

**FORM NO. 5**

**UNITED STATES BANKRUPTCY COURT**  
**EASTERN DISTRICT OF KENTUCKY**  
\_\_\_\_\_ **DIVISION**

**IN RE:**

**CASE NO.** \_\_\_\_\_

**DEBTOR(S)**

**MOTION FOR RELIEF FROM STAY**

\_\_\_\_\_, by counsel, a creditor in the above-referenced case, moves the court pursuant to 11 U.S.C. ' 362(d) for an order granting relief from the automatic stay in order that movant may enforce its lien against property of the debtor as hereinafter described.

The debtor filed a petition for relief under chapter 7 of the Bankruptcy Code in this court on \_\_\_\_\_. The trustee of the estate of the debtor in this case is \_\_\_\_\_.

As of the date of the filing of the petition the debtor was indebted to the movant in the amount of \$ \_\_\_\_\_, representing the balance due on a note and security agreement dated \_\_\_\_\_.

The indebtedness evidenced by the note and security agreement is secured by a security interest in the following collateral: \_\_\_\_\_  
\_\_\_\_\_.

The security interest was perfected by the filing of a financial statement on \_\_\_\_\_, in the office of \_\_\_\_\_.

A copy of the proof of claim filed in this case by movant, along with copies of the note, security agreement, financing statement and supporting documents establishing the movant's perfected security interest in the above-described collateral, is attached hereto.

Movant seeks relief from stay on the following grounds: the interest of the movant is not adequately protected; or the debtor has no equity in the property and the property is not necessary to an effective reorganization.

Respectfully submitted,

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Attorney for Movant

**NOTICE**

Please take notice that unless a party in interest, within 15 days from the date of this motion, files a response to the motion and a request for and notice of hearing on such response, the enclosed order may be entered by the court without a hearing on the motion.

OR

Please take notice that parties in interest shall have 15 days from the date of this motion within which to file a response to the motion and a request and notice of hearing on such response. If no response is timely filed, the enclosed order may be entered by the court without a hearing on the motion.

**CERTIFICATE OF SERVICE**

This is to certify that a true and accurate copy of the foregoing motion was served on the debtor, counsel for the debtor, the trustee, and other parties in interest, by mailing a copy to them this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Attorney for Movant