

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF LOUISIANA**

IN RE:

CASE NO.

CHAPTER 13

DEBTOR(S)

Section A

Motion for Authority To Use Funds

NOW INTO COURT comes _____, debtor(s) in the above numbered and captioned case (“Debtors”), who with respect represent(s):

1.

On __[filing date]_____, Debtor(s) filed a voluntary petition for relief under Title 11, chapter 13 of the Bankruptcy Code.

2.

This Court has jurisdiction over the matters presented herein, which are core in nature, pursuant to 28 U.S.C. §157(b)(2)(A) and (M), 28 U.S.C. §1334, and 11 U.S.C. §363.

3.

On ___[confirmation date]_____, this Court confirmed Debtor(s)’ plan of reorganization. The originally confirmed plan [was modified/ has not been modified] (the originally confirmed plan, together with all approved modifications, is collectively referred to as the “Plan”). Under the terms of the Plan, Debtor(s) are required to make __[number] of payments at \$_____ per month to the Trustee for ___ months. Debtor(s) also agreed to make payments, in the amount(s) of \$_____ per month, directly to their secured lender, ___name____.

4.

As of [date], Debtor(s)' Plan is in month [number] with [number] months remaining. Debtor(s) is [current/ not current] with payments to the Trustee.

5.

Debtor(s) [have received or anticipate receiving] \$_____ because _____ . These funds [are/ are not] [proceeds from property of the estate or additional income not included in Debtor's original calculation of disposable income at confirmation]. [No one other than the Debtor(s) or Debtor(s) and _____ have an interest in the funds (explain any competing interests)].

6.

Debtor(s) desire to use these funds [how]_____. *If to the Trustee:* This payment [shall/ shall not] constitute an additional distribution under the Plan. [if the payment will not be an additional distribution, explain how it is to be applied, i.e. which payments under the Plan it will satisfy.][If the proposed use of funds is to satisfy additional expenses not otherwise scheduled on J or Official Form 122, proof of expenses must be supplied to the Trustee at the time of the filing of the Motion. If the proposed use is to satisfy expenses itemized on Schedule J or Official Form 122, an explanation as to why this is necessary will be required.]

[Note: New I & J schedules may be required if the payments will materially alter the calculation of disposable income represented at confirmation. Proof of new or additional income or a change in expenses may also be required.]

WHEREFORE, _____, debtors in the above captioned proceedings, pray(s) that after notice, the expiration of all legal delays, and hearing, that this Motion to Use Funds be granted under the terms and conditions set forth above and for all other general and equitable relief.

Respectfully submitted,