

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 \_\_\_\_\_ a.m. in the United States Bankruptcy Court, Courtroom No. \_\_\_\_\_, 200 Jefferson,, Memphis, 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: \_\_\_\_\_