

Fill in this information to identify your case:

Debtor 1

First Name

Middle Name

Last Name

Debtor 2

First Name

Middle Name

Last Name

United States Bankruptcy Court for the Northern District of West Virginia

Case Number:

## DEBTOR'S MOTION TO COMPEL TRUSTEE TO RELEASE RESERVE FUNDS

The above captioned Debtor hereby requests that the Court enter an order compelling the Chapter 13 Trustee in this case to release Reserve Funds held by the Trustee on the Debtor's behalf. In support of this Motion, the Debtor states:

1. Pursuant to the Debtor's proposed or confirmed plan, the Debtor requested that the Chapter 13 Trustee establish a reserve fund, created from the Debtor's periodic plan payments, to assist the Debtor in meeting the Debtor's ordinary, reasonable, and necessary living expenses.

2. Pursuant to the purpose of the Reserve Fund, the Debtor previously made an application to the Chapter 13 Trustee to release Reserve Funds. A copy of the Debtor's Request and supporting documentation, and the Trustee's decision on the Application, is attached to this Motion.

3. The Chapter 13 Trustee refused to grant the Debtor's Application to Release Reserve Funds on the grounds that:

4. The Debtor contends that the Chapter 13 Trustee was in error for refusing to release Reserve Funds to the Debtor because:

5. The Debtor hereby requests that the Court enter an order compelling the Chapter 13 trustee to release the Debtor's reserve funds as follows:

**Amount Requested:**

\$

**Name of Vendor, Service Provider, or Debtor to whom funds are payable:**

<b>Address for Payment of Reserve Funds, Telephone Number:</b>	
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\_\_\_\_\_  
Signature of Debtor 1                      Date

\_\_\_\_\_  
Signature of Debtor 2                      Date

\_\_\_\_\_  
Debtor's Attorney                      Date

## **CERTIFICATE OF SERVICE**

By consent of the Chapter 13 Trustee, this Motion to Compel the Chapter 13 Trustee to Release Reserve Funds was served via NEF from the Court's CM/ECF system on the date of its filing.

I certified that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I served a true and correct copy of this Motion to Compel the Chapter 13 Trustee to Release Reserve Funds on the following entities in the manner specified below: