

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE**

In re:

Case No. - _____

Chapter 13

Adv. Proc. No. _____

Debtor(s)

**PLAINTIFF'S COMPLAINT TO COMPEL TURNOVER OF
CERTAIN PROPERTY FROM DEFENDANT**

Plaintiff, the above-named chapter 13 debtor(s), alleges and requests as follows

- (1) That this is an adversary proceeding brought pursuant to Fed. R. Bankr. P. 7001(1) and 11 U.S.C § 542(a) to recover a certain _____ assertedly repossessed by the defendant, _____, prior to the commencement of this chapter 13 case.
- (2) That this Court has jurisdiction under the provisions of 28 U.S.C. § § 1334, 151, and 157(a).
- (3) That by virtue of 28 U.S.C. § 157(b)(2)(E) this is a core proceeding. See also Fed. R. Bankr. P. 7008(a).
- (4) That under the particular facts and circumstances and applicable law the plaintiff is entitled to possession of the above-described property of the estate for "use" as contemplated in 11 U.S.C. § 363.

WHEREFORE, Plaintiff respectfully prays for an expedited hearing and order directing turnover of the above described property of the estate from the defendant-creditor.

Signature of Attorney for Plaintiff

City, State, and Zip Code

Printed Name of Attorney for Plaintiff-Debtor

Office Telephone Number

Facsimile Number

Street Address

Bar Disciplinary Number

**NOTICE OF EXPEDITED HEARING RE ABOVE COMPLAINT OF PLAINTIFF-DEBTOR SEEKING
TURNOVER OF CERTAIN PROPERTY COMBINED WITH RELATED NOTICES**

NOTICE IS HEREBY GIVEN in accordance with L.B.R. 9075-1 that an expedited hearing shall be held on the _____ day of _____, at 10:00 a.m. in the United States Bankruptcy Court, Courtroom No. _____, Federal Building, _____, Tennessee, to consider the above-entitled adversary proceeding seeking a turnover of the above described property pursuant to 11 U.S.C. § 542(a); that the defendant-creditor may appear at the time and place above-stated and request adequate protection pursuant to 11 U.S.C. § § 363(e) and 361 as a precondition of turnover; that the attorney for the plaintiff-debtor should provide immediate telephonic notice of the time and place of the expedited hearing and also transmit a copy of this Complaint and Notice of Expedited Hearing to the defendant-creditor, the plaintiff-debtor, and the Chapter 13 trustee; and that the attorney for the plaintiff-debtor shall promptly file a written certificate of such notice and service with the Clerk of Court.

UNITED STATES BANKRUPTCY COURT CLERK

By: _____
Deputy Clerk

Date: _____