtor(s), beginning _____ 20_____.
 - (c) The liens of the following creditors shall be satisfied as follows:

Payments of \$_____ or more per month, to _____ until the net balance/ value of the lien, plus _____% interest has been paid in full. If the lien is to be valued, the debtor(s) hereby move(s) to value the lien at \$_____ in accordance with SC LBR 3015-1 and the notice attached hereto. The basis of the debtor(s)'s value is as follows: vehicle mileage (if applicable). Liens senior to the above-named creditor are held by the following creditors in the following amounts : _____.

Payments of \$_____ or more per month, to _____ until the net balance/ value of the lien, plus _____% interest has been paid in full. If the lien is to be valued, the debtor(s) hereby move(s) to value the lien at \$_____ in accordance with SC LBR 3015-1 and the notice attached hereto. The basis of the debtor(s)'s value is as follows: vehicle mileage (if applicable). Liens senior to the above-named creditor are held by the following creditors in the following amounts : _____.

Payments of \$_____ or more per month, to _____ until the net balance/ value of the lien, plus _____% interest has been paid in full. If the lien is to be valued, the debtor(s) hereby move(s) to value the lien at \$_____ in accordance with SC LBR 3015-1 and the notice attached hereto. The basis of the debtor(s)'s value is as follows: vehicle mileage (if applicable). Liens senior to the above-named creditor are held by the following creditors in the following amounts : _____.

Payments of \$_____ or more per month, to _____ until the net balance/ value of the lien, plus _____% interest has been paid in full. If the lien is to be valued, the debtor(s) hereby move(s) to value the lien at \$_____ in accordance with SC LBR 3015-1 and the notice attached hereto. The basis of the debtor(s)'s value is as follows: vehicle mileage (if applicable). Liens senior to the above-named creditor are held by the following creditors in the following amounts : _____.

Secured tax debt: Payments of \$_____ or more per month, to _____ on its claim secured by a tax lien until the net balance/value of lien plus _____% interest has been paid in full. If the lien is to be valued, the debtor(s) hereby move(s) to value the lien at \$_____ in accordance with SC LBR 3015-1 and the notice attached hereto. The basis of the debtor(s)'s value is as follows: _____ Liens senior to the above-named creditor are held by the following creditors in the following amounts: \$_____. Of the remaining tax claim, the following amount of \$_____ will be accorded priority unsecured tax status and the balance of the claim will be accorded general unsecured status and paid in accordance with paragraph 6(a) if a proof of claim is timely filed.

If a secured creditor is included in this subparagraph, completion of all plan payments shall constitute full payment of the secured claim and shall impose an affirmative duty on such creditor to satisfy its lien as required by applicable law.

- (d) Other secured debt(s) to be treated as follows:
- (e) The following payments to mortgage creditors are current and the debtor(s) will continue making regular payments directly to:
- (f) The debtor(s) hereby move(s) to avoid the following non-possessory, non-purchase-money security interest liens pursuant to 11U.S.C. §522(f), and SC LBR 3015-1, and the notice attached hereto. If the debtor(s) intend(s) to avoid a security interest pursuant to other applicable sections of the United States Bankruptcy Code (Code), then the debtor(s) shall so state below and shall file and serve necessary pleadings on or before the date set for the initial meeting of creditors.

<u>Name of Creditor</u>	<u>Amount of Security Interest</u>	<u>Amount of Security Interest Not Avoided and to be Paid as Set In Paragraph 4(c) Above</u>
-------------------------	------------------------------------	--

- (g) The debtor(s) hereby move(s) to avoid the following judicial liens pursuant to 11 U.S.C. §522(f), and SC LBR 3015-1, and the notice attached hereto. If debtor(s) intend(s) to avoid a judicial lien pursuant to other applicable sections of the Code, the debtor(s) shall so state below and shall file and serve the necessary pleadings on or before the date set for the initial meeting of creditors.

<u>Name of Creditor</u>	<u>Value of Debtor(s)'s Interest</u>	<u>Total Amt of Unavoidable Senior Liens</u>	<u>Amt of Exemption Impaired</u>	<u>Amt of Judicial Lien</u>	<u>Amount of Judicial Lien to be Avoided</u>	<u>Amount of Judicial Lien Not to be Avoided</u>
-------------------------	--------------------------------------	--	----------------------------------	-----------------------------	--	--

5. (a) All 11 U.S.C. §507(a)(7) priority creditors (pre-petition alimony, support and/or maintenance) shall be treated as follows:

To _____, the pre-petition alimony, support and/or maintenance shall be paid in full, by paying \$_____ or more per month until the balance is paid in full.

All post-petition alimony and post-petition child support will be paid by the debtor(s) outside the plan.

- (b) Subsequent to the above, all other 11 U.S.C. § 507 priority creditors (including, but not limited to, pre-petition taxes or other claims by governmental units) will have the allowed amounts of their pre-petition claims paid on a pro-rata basis. The debtor(s) shall pay all similar post-petition priority obligations to such creditors as they come due directly to such creditors.

6. Subsequent to the above, unsecured creditors will be treated as follows:

- (a) General unsecured creditors will be paid _____% of their allowed claims, on a pro-rata basis. If no percentage is stated, then general unsecured claims will be paid 100% of their allowed claims, on a pro-rata basis. If the unsecured claims are entitled to full payment on their claims plus interest, then interest shall be paid at the rate of ____%.
- (b) The following creditors who hold unsecured consumer claims with co-debtors will be paid ____% of their allowed claims plus ____% interest on a pro-rata basis:
- (c) The following creditors who hold unsecured claims of the kind specified in 11 U.S.C. §1328(a)(2) and (3) will be paid ____% of their allowed claims plus ____% interest on a pro-rata basis:

7. The debtor(s) move(s) for the assumption of the executory contracts and leases listed below. The debtor agrees to abide by all terms of the agreements and to cure any prepetition arrearage or defaults in the manner listed below.

<u>Creditor</u>	<u>Amount of regular payment</u>	<u>Amt. of default (state if none)</u>	<u>Cure Provisions</u>	<u>Regular pymts, and cure pymts pd by debtor(s)/by trustee</u>
-----------------	----------------------------------	--	------------------------	---

An executory contract or lease not specifically mentioned above is treated as rejected.

8. Upon confirmation of the plan, property of the estate will remain property of the estate, but title to the property shall revert in the debtor. Unless the plan provides otherwise, secured creditors shall retain the liens until the allowed amounts of their secured claims are paid. The terms of the debtors'('s) prepetition agreement with a secured creditor shall continue to apply except as otherwise provided for in this plan or the order confirming the plan. Any party entitled to collect child support or alimony under applicable non-bankruptcy law may collect post-petition obligations from the income or assets of the debtor-parent/spouse without further order or relief from the automatic stay. Any claim for pre-petition child support or alimony must be collected in accordance with 11 U.S.C. §507(a)(7) and 11 U.S.C. §1322(a)(2). (See SC LBR 4001-3).

To receive payment from the trustee, a secured creditor must file a proof of claim. Secured claims which are not filed within the time required by Fed. R. Bankr. P. 3002(c) may be disallowed or subordinated to other claims upon further order of the court.

Confirmation of this plan does not bar a party in interest from objecting to a claim which is not filed in accordance with Fed. R. Bankr. P. 3001 or Fed. R. Bankr. P. 3002.

If property is to be released or otherwise surrendered pursuant to this plan, the creditors holding a lien on, or interest in, the property to be released must provide the trustee with acceptable evidence of perfection of the lien or interest, otherwise the property may not be released or surrendered.

Any creditor holding a claim secured by property which is removed from the protection of the automatic stay, whether by judicial action, voluntary surrender, or through operation of the plan, will receive no further distribution from the trustee, unless an itemized proof of claim for any deficiency is filed within a reasonable time after the removal of the property from the protection of the automatic stay. Any funds that would have been paid to such a creditor will be distributed to other creditors, unless the court orders otherwise. This also applies to creditors who may claim an interest in, or lien on, property which is removed from the protection of the automatic stay by another lienholder or released to another lienholder, unless the court orders otherwise.

If a tax creditor files a claim which is allegedly a secured claim but does not timely object to confirmation of this plan, then the claim may be paid as a priority claim.

If a claim is listed in the plan as secured, and the creditor files a proof of claim as an unsecured creditor, the creditor may be treated as unsecured for purposes of distribution under the plan.

The debtor(s) will not incur indebtedness or sell property outside the ordinary course of business without permission of the court.

The debtor(s) is/are responsible for protecting the non-exempt value of all property of the estate and for protecting the estate from any liability resulting from operation of a business by the debtor(s).

If a claim is scheduled as unsecured, and the creditor files a proof of claim alleging that the claim is secured, but does not timely object to the confirmation of the plan, then creditor may be treated as unsecured for purposes of distribution under the Plan. This paragraph is not intended to limit the right of a creditor affected by this paragraph to seek relief from the stay or to object to the discharge of the debt. Nothing in this paragraph shall be deemed to affect the lien rights of the creditor except as otherwise specifically provided under the plan or by order of the court.

Nothing herein is intended to waive or affect adversely any rights of the debtor, trustee, or party with respect to any causes of action.

9. Pay order request or other plan provisions not inconsistent with the above:

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he/she served the foregoing Notice, Plan and Related Motions on all creditors and parties in interest entitled to such notice. The parties served are individually listed on the accompanying list or mailing matrix.

Date:

BY: _____

District Court I.D.
Attorney for the Debtor

Debtor

Debtor

LOCAL OFFICIAL FORM 3015-1(b) TO SC LBR 3015-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

)
)
)
)
)
)
)

CASE NO: _____

CHAPTER 13

DEBTOR.

NOTICE OF PLAN MODIFICATION BEFORE CONFIRMATION

TO: Trustee
Affected Creditor: _____

PLEASE TAKE NOTICE that pursuant to 11 U.S.C. § 1323 and Federal Rule of Bankruptcy Procedure 2002(a)(6), the debtor is filing the attached modified plan and that the above-identified creditor is adversely affected thereby.

Any creditor wishing to object to the proposed modification of the plan must file an objection with the clerk of the United States Bankruptcy Court, Post Office Box 1448, Columbia, South Carolina 29202 within twenty-five (25) days from the date of service below.

Pursuant to South Carolina Local Bankruptcy Rule 9014-4, any objection must be written and properly captioned in accordance with Fed. R. Bankr. P. 9004, set forth with particularity the reasons for the objection and be served on the attorney below, the trustee, and other parties in interest and filed with the clerk of this court not later than the deadline given above. Any objecting party failing to comply with this procedure may be denied the opportunity to appear and be heard by the court and the modified plan may be confirmed.

If the modified plan adversely affects any party and the adversely affected party files an objection within twenty-five (25) days after the date of service, the objection will be heard at the confirmation hearing, notice of which is given in the Notice of Meeting of Creditors. If the modified plan adversely affects any party and the adversely affected party files an objection within twenty-five (25) days after the date of service and such timely objection is filed after the confirmation hearing, a hearing on the objection will be scheduled and notice of such hearing will be given.

The undersigned hereby certifies that he/she has properly served this notice and the accompanying plan and related motions on the parties listed above.

Date: _____, _____

Signature of Attorney

Typed/Printed Name/Address/Telephone

District Court I.D. Number

LOCAL OFFICIAL FORM 3015-1(c) TO SC LBR 3015-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

)
)
)
)
)
)
)
)

CASE NO: _____

CHAPTER 13

DEBTOR.

NOTICE OF PLAN MODIFICATION AFTER CONFIRMATION

TO: Debtor, Trustee, All Creditors, and other Parties in Interest

PLEASE TAKE NOTICE that pursuant to 11 U.S.C. § 1329(a), Federal Rule of Bankruptcy Procedure 3015(g), and Fed. R. Bankr. P. 2002(a)(6), the moving party is filing the attached motion to modify confirmed plan, memorandum, and modified plan.

Any party wishing to object to the proposed modification of the plan must file an objection with the clerk of the United States Bankruptcy Court, Post Office Box 1448, Columbia, South Carolina 29202 within twenty-five (25) days from the date of service indicated below.

Pursuant to South Carolina Local Bankruptcy Rule 9014-4, any objection must be written and properly captioned in accordance with Fed. R. Bankr. P. 9004, set forth with particularity the reasons for the objection, and be served on the attorney below, the trustee, and other parties in interest and filed with the clerk of this court not later than the deadline given above. Any objecting party failing to comply with this procedure may be denied the opportunity to appear and be heard by the court, and the modified plan may be confirmed.

If an objection is filed within twenty-five (25) days after the date of service, a hearing on the objection will be scheduled and notice of such hearing will be given.

The undersigned hereby certifies that he/she has properly served this notice and the accompanying plan and related motions on the parties listed above.

Date: _____, _____

Signature of Attorney

Typed/Printed Name/Address/Telephone

District Court I.D. Number

LOCAL OFFICIAL FORM 3015-1(d) TO SC LBR 3015-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

)
)
)
)
)
)
)

CASE NO: _____

CERTIFICATION

DEBTOR.

The above-captioned debtor(s) hereby certify that, if there is a post-petition obligation to pay alimony and/or child support, any such payments coming due after filing of the bankruptcy petition and continuing through the date of the confirmation hearing have been paid.

Date

Debtor

Debtor

LOCAL OFFICIAL FORM 3018-1 TO SC LBR 3018-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:) CHAPTER 11
) CASE NO.
)
) BALLOT FOR ACCEPTING OR
Debtor(s).) REJECTING PLAN
_____)

_____ filed a plan of reorganization dated _____ in this case. The court has approved a disclosure statement (either conditionally or after notice and upon hearing) with respect to the plan. The disclosure statement provides information to assist you in deciding how to vote on the plan. If you do not have a disclosure statement, you may obtain a copy from the proponent of the plan whose name and address is shown on the order setting confirmation hearing. Court approval of the disclosure statement does not indicate approval of the plan by the court. The plan referred to in this ballot can be confirmed by the court only if two-thirds in amount and more than one-half in number of creditors in each class voting on the plan, and at least two-thirds in amount of each class of interests voting on the plan, accept the plan.

You should review the disclosure statement and plan before you vote. You may wish to seek legal advice concerning the plan and your classification and treatment under the plan. Your claim or equity interest has been placed in a specific class under the plan. If you hold claims or equity interests in more than one class, the proponent should provide you with a ballot for each class in which you are entitled to vote.

Return this ballot on or before _____, to the United States Bankruptcy Court, PO Box 1448, Columbia, SC 29202 and serve a copy on the proponent of the plan shown on the order setting confirmation hearing. Ballots accepting or rejecting the plan shall be counted only if received by the United States Bankruptcy Court on or before _____. If your ballot is not received by the United States Bankruptcy Court by the deadline, and such deadline is not extended, your vote will not count as either an acceptance or rejection of the plan. If the plan is confirmed by the court, it will be binding on you whether or not you vote.

ACCEPTANCE OR REJECTION OF THE PLAN¹

(Fill in A, B, or C; if creditor has a claim in more than 1 area file a separate ballot for each claim)

A. The undersigned voter is the holder of a SECURED, PRIORITY, OR UNSECURED NONPRIORITY CLAIM, and has a claim against the debtor in the unpaid amount of \$ _____. THE VOTER IS A CLASS _____ CREDITOR AND () ACCEPTS THE PLAN OR () REJECTS THE PLAN

OR

B. The undersigned voter is the holder of a BOND, DEBENTURE, OR OTHER DEBT SECURITY, and has a claim against the debtor in the amount of \$ _____ (principal amount). The undersigned should describe the bond, debenture or other debt security, and for purposes of this ballot, you should not adjust the principal amount for any accrued or unmatured interest. THE VOTER IS A CLASS _____ CREDITOR AND () ACCEPTS THE PLAN OR () REJECTS THE PLAN

OR

C. The undersigned voter is the holder of an EQUITY INTEREST, and has _____ shares or other interests of (describe equity interest: _____) in the debtor. THE VOTER IS A CLASS _____ CREDITOR AND () ACCEPTS THE PLAN OR () REJECTS THE PLAN

Dated: _____

Print or type name of creditor

Signature

Title (if corporation or partnership)

Address

LOCAL OFFICIAL FORM 4001-1(a) TO SC LBR 4001-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

¹Failure to provide complete information in the applicable section may result in the ballot being unable to be classified or counted.

IN RE:

CHAPTER:

CASE NO:

**NOTICE OF MOTION FOR
RELIEF FROM AUTOMATIC
STAY (11 U.S.C. § 362)**

DEBTOR.

TO: DEBTOR, TRUSTEE (if applicable), AND THOSE NAMED IN THE ATTACHED MOTION

PLEASE TAKE NOTICE THAT a hearing will be held on the attached Motion on:

Date: _____

Time: _____

Place: [location including building and street address and city] _____

Within 10 days after service of the attached Motion, the Notice of Motion, the movant's Certification of Facts, (and a blank Certification of Facts form (applicable to service on *pro se* parties only)), any party objecting to the relief sought shall:

- (1) File with the clerk a written objection to the 11 U.S.C. § 362 Motion;
- (2) File with the clerk a Certification of Facts;
- (3) Serve on the movant items 1 and 2 above at the address shown below; and
- (4) File a certificate of such service with the clerk.

If you fail to comply with this procedure, you may be denied the opportunity to appear and be heard on this proceeding before the court.

DATE OF SERVICE: _____

MOVANT: _____

ATTORNEY: _____

ATTORNEY'S ADDRESS: _____

LOCAL OFFICIAL FORM 4001-1(b) TO SC LBR 4001-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:)
)
)
)
DEBTOR.)

CASE NO: _____

CHAPTER: _____

CERTIFICATION OF FACTS

In the above-entitled proceeding, in which relief is sought by (name of movant) from the automatic stay provided by 11 U.S.C. § 362, I do hereby certify to the best of my knowledge the following:

- (1) Nature of Movant's Interest.
(2) Brief Description of Security Agreement, copy attached (if applicable).
(3) Description of Property Encumbered by Stay (include serial number, lot and block number, etc.).
(4) Basis for Relief (property not necessary for reorganization, debtor has no equity, property not property of estate, etc.) include applicable subsection of 11 U.S.C. § 362).
(5) Prior Adjudication by Other Courts, copy attached (Decree of Foreclosure, Order for Possession, Levy of Execution, etc., if applicable).
(6) Valuation of Property, copy of Valuation attached (Appraisal, Blue Book, etc.):

Fair Market Value _____
Liens (Mortgages) _____
Equity Before Exemption _____
Debtor's Exemption (-) _____
Net Equity _____
Source/Basis of Value _____

- (7) Amount of Debtor's Estimated Equity (using figures from paragraph 6, supra).
(8) For Lien Holder: List all post-petition payments received by lien holder; date and amount of last payment received; and month for which last payment was applied.

Date: _____, _____

Signature of Attorney
Attorney for: _____

Typed/Printed Name/Address/Telephone

District Court I.D. Number

LOCAL OFFICIAL FORM 4001-1(c) TO SC LBR 4001-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

CASE NO: _____

CHAPTER: _____

SETTLEMENT ORDER

DEBTOR.

This matter comes before the court pursuant to the motion of _____ which seeks relief from the automatic stay in this case.

Now therefore, upon the agreement of the parties, it is hereby

ORDERED THAT:

(1) Debtor shall continue to remit to the movant the regular post-petition monthly payments being _____ (date) and continue said payments thereafter pursuant to the loan documents attached to the Motion for Relief from Stay.

(2) In addition to the payments set forth above, debtor shall cure post-petition arrearage and pay attorney's fees and costs in the total amount of \$_____. This total amount consists of post-petition payments for the months of _____ (date) through _____ (date) in the amount of \$_____ each; late charges of \$_____; and attorney's fees and costs in the amount of \$_____. The total amount shall be paid directly to the movant at:

_____ (Movant's name)
_____ (Movant's address)
Attention: Bankruptcy Department
Loan No. _____

as follows:

in _____ consecutive monthly installments of \$_____ each and one final installment of \$_____. Said installment payments shall commence on _____ and continue on the _____ (due date) day of each consecutive month thereafter until paid in full.

IT IS FURTHER ORDERED that should the debtor fail to make the payments described above or any subsequent regular payments within _____ from their due date, upon an ex parte showing by affidavit of that default and a proposed order, the movant shall be entitled to relief from the stay [and co-debtor stay] so that it can proceed with its state court remedies against its security, including making demand for payment of the amount due. The movant shall report to this court any funds received as a result of a lawful disposition of the real property in excess of its total indebtedness plus any other valid lien against the subject property. The claimant agrees to waive any claim arising under 11 U.S.C. §503(b) or §507(b) as a result of this order. The movant further agrees that any funds realized in excess of its debt will be paid to the trustee.

AND IT IS SO ORDERED.

United States Bankruptcy Judge

_____, South Carolina
Date: _____, _____

I certify that this order contains a true and complete statement of the agreed upon terms of settlement between the parties.

_____, (Date) _____
Attorney for Movant/Debtor/Trustee

LOCAL OFFICIAL FORM 4001-3(a) TO SC LBR 4001-3

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

)
)
)
)
)
)
)
)
)

CASE NO: _____

CHAPTER: _____

MOTION FOR PERMISSION TO
COLLECT CHILD SUPPORT

DEBTOR.

_____,(moving party), alleges under penalty of perjury as follows:

- (1) This court has jurisdiction over this motion pursuant to 28 U.S.C. § 1334, 11 U.S.C. § 362(b)(2), and 11 U.S.C. § 362(d).
(2) _____ (parent/debtor) is a debtor in the above referenced case.
(3) A child of the debtor listed in paragraph 2 is a son/daughter (choose one) age _____.
(4) Moving party is the custodian or custodial parent of a child or children listed in paragraph 3. or is the assignee of such custodian or custodial parent, or representative of the clerk of the state court authorized to collect child support.
(5) By agreement or by court order, (a copy of which is attached to this motion) the debtor listed in paragraph 2. is obligated to pay child support for the child or children listed in paragraph 3.

Wherefore, moving party requests that this court enter its order permitting the moving party to collect child support from post-petition earnings from services of the debtor listed in paragraph 2, and for such other relief as is just.

The undersigned acknowledges that he/she has read and understands Federal Rule of Bankruptcy Procedure 9011.

Date: _____, _____

Signature of Moving Party

Typed/Printed Name/Address/Telephone

LOCAL OFFICIAL FORM 4001-4 TO SC LBR 4001-4

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:)
) CASE NO: _____
) CHAPTER: _____
DEBTOR.)

TO: All Creditors and Parties in Interest entitled to Notice under Federal Rule of Bankruptcy Procedure 4001(d)

NOTICE AND MOTION PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 4001(d)

The debtor/trustee and _____ hereby move the court for an order approving the agreement between them which is described below and attached to this notice.

TAKE FURTHER NOTICE that any response, return and/or objection to this application, should be filed with the Clerk of the Bankruptcy Court no later than *(enter number of days) days from service of motion/application and a copy simultaneously served on all parties in interest.

TAKE FURTHER NOTICE that no hearing will be held on this application unless a response, return and/or objection is timely filed and served, in which case, the Court will conduct a hearing on _____, ____, at ____m., at _____, _____, South Carolina. No further notice of this hearing will be given.

TYPE: (State if the agreement involves adequate protection, modification, or termination of the automatic stay, use of cash collateral, or creation of a senior lien.)

TEXT: The agreement is attached hereto, either separately or in the form of a proposed order.

PAYMENTS OR OTHER ACTS REQUIRED OF THE DEBTOR: (Briefly summarize the payments {include amounts} or other acts required of the debtor and the period within which such payments must be made or such acts must be done.)

RESULT OF DEBTOR'S BREACH: (Briefly state the consequences of the debtor's failure to abide by the terms of the agreement. State how the court will be notified of the debtor's breach.)

DESCRIPTION OF PROPERTY SUBJECT TO LIEN: _____

APPRAISED VALUE OF PROPERTY SUBJECT TO LIEN: (List the values placed upon the collateral by the debtor/trustee and by the creditor. "Unknown" is unacceptable. Include the source of each value. If an appraisal exists, i.e. tax appraisal, blue book, formal appraisal, include the following information regarding each appraisal: the date and type of appraisal, the appraised value, and the name of the appraiser. If an appraisal exists, it must be acknowledged and addressed.)

LIEN AMOUNT: (State the amount of the claim secured by each lien encumbering the collateral, the relative priority of the liens, and the name of each lienholder).

MOVING PARTIES: (state the name, address, and telephone number of attorney for the debtor/trustee and for the creditor or other moving party.)

(INCLUDE HERE): (the substantive information or language prescribed by paragraph (c) of SC LBR 4001-4.

Date: _____, _____
Signature of Attorney
Typed/Printed Name/Address/Telephone
District Court I.D. Number

*The minimum time period for response, return, and/or objection to use of cash collateral, obtaining credit, or an agreement relating to relief from the automatic stay, prohibiting or conditioning the use, sale, or lease of property, providing adequate protection, use of cash collateral, and obtaining credit is fifteen (15) days.

LOCAL OFFICIAL FORM 4003-1(a) TO SC LBR 4003-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

)
) CASE NO: _____
) CHAPTER: _____
)
) MOTION TO AVOID JUDICIAL
) LIEN (11 U.S.C. § 522(f))¹
)
)
) DEBTOR.

TO THE TRUSTEE (if one is appointed) AND THE JUDGMENT LIEN CREDITOR LISTED BELOW:

Table with 9 columns: Name of Creditor, a) Amt. of Judicial Lien, b) Total Amt. + Of Unavoidable Lien, c) Amt. Of + Exemption = Claimed, d) Enter Amount, e) Value of = Debtor's Interest In Property, f) Amt. Of Judicial Lien to Be Avoided (to extent d is > e), g) Amt. Not Avoided

Four horizontal lines for entering creditor information.

The debtor hereby moves, in accordance with 11 U.S.C. § 522(f)(1)(A), to avoid the judicial lien held by each creditor named above in the amount listed above in the property claimed as exempt by the debtor. Each of the undersigned acknowledges reading and understanding Federal Rule of Bankruptcy Procedure 9011 and certify the following:

- (a) The judicial lien(s) referenced above represent a judgment which has been recorded in a county in which the debtor owns real estate or a levy/attachment on personal property; and
(b) The property on which the judicial lien is sought to be avoided is owned by the debtor and has been properly exempted according to Schedule C filed herein.

Signature of Movant

Signature of Attorney

Typed/Printed Name/Address/Telephone

District Court I.D. Number

Date: _____, _____

¹ This form is for use only in chapter 7, chapter 11 and chapter 12 cases. See SC LBR 3015-1 for chapter 13 notice.

LOCAL OFFICIAL FORM 4003-1(b) TO SC LBR 4003-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

)
) CASE NO: _____
) CHAPTER: _____
)
) MOTION TO AVOID SECURITY
) INTEREST (11 U.S.C. § 522(f)(1)(B))¹
)
)

DEBTOR.

TO THE TRUSTEE (if applicable) AND THE SECURED CREDITOR LISTED BELOW:

Name And Address of Creditor	Type of Property/Date of Security Agreement

The debtor moves pursuant to 11 U.S.C. § 522(f)(1)(B), to avoid the nonpurchase-money, nonpossessory security interest held by each creditor named above in the property claimed as exempt by the debtor. Each of the undersigned acknowledges reading and understanding Federal Rule of Bankruptcy Procedure 9011.

Signature of Movant

Signature of Attorney

Typed/Printed Name/Address/Telephone

District Court I.D. Number

Date: _____, _____

¹ This form is for use only in chapter 7, chapter 11 and chapter 12 cases. See SC LBR 3015-1 for chapter 13 notice.

LOCAL OFFICIAL FORM 4003-1(c) TO SC LBR 4003-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:)
)
) CASE NO: _____
) CHAPTER: _____
)
) ORDER AVOIDING NON-PURCHASE
) MONEY, NONPOSSESSORY
) SECURITY INTEREST
) (11 U.S.C. § 522(f)(1)(B))¹
 _____)
 DEBTOR.

Before the court is the motion of the debtor to avoid the security interest held by the following creditor:

NAME AND ADDRESS OF CREDITOR

DATE OF SECURITY AGREEMENT

The court finds that, the security interest of the above-named creditor is nonpurchase-money and nonpossessory in nature and impairs an exemption to which the debtor would otherwise be entitled under 11 U.S.C. § 522(b) and Chapter 41 of Title 15, Code of Laws of South Carolina, 1976 (as amended). The security interest should therefore be avoided pursuant to 11 U.S.C. § 522(f)(1)(B).

Therefore, IT IS ORDERED that the nonpossessory, nonpurchase-money security interest held by the above-named creditor be, and hereby is, avoided.

United States Bankruptcy Judge

Columbia, South Carolina
_____, _____

¹ This form is for use only in chapter 7, chapter 11 and chapter 12 cases. See SC LBR 3015-1 for chapter 13 notice.

LOCAL OFFICIAL FORM 4003-1(d) TO SC LBR 4003-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:)
)
) CASE NO: _____
) CHAPTER: _____
)
) ORDER AVOIDING JUDICIAL LIEN
) (11 U.S.C. § 522(f)(1)(A))¹
)
 _____)
 DEBTOR.

Before the court is the motion of the debtor to avoid the judicial lien held by the following creditor:

Name of Creditor	Value of Debtor's Interest Absent Any Lien	Total Amt. Of Unavoidable Senior Lien	Amt. Of Exemption Impaired	Amt. Of Judicial Lien	Amt. Of Judicial Lien to Be Avoided	Amt. Of Judicial Lien Not to Be Avoided
------------------	--	---------------------------------------	----------------------------	-----------------------	-------------------------------------	---

The court finds that the judicial lien of the above-named creditor impairs the exemptions to which the debtor would otherwise be entitled under 11 U.S.C. § 522(b) and Chapter 41 of Title 15, Code of Laws of South Carolina, 1976 (as amended), and that the judicial lien should therefore be avoided pursuant to 11 U.S.C. § 522(f)(1)(A) in the amount set forth above.

Therefore, IT IS ORDERED that the judicial lien held by the above-named creditor be, and hereby is, avoided in the amount set forth above. Any judicial lien set forth above which is avoided in full may be canceled of record at any time after 30 days after a discharge in this case is granted.

Columbia, South Carolina

United States Bankruptcy Judge

¹ This form is for use only in chapter 7, chapter 11 and chapter 12 cases. See SC LBR 3015-1 for chapter 13 notice.

LOCAL OFFICIAL FORM 5010-1 TO SC LBR 5010-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:)	CHAPTER
)	
)	CASE NO:
)	
Debtor(s).)	ORDER UPON MOTION REOPENING CASE
<hr/>		

Before the court is the debtor's motion, filed on _____, to reopen this closed case pursuant to 11 U.S.C. § 350(b).

It appears that the motion should be granted and the case be reopened.

IT IS, THEREFORE, ORDERED that

1. The case is reopened;
2. The action proposed in the motion be initiated within fifteen (15) days of the entry of this order;
3. Upon the completion of the proposed action or upon the failure of the movant to initiate timely the proposed action, the Clerk of the Bankruptcy Court (the clerk) shall close this case without further order;
4. The appointment of a trustee by the United States Trustee is/is not necessary to protect the interests of the creditors and the debtor and to ensure the efficient administration of the case (See Federal Rule of Bankruptcy Procedure 5010);
5. If a meeting of creditors is necessary, the debtor shall, within five (5) business days after the entry of this order, obtain from the Intake Division of the clerk's office the date, time, and location of the rescheduled meeting, give written notice thereof to each party in interest, and file proof of the service of such notice with the clerk;
6. If this is a case under Chapter 13 of the United States Bankruptcy Code and if, according to the trustee's record a payment under the Chapter 13 plan is currently due, the debtor shall make such payment to the trustee by cashier's check or certified funds within five (5) business days after the entry of this order; if such payment is not made timely, the case may be dismissed without further notice or hearing.

United States Bankruptcy Judge

Columbia, South Carolina

STAY OF ORDER: (If appropriate, a request that the automatic 10-day stay not apply to the final order may be included here)

Applicant is informed and believes that it would be in the best interest of the estate to sell said property by (public or private sale). Applicant also believes that the funds to be recovered for the estate from the sale of said property justify its sale and the filing of this application.

The court may consider additional offers at any hearing held on this notice and application for sale. The court may order at any hearing that the property be sold to another party on equivalent or more favorable terms.

The trustee or debtor in possession, as applicable, may seek appropriate sanctions or other similar relief against any party filing a spurious objection to this notice and application.

WHEREFORE, applicant requests the court issue an order authorizing sale of said property and such other and further relief as may be proper.

Date: _____, _____

Signature of Applicant

Typed/Printed Name/Address/Telephone

District Court I.D. Number

LOCAL OFFICIAL FORM 6004-1(c) TO SC LBR 6004-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:)
)
) CASE NO: _____
) CHAPTER: _____
)
)
DEBTOR.)

ORDER AUTHORIZING SALE OF ASSET

This proceeding comes before the court on the application of _____ for authority to sell free and clear of liens the estate's interest in (specific legal description of property).

The court has been informed that all parties in interest have been notified of the intention to sell said property, and that no objection to the proposed sale has been received or filed by any party in the office of the clerk of this court. The (trustee or debtor in possession) has represented to the court that such sale is in the best interest of creditors of the estate. The (trustee or debtor in possession) also has informed the court that liens claimed by _____ against said property (should attach to the proceeds of sale, or should be paid upon the sale) of said property. It is therefore,

ORDERED, ADJUDGED, AND DECREED, that the (trustee or debtor in possession) is authorized to sell and to convey the estate's interest in the above-described property, and that the liens claimed by the above-named creditors (shall attach to the proceeds of sale, or shall be paid upon the sale) of said property.

[(Include the following paragraph if the application/notice included a request for such relief. (See SC LBR 6004-1(c), LOF 6004-1(a)) IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the automatic 10-day stay provided by Fed.R.Bankr.P. 6004(g) does not apply to this sale.]

United States Bankruptcy Judge

Date: _____, _____

THE APPLICANT:

Signature of Trustee/Debtor

Typed/Printed Name/Address/Telephone

District Court I.D. Number

Date: _____, _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:)
) CASE NO: _____
) CHAPTER: _____
)
DEBTOR.)

TO: All Creditors and Parties in Interest

NOTICE AND APPLICATION FOR ABANDONMENT OF PROPERTY

YOU ARE HEREBY NOTIFIED that (debtor or trustee, as applicable) proposes that the estate property described herein be abandoned according to the terms and conditions stated below. Applicant is informed and believes that it would be in the best interest of creditors and the estate to abandon the estate's interest in said property.

TAKE FURTHER NOTICE that any response, return and/or objection to this application, should be filed with the Clerk of the Bankruptcy Court no later than *(enter number of days) days from service of motion/application and a copy simultaneously served on all parties in interest.

TAKE FURTHER NOTICE that no hearing will be held on this application unless a response, return and/or objection is timely filed and served, in which case, the Court will conduct a hearing on _____, ____, at _____m., at _____, _____, South Carolina. No further notice of this hearing will be given.

PROPERTY TO BE ABANDONED: (specific description, includes identification numbers on all property where obtainable, vehicle I.D. numbers, serial numbers, real estate legal description, etc.)

APPRAISAL VALUE: (list both the value placed upon the collateral by the debtor and, if applicable, by the party seeking the abandonment. "Unknown" is unacceptable. Include the source of each value. If an appraisal exists, i.e. tax appraisal, blue book, formal appraisal, include the following information regarding each appraisal: the date and type of appraisal, the appraised value, and the name of the appraiser. If an appraisal exists, it must be acknowledged and addressed.)

LIENS/SECURITY INTERESTS: (list the name of each party having a lien against the property to be abandoned. State the amount of each lien against the property. These liens total the sum of \$ _____)

MOVING PARTIES: (state the name, address, and telephone number of the trustee, the debtor, and their attorney, and of the moving party, if different)

WHEREFORE, applicant requests the court issue an order authorizing the abandonment of the estate's interest in said property and for such other and further relief as may be proper.

Date: _____, _____ Signature of Applicant

Typed/Printed Name/Address/Telephone

District Court I.D. Number

LOCAL OFFICIAL FORM 6007-1(b) TO SC LBR 6007-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

)
)
)
)
)
)
)

CASE NO: _____
CHAPTER: _____

DEBTOR.

ORDER AUTHORIZING ABANDONMENT OF PROPERTY

This proceeding comes before the court on the application of the party named below for the authority to abandon the estate's interest in the below-described property.

The court has been informed that all parties in interest have been notified of the applicant's desire to have the estate's interest abandoned in said property, and that no objection to the proposed abandonment has been received or filed by any party in the office of the clerk of this court. The applicant has represented to the court that abandonment is in the best interest of creditors and the estate. It is, therefore,

ORDERED, ADJUDGED, AND DECREED, that the below-described property shall be deemed abandoned from the estate.

PROPERTY ABANDONED: (specific legal description, includes identification numbers of all property where obtainable, vehicle I.D. numbers, serial numbers, real estate legal description, etc.)

United States Bankruptcy Judge

Date: _____

THE APPLICANT:

Signature of Movant

Typed/Printed Name/Address/Telephone

District Court I.D. Number

Date: _____

LOCAL OFFICIAL FORM 6007-1(c) TO SC LBR 6007-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

)
)
)
)
)
)
)

CASE NO: _____
CHAPTER: _____

DEBTOR.

CONSENT ORDER AUTHORIZING ABANDONMENT OF PROPERTY AND MODIFYING STAY (FOLLOWING SERVICE OF APPLICATION FOR ABANDONMENT OF PROPERTY)

This proceeding comes before the court on the application of the parties named below for the authority to abandon the estate's interest in the below-described property.

It appearing from the signatures below that the parties agree that the secured creditor has a perfected security interest in the estate's interest in the property described below; that the estate claims no equity in the property; that the debtor and the trustee do not object to an abandonment of the property and a modification of the automatic stay provided by 11 U.S.C. § 362 as to the property; and that all parties in interest have been notified of the applicant's desire to have the estate's interest abandoned in such property, and that no objection to the proposed abandonment has been received or filed by any party in the office of the clerk of this court. It is therefore

ORDERED, ADJUDGED, AND DECREED, that the below-described property shall be deemed abandoned from the estate. The automatic stay is modified to permit the secured creditor to pursue nonbankruptcy remedies against the property.

PROPERTY ABANDONED: (specific legal description, includes identification numbers of all property where obtainable, vehicle I.D. numbers, serial numbers, real estate legal description, etc.)

United States Bankruptcy Judge

Date: _____

FOR THE APPLICATION:

Signature of the Attorney for the Creditor

Typed/Printed Name/Address/Telephone

District Court I.D. Number

Signature of the Attorney for the Debtor

Typed/Printed Name/Address/Telephone

District Court I.D. Number

Signature of Trustee

Typed/Printed Name/Address/Telephone

District Court I.D. Number

LOCAL OFFICIAL FORM 6007-1(d) TO SC LBR 6007-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

)
)
)
)
)
)
)

CASE NO: _____

CHAPTER: _____

DEBTOR.

CONSENT ORDER AUTHORIZING ABANDONMENT OF PROPERTY AND MODIFYING STAY (FOLLOWING
ANNOUNCEMENT OF ABANDONMENT AT 11 U.S.C. § 341 MEETING OF CREDITORS)

It appearing from the signatures below that the parties agree that the secured creditor has a perfected security interest in the estate's interest in the property described below; that the estate claims no equity in the property; that the debtor and the trustee do not object to an abandonment of the property and a modification of the automatic stay provided by 11 U.S.C. § 362 as to the property; and that the trustee announced the abandonment of the property at the meeting of creditors held pursuant to 11 U.S.C. § 341 and that no objection to the abandonment was received or heard. It is therefore

ORDERED, ADJUDGED, AND DECREED, that the below-described property shall be deemed abandoned from the estate. The automatic stay is modified to permit the secured creditor to pursue nonbankruptcy remedies against the property.

PROPERTY ABANDONED: (specific legal description, includes identification numbers of all property where obtainable, vehicle I.D. numbers, serial numbers, real estate legal description, etc.)

United States Bankruptcy Judge

Date: _____

FOR THE APPLICATION:

Signature of the Attorney for the Creditor

Typed/Printed Name/Address/Telephone

District Court I.D. Number

Signature of the Attorney for the Debtor

Typed/Printed Name/Address/Telephone

District Court I.D. Number

Signature of Trustee

Typed/Printed Name/Address/Telephone

District Court I.D. Number

Date: _____

LOCAL OFFICIAL FORM 6007-1(e) TO SC LBR 6007-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

)
)
)
)
)
)
)

CASE NO: _____
CHAPTER: _____

DEBTOR.

CERTIFICATE OF NO OBJECTION

The undersigned trustee does hereby certify to the court that (s)he announced at the meeting of creditors the abandonment of the property proposed to be abandoned in the attached order. The trustee further certifies that (s)he received no objection to the abandonment at the meeting of creditors.

Date: _____, _____

Signature of Trustee

Typed/Printed Name/Address/Telephone

District Court I.D. Number

LOCAL OFFICIAL FORM 7016-1 TO SC LBR 7016-1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

)
)
)
)
)
)
)

CASE NO: _____
CHAPTER: _____

DEBTOR.

CERTIFICATE OF SETTLEMENT OF
CONTESTED MATTER OR AN ADVERSARY PROCEEDING

CASE NUMBER: _____

CHAPTER: _____

HEARING DATE: _____

TERMS: (Set forth the terms with specificity or attach a proposed order) _____

I certify that each party who has responded or filed a pleading relating to the matter has, prior to the trial or hearing, been notified of, and agrees to, the settlement terms above.

Date: _____, _____

Signature of Attorney

Type/Name/Address/Telephone

District Court I.D. Number

LOCAL OFFICIAL FORM 9014-2(a) TO SC LBR 9014-2

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:)
) CASE NO: _____
) CHAPTER: _____
)
) NOTICE OF MOTION/
) APPLICATION AND
) OPPORTUNITY FOR HEARING
DEBTOR.)

TAKE NOTICE that _____ (Movant) filed a _____

{ANY SUBSTANTIVE INFORMATION OR LANGUAGE PRESCRIBED BY THE U.S. CODE, FEDERAL RULES, THIS COURT’S LOCAL RULES AND EXHIBITS AND CLERK’S INSTRUCTIONS AND EXHIBITS SHOULD BE INCLUDED IN EITHER THE NOTICE OR MOTION/APPLICATION AND OPPORTUNITY FOR HEARING.}

A copy of the motion and proposed order (Motion/Application) accompanies this notice.

TAKE FURTHER NOTICE that any response, return and/or objection to this application, should be filed with the Clerk of the Bankruptcy Court no later than *(enter number of days) days from service of motion/application (*enter number of days from filing of motion/application if using form for § 1301 motion - see CI 4001-1) and a copy simultaneously served on all parties in interest.

TAKE FURTHER NOTICE that no hearing will be held on this application unless a response, return and/or objection is timely filed and served, in which case the Court will conduct a hearing on _____, ____, at _____m., at _____, _____, South Carolina. No further notice of this hearing will be given.

Dated this ____ day of _____, ____.

Attorney for Movant/Movant
D.C. ID #
Address/Telephone Number

Address of Court:
United States Bankruptcy Court
P.O. Box 1448
1100 Laurel St.
Columbia, SC 29202

- * The minimum time period for response, return and/or an objection to a motion to Reopen/Reconsider is fifteen (15) days.
* The minimum time period for response, return and/or an objection to claim is thirty (30) days . See Federal Rule of Bankruptcy Procedure 3007. (Government Agency - thirty-five (35) days).
* The minimum time period for response, return and/or an objection to application for final decree in a chapter 11 case is thirty (30) days.
* The minimum time period for response, return and/or an objection to a motion to avoid lien or motion to establish value is twenty-five (25) days.
* The minimum time period for response, return and/or objection to a motion to extend time to object to debtor’s discharge is fifteen (15) days.
* The minimum time period for response, return and/or an objection to other motions/applications is twenty (20) days, unless a different time is specified by the Federal Rules of Bankruptcy Procedure, South Carolina Local Bankruptcy Rules, Local Official Forms or Clerk’s Instructions.

NOTE: Do not use this passive notice form for relief pursuant to FRBP 4001(d). Use LOF 4001-4 as required by SC LBR 4001-4.

LOCAL OFFICIAL FORM 9014-2(b) TO SC LBR 9014-2
UNITED STATES BANKRUPTCY COURT - DISTRICT OF SOUTH CAROLINA
MOTIONS/APPLICATIONS APPROVED FOR "PASSIVE" NOTICE
(Notice and Opportunity for Hearing)

1. Motion to dismiss by chapter 7 debtor
2. Motion to dismiss by chapter 11 debtor
3. Motion to avoid lien (chapters 7, 11 and 12)(SC LBR 4003-1)*
4. Motion to value collateral (chapters 7, 11 and 12)(SC LBR 3012-1)*
5. Motion to modify codebtor stay under 11 U.S.C. §1301
6. Trustee's or debtor's motion to sell, use or lease property (SC LBR 6004-1)*
7. Motion to abandon property (SC LBR 6007-1)*
8. Application for final decree and notice of filing final reports in chapter 11 case (SC LBR 2081-1)
9. Objection to proof of claim or interest in chapter 7 (asset and no asset) cases, chapter 13 cases and chapter 11 cases
10. Motion for moratorium on payments under chapter 12 and chapter 13
11. Motion to modify confirmed plan under chapter 12
12. Motion to change venue (SC LBR 1014-1)
13. Debtor's motion to convert a chapter 11 case to a chapter 12 or 13 case (unless case has previously been converted, in which event hearing will be scheduled)
14. Notice of agreement regarding modification of automatic stay, cash collateral, adequate protection, or obtaining credit pursuant to FRBP 4001(d) (SC LBR 4001-1)*
15. Motion to waive the requirements of filing monthly reports in chapter 11 cases (SC LBR 2015-1)
16. Applications for fees¹
17. Motion for approval of settlement or compromise of controversy pursuant to FRBP 9019 (SC LBR 9019-1)*
18. Application for payment of administrative claims or interests²
19. Debtor's motion to divide a joint case filed under 11 U.S.C. §302 into two separate cases (NOTE: If motion is granted, a filing fee equal to half the current filing fee for the chapter under which the joint case was commenced is due) (SC LBR 1015-1)
20. Motion for joint administration or consolidation or motion to separate a jointly administered case pursuant to FRBP 1015 (SC LBR 1015-1)
21. Motions by the debtor to assume or reject leases/executory contracts pursuant to 11 U.S.C. §365
22. Motions to Redeem in chapter 7 cases 11 U.S.C. § 722
23. Motion of Intent to Collect Child Support (SC LBR 4001.3)*
24. Motions to Reopen (SC LBR 5010-1)*
25. Motions to Incur Debt (Chapter 13 Cases) will apply to all Judges (effective October 1, 2000)
26. Trustee's Notice of Filings in Chapter 7 Asset Case
27. Trustee's Notice of Filing Final Report in Chapter 12 Case
28. Motions to Dismiss by Chapter 13 Trustee for Debtor's Failure to Make Plan Payments³ (effective October 1, 2000)
29. Applications for employment on a contingency fee basis in chapter 7 and 11 cases (assigned to Judge Waites only)
* See Clerk's Instruction 9014-2
30. Motions to Extend Time to Object to Debtor's Discharge

¹ A summary of the application identifying the applicant and the amount requested must be incorporated into the notice (LOF 9014-2(a)). The application and proposed order are not required to be served on all creditors.

² Ibid.

³ The proposed order is not required to be served on all creditors by the trustee.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:)
)
) CHAPTER: _____
) CASE NO.: _____
)
DEBTOR.)
) (If applicable, use
) adversary caption.)
)
PLAINTIFF)
V.) Adv. Pro. No. _____
)
)
DEFENDANT.)

TO: All Creditors and Parties in Interest

NOTICE AND APPLICATION FOR SETTLEMENT AND COMPROMISE

YOU ARE HEREBY NOTIFIED THAT THE (debtor, trustee, as applicable) is applying for approval of the following compromise or settlement.

TAKE FURTHER NOTICE that any response, return and/or objection to this application, should be filed with the Clerk of the Bankruptcy Court no later than *(enter number of days) days from service of motion/application and a copy simultaneously served on all parties in interest.

TAKE FURTHER NOTICE that no hearing will be held on this application unless a response, return and/or objection is timely filed and served, in which case, the Court will conduct a hearing on _____, ____, at _____m., at _____, _____, South Carolina. No further notice of this hearing will be given.

NATURE OF DISPUTE: (Specifically state the dispute between the parties.)

AMOUNT DISPUTED: (Specifically state the monetary amounts which are the subject of the dispute.)

PROPOSED SETTLEMENT OR COMPROMISE: (Summarize the proposed resolution of the dispute and enclose a copy of the consent order.)

BENEFIT TO THE ESTATE: (Specifically state the benefits to the estate as a result of the settlement. Include the amount of any monetary benefit to be received. Also include any risks to the estate which may result from the failure to accept the proposed settlement or compromise.)

MOVING PARTIES: (Specifically state the names and addresses and telephone numbers of the attorney for the debtor or trustee, as applicable, and any other party proposing the settlement.)

The (name of party) hereby certifies that the terms set out above are complete and have been agreed upon by the moving parties named herein. [This paragraph to be used when all settling parties are not signing this notice and application.]

WHEREFORE, the moving parties request the court issue an order authorizing the settlement and compromise and such other and further relief as may be proper.

(Name)
(Capacity)
(Address)
(Telephone Number)

Date: _____, _____