



Document 2021 4657

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Return to: Jane E Rosien 114 E Jefferson St. PO Box 67 Winterset Ia 50273-0067

Prepared by: John M. Miller, 974 73rd Street, Ste. 15, West Des Moines, Iowa 50265 Phone: (515) 225-3333
Address Tax Statements:

AFFIDAVIT

STATE OF IOWA)
) ss:
COUNTY OF POLK)

RE: Parcel "G" in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty (20), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, containing 24.92 acres, more or less, as shown in Plat of Survey filed in Book 2018, Page 872 on March 22, 2018, in the Office of the Recorder of Madison County, Iowa.

I, **John M. Miller**, being first duly sworn on oath do depose and state that I am an attorney licensed to practice in the State of Iowa with offices located at 974 73rd St., Ste. 15, West Des Moines, Iowa.

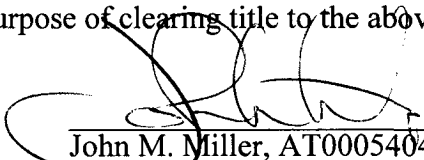
I further state that this office was the attorney of record for Amy Kristin Engle for services in her Chapter 7 Petition and Plan filed under Title 11 United States Code. True and correct copies of the Notice of Commencement of Case, Amended Schedules A and C and Discharge of Debtor all filed in the United States Bankruptcy Court for the Southern District of Iowa on July 8, 2021, case number 21-00964 in which debtor received her Discharge Order on September 28, 2021 all attached hereto.

I further state and attest that the above described property was claimed exempt as the debtors homestead and the time for filing objections to the claimed exemptions has passed and no such objections have been filed.

I further state that a Motion to Avoid Judicial Lien entitled Unifund CCR, LLC vs. Amy Kristin Engle (SCSC016492) was filed with the United States Bankruptcy Court on July 8, 2021 and that the Court entered its Order Avoiding Judicial Lien on July 27, 2021, a true and correct copy of said Order is attached hereto.

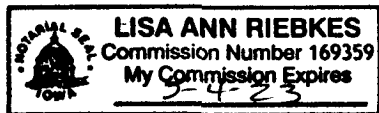
I further state that a Motion to Avoid Judicial Lien entitled LVNV Funding LLC vs. Amy Kristin Engle (SCSC016946) was filed with the United States Bankruptcy Court on July 8, 2021 and that the Court entered its Order Avoiding Judicial Lien on July 27, 2021, a true and correct copy of said Order is attached hereto.

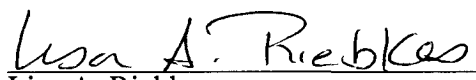
I execute this affidavit for the purpose of clearing title to the above described property.



John M. Miller, AT0005404
974 73rd St., Ste. 15
West Des Moines, Iowa 50265
Telephone: (515) 225-3333

Subscribed and sworn to before me, a Notary Public in and for the State of Iowa, on this 28th day of September, 2021.





Lisa A. Riebkes
Notary Public in and for the State of Iowa

Information to identify the case:		
Debtor 1:	<u>Amy Kristin Engle</u>	Social Security number or ITIN: xxx-xx-3687
	First Name Middle Name Last Name	EIN: --_-----
Debtor 2: (Spouse, if filing)	_____ First Name Middle Name Last Name	Social Security number or ITIN: _____ EIN: --_-----
United States Bankruptcy Court:	Southern District of Iowa	Date case filed for chapter: 7 7/8/21
Case number:	21-00964-lmj7	

Official Form 309A (For Individuals or Joint Debtors)

Notice of Chapter 7 Bankruptcy Case -- No Proof of Claim Deadline

12/15

For the debtors listed above, a case has been filed under chapter 7 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

The debtors are seeking a discharge. Creditors who assert that the debtors are not entitled to a discharge of any debts or who want to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadlines specified in this notice. (See line 9 for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at <https://pacer.uscourts.gov>).

The staff of the bankruptcy clerk's office cannot give legal advice.

To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.

Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.

	About Debtor 1:	About Debtor 2:
1. Debtor's full name	Amy Kristin Engle	
2. All other names used in the last 8 years		
3. Address	1492 Nature Trail Winterset, IA 50273	
4. Debtor's attorney Name and address	John M Miller 974 73rd St Ste 15 West Des Moines, IA 50265	Contact phone (515) 225-3333 Email: lisar@johnmillerlaw.com
5. Bankruptcy trustee Name and address	Donald F Neiman 801 Grand Avenue Ste 3700 Des Moines, IA 50309-8004	Contact phone (515) 246-5877 Email: trusteeneiman@bradshawlaw.com

For more information, see page 2 >

Debtor **Amy Kristin Engle**

Case number **21-00964-lmj7**

6. Bankruptcy clerk's office	110 E. Court Ave. Suite 300 Des Moines, IA 50309	Office Hours: <u>08:00 AM – 05:00 PM Monday – Friday</u> Contact phone (515) 284-6230 Date: 7/8/21
Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at https://pacer.uscourts.gov .		
7. Meeting of creditors	July 29, 2021 at 09:30 AM	Location:
Debtors must attend the meeting to be questioned under oath. In a joint case, both spouses must attend. Creditors may attend, but are not required to do so.	The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.	Conference call dial in 877-411-0434, Participant Code 5068871
8. Presumption of abuse	The presumption of abuse does not arise.	
If the presumption of abuse arises, you may have the right to file a motion to dismiss the case under 11 U.S.C. § 707(b). Debtors may rebut the presumption by showing special circumstances.		
9. Deadlines	File by the deadline to object to discharge or to challenge whether certain debts are dischargeable:	Filing deadline: 9/27/21
The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines.	You must file a complaint: <ul style="list-style-type: none">• if you assert that the debtor is not entitled to receive a discharge of any debts under any of the subdivisions of 11 U.S.C. § 727(a)(2) through (7), or• if you want to have a debt excepted from discharge under 11 U.S.C § 523(a)(2), (4), or (6). You must file a motion: <ul style="list-style-type: none">• if you assert that the discharge should be denied under § 727(a)(8) or (9).	
	Deadline to object to exemptions: The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection.	Filing deadline: If applicable, 30 days after the <i>conclusion</i> of the meeting of creditors
10. Proof of claim	No property appears to be available to pay creditors. Therefore, please do not file a proof of claim now. If it later appears that assets are available to pay creditors, the clerk will send you another notice telling you that you may file a proof of claim and stating the deadline.	
Please do not file a proof of claim unless you receive a notice to do so.		
11. Creditors with a foreign address	If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.	
12. Exempt property	The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at https://pacer.uscourts.gov . If you believe that the law does not authorize an exemption that the debtors claim, you may file an objection. The bankruptcy clerk's office must receive the objection by the deadline to object to exemptions in line 9.	
13. Cellular phones	Only attorneys and their employees may carry cell phones and other portable communication devices into hearing locations.	

Miscellaneous:21-00964-lmj7 Amy Kristin Engle

Type: bk

Chapter: 7 v

Office: 4 (Des Moines)

Assets: n

Judge: lmj

Case Flag: MEANSNO

U.S. Bankruptcy Court**Southern District of Iowa**

Notice of Electronic Filing

The following transaction was received from John M Miller entered on 7/28/2021 at 9:42 AM CDT and filed on 7/28/2021

Case Name: Amy Kristin Engle**Case Number:** 21-00964-lmj7**Document Number:** 22**Docket Text:**

Amended Schedules A/B Filed by Debtor Amy Kristin Engle. (Miller, John)

The following document(s) are associated with this transaction:

Document description:Main Document**Original filename:**F:\ECF\Engle, Amy\amend a.pdf**Electronic document Stamp:**

[STAMP bkecfStamp_ID=984761026 [Date=7/28/2021] [FileNumber=6808094-0]
[2ec0e0c800f4e494a898c2fd95efd659eb80cc6750b2269de1fb6c03e38d0350a4be
3eebab95926f2afe790d66e4877134119aef7bbdb6ff8501b33b82a6a1a7]]

21-00964-lmj7 Notice will be electronically mailed to:

John M Miller on behalf of Debtor Amy Kristin Engle
lisar@johnmillerlaw.com, millerjr39952@notify.bestcase.com

Donald F Neiman,
trusteeneiman@bradshawlaw.com,
IA02@ecfbis.com;DFN@trustesolutions.com;DFN@trustesolutions.net

United States Trustee
USTPRegion12.DM.ECF@usdoj.gov

21-00964-lmj7 Notice will not be electronically mailed to:

LVNV Funding LLC
c/o Messerli & Kramer PA
3033 Campus Drive, Ste. 250
Plymouth, MN 55441

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION**

IN RE: _____ :
Amy Kristin Engle : **CASE NO.: 21-00964**
Debtor. : **CHAPTER 13**

AMENDED SCHEDULE A - REAL PROPERTY

The following corrections and/or additions should be made to the original Schedule A filed in this proceeding by the above-named debtor(s). The Current Value of Debtor's Interest in Property should be deleted in the original Schedule A.

DELETE:

Description and location of property	Nature of Debtor's Interest	H/W/J	Current value of Debtor's Interest in Property	Amount of Secured Claim
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See attached Schedule A/B (1.1)

ADD:

Description and location of property	Nature of Debtor's Interest	H/W/J	Current value of Debtor's Interest in Property	Amount of Secured Claim
--------------------------------------	-----------------------------	-------	--	-------------------------

See attached Schedule A/B (1.1)

DECLARATION CONCERNING DEBTOR'S SCHEDULES
Declaration Under Penalty of Perjury By Individual Debtor

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 1 page and that they are true and correct to the best of my knowledge, information, and belief.

Date: 7/28/21

/s/ Amy Engle
Debtor

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

/s/ John M. Miller
John M. Miller, 3810
974 73rd St., Ste. 15
West Des Moines, IA 50265
Telephone: (515)225-3333
Fax: (515) 457-9999
ATTORNEY FOR DEBTOR

CERTIFICATE OF SERVICE: By signing above, the attorney certifies that on this 28th day of July, 2021, this document was filed electronically in the United States Bankruptcy Court, for the Southern District of Iowa. The parties listed below will receive notice electronically.

US Trustee
USTPRegion12.DM.ECF@usdoj.gov

Donald F. Neiman, Trustee
Trusteeneiman@bradshawlaw.com

Fill in this information to identify your case and this filing:

Debtor 1 Amy Kristin Engle
First Name Middle Name Last Name

Debtor 2
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: SOUTHERN DISTRICT OF IOWA

Case number 21-00964

Check if this is an amended filing

Official Form 106A/B
Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

- No. Go to Part 2.
- Yes. Where is the property?

1.1 1492 Nature Trail
Street address, if available, or other description

Winterset IA 50273-0000
City State ZIP Code

Madison
County

What is the property? Check all that apply

- Single-family home
 Duplex or multi-unit building
 Condominium or cooperative
 Manufactured or mobile home
 Land
 Investment property
 Timeshare
 Other _____

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?	Current value of the portion you own?
<u>\$150,000.00</u>	<u>\$150,000.00</u>

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

Fee Simple Subject to Mortgage. Purchased 2013

Who has an interest in the property? Check one

- Debtor 1 only
 Debtor 2 only
 Debtor 1 and Debtor 2 only
 At least one of the debtors and another _____

Check if this is community property (see instructions)

Other information you wish to add about this item, such as local property identification number:

Parcel "B" in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty (20), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, as shown in the Plat of Survey recorded in Book 2013, Page 521 of the Recorder's Office of Madison County, Iowa and Parcel "G" in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty (20), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, as shown in the Plat of Survey recorded in Book 2018, Page 872 of the recorder's Office of Madison County, Iowa

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here.....=>

\$150,000.00

Part 2: Describe Your Vehicles

Miscellaneous:21-00964-lmj7 Amy Kristin Engle

Type: bk

Chapter: 7 v

Office: 4 (Des Moines)

Assets: n

Judge: lmj

Case Flag: MEANSNO

U.S. Bankruptcy Court**Southern District of Iowa**

Notice of Electronic Filing

The following transaction was received from John M Miller entered on 7/28/2021 at 9:43 AM CDT and filed on 7/28/2021

Case Name: Amy Kristin Engle**Case Number:** 21-00964-lmj7**Document Number:** 23**Docket Text:**

Amended Schedules C Filed by Debtor Amy Kristin Engle. (Miller, John)

The following document(s) are associated with this transaction:

Document description:Main Document**Original filename:**F:\ECF\Engle, Amy\amend c.pdf**Electronic document Stamp:**

[STAMP bkecfStamp_ID=984761026 [Date=7/28/2021] [FileNumber=6808097-0]
[745308d446f3689b7f2c9b78a32c566af76aa93e48ad7666721c6929bc3d236504f7
52e282208508e47a2d41c1f3bdec3d9cb78bffaec15f947aa55e8737b87a]]

21-00964-lmj7 Notice will be electronically mailed to:

John M Miller on behalf of Debtor Amy Kristin Engle
lisar@johnmillerlaw.com, millerjr39952@notify.bestcase.com

Donald F Neiman,
trusteeneiman@bradshawlaw.com,
IA02@ecfbis.com;DFN@trustesolutions.com;DFN@trustesolutions.net

United States Trustee
USTPRegion12.DM.ECF@usdoj.gov

21-00964-lmj7 Notice will not be electronically mailed to:

LVNV Funding LLC
c/o Messerli & Kramer PA
3033 Campus Drive, Ste. 250
Plymouth, MN 55441

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION**

IN RE:	:	
Amy Kristin Engle	:	CASE NO.: 21-00964
Debtor.	:	CHAPTER 7

AMENDED SCHEDULE C - PROPERTY CLAIMED EXEMPT

COMES NOW the Debtor, by and through her attorney, John M. Miller, and hereby move the Court to Amend Schedule C as follows.

See attached Amended Schedule C

DECLARATION CONCERNING DEBTOR'S SCHEDULES
Declaration Under Penalty of Perjury By Individual Debtor

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of one page and that they are true and correct to the best of my knowledge, information, and belief.

Dated 7/28/21

Signed /s/ Amy Engle
Debtor

/s/ John M. Miller
John M. Miller, 3810
974 - 73rd Street, Suite 15
West Des Moines, IA 50265
Telephone (515) 225-3333
Lisar@johnmillerlaw.com
ATTORNEY FOR DEBTOR

CERTIFICATE OF SERVICE: By signing above, the attorney certifies that on this 28th day of July, 2021, this document was filed electronically in the United States Bankruptcy Court, for the Southern District of Iowa. The parties listed below will receive notice electronically.

US Trustee
USTPRegion12.DM.ECF@usdoj.gov

Donald F. Neiman, Trustee
Trustee@bradshawlaw.com

Fill in this information to identify your case:

Debtor 1 Amy Kristin Engle
First Name Middle Name Last Name

Debtor 2
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: SOUTHERN DISTRICT OF IOWA

Case number 21-00964
(if known)

Check if this is an amended filing

Official Form 106C

Schedule C: The Property You Claim as Exempt

4/19

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

Part 1: Identify the Property You Claim as Exempt

1. Which set of exemptions are you claiming? *Check one only, even if your spouse is filing with you.*

- You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)
- You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.

Brief description of the property and line on <i>Schedule A/B</i> that lists this property	Current value of the portion you own <small>Copy the value from <i>Schedule A/B</i></small>	Amount of the exemption you claim <small>Check only one box for each exemption.</small>	Specific laws that allow exemption
1492 Nature Trail Winterset, IA 50273 Madison County Parcel "B" in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty (20), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa Line from <i>Schedule A/B</i> : 1.1	\$150,000.00	<input checked="" type="checkbox"/> \$50,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Iowa Code §§ 561.2, 561.16, 499A.18
1999 Chevy Silverado 286,000 miles Line from <i>Schedule A/B</i> : 3.1	\$1,250.00	<input checked="" type="checkbox"/> \$1,250.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Iowa Code § 627.6(9)
household furnishings Line from <i>Schedule A/B</i> : 6.1	\$2,500.00	<input checked="" type="checkbox"/> \$2,500.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Iowa Code § 627.6(5)
TV; Cell phone; VCR/DVD; camera; computer/laptop Line from <i>Schedule A/B</i> : 7.1	\$1,000.00	<input checked="" type="checkbox"/> \$1,000.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Iowa Code § 627.6(5)

Debtor 1 **Amy Kristin Engle**

Case number (if known)

21-00964

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own <small>Copy the value from Schedule A/B</small>	Amount of the exemption you claim <small>Check only one box for each exemption.</small>	Specific laws that allow exemption
clothing Line from Schedule A/B: 11.1	<u>\$400.00</u>	<input checked="" type="checkbox"/> <u>\$400.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Iowa Code § 627.6(5)
checking: Community Choice Credit Union Line from Schedule A/B: 17.1	<u>\$225.00</u>	<input checked="" type="checkbox"/> <u>\$225.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Iowa Code § 627.6(14)
401k: Pepsi Co Line from Schedule A/B: 21.1	<u>\$925.00</u>	<input checked="" type="checkbox"/> <u>\$925.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Iowa Code § 627.6(8)(e) & (f)
Federal and State tax refunds: tax refunds Line from Schedule A/B: 28.1	<u>\$1,000.00</u>	<input checked="" type="checkbox"/> <u>\$1,000.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Iowa Code § 627.6 (10) and 627.6 (14)
Accrued wages including any wages previously garnished or currently being held by any entity Line from Schedule A/B: 30.1	<u>\$1,000.00</u>	<input checked="" type="checkbox"/> <u>\$1,000.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Iowa Code § 627.6(10); Iowa Code 537.5105 and 15 USC 1673
* Line from Schedule A/B:	<u>\$0.00</u>	<input checked="" type="checkbox"/> <u>\$0.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Amounts shown are debtors best estimates of the value of property shown and the value of the exemption. It is debtors intention to claim as exempt ALL equity or value in every exemption listed to the fullest extent possible.

3. Are you claiming a homestead exemption of more than \$170,350?
(Subject to adjustment on 4/01/22 and every 3 years after that for cases filed on or after the date of adjustment.)
- No
- Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?
- No
- Yes

Information to identify the case:

Debtor 1	<u>Amy Kristin Engle</u>	Social Security number or ITIN	xxx-xx-3687
	First Name Middle Name Last Name	EIN	__-_____-
Debtor 2		Social Security number or ITIN	_____
(Spouse, if filing)	First Name Middle Name Last Name	EIN	__-_____-
United States Bankruptcy Court Southern District of Iowa			
Case number:	21-00964-lmj7		

Order of Discharge

12/15

IT IS ORDERED: A discharge under 11 U.S.C. § 727 is granted to:

Amy Kristin Engle

9/28/21

By the court: Judge Lee M. Jackwig
United States Bankruptcy Judge

Explanation of Bankruptcy Discharge in a Chapter 7 Case

This order does not close or dismiss the case, and it does not determine how much money, if any, the trustee will pay creditors.

Creditors cannot collect discharged debts

This order means that no one may make any attempt to collect a discharged debt from the debtors personally. For example, creditors cannot sue, garnish wages, assert a deficiency, or otherwise try to collect from the debtors personally on discharged debts. Creditors cannot contact the debtors by mail, phone, or otherwise in any attempt to collect the debt personally. Creditors who violate this order can be required to pay debtors damages and attorney's fees.

However, a creditor with a lien may enforce a claim against the debtors' property subject to that lien unless the lien was avoided or eliminated. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

This order does not prevent debtors from paying any debt voluntarily or from paying reaffirmed debts according to the reaffirmation agreement. 11 U.S.C. § 524(c), (f).

Most debts are discharged

Most debts are covered by the discharge, but not all. Generally, a discharge removes the debtors' personal liability for debts owed before the debtors' bankruptcy case was filed.

Also, if this case began under a different chapter of the Bankruptcy Code and was later converted to chapter 7, debts owed before the conversion are discharged.

In a case involving community property: Special rules protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.

For more information, see page 2

Some debts are not discharged

Examples of debts that are not discharged are:

- ◆ debts that are domestic support obligations;
- ◆ debts for most student loans;
- ◆ debts for most taxes;
- ◆ debts that the bankruptcy court has decided or will decide are not discharged in this bankruptcy case;
- ◆ debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- ◆ some debts which the debtors did not properly list;
- ◆ debts for certain types of loans owed to pension, profit sharing, stock bonus, or retirement plans; and
- ◆ debts for death or personal injury caused by operating a vehicle while intoxicated.

Also, debts covered by a valid reaffirmation agreement are not discharged.

In addition, this discharge does not stop creditors from collecting from anyone else who is also liable on the debt, such as an insurance company or a person who cosigned or guaranteed a loan.

This information is only a general summary of the bankruptcy discharge; some exceptions exist. Because the law is complicated, you should consult an attorney to determine the exact effect of the discharge in this case.

File a Motion:21-00964-lmj7 Amy Kristin Engle

Type: bk

Chapter: 7 v

Office: 4 (Des Moines)

Assets: n

Judge: lmj

Case Flag: MEANSNO

U.S. Bankruptcy Court**Southern District of Iowa**

Notice of Electronic Filing

The following transaction was received from John M Miller entered on 7/8/2021 at 1:57 PM CDT and filed on 7/8/2021

Case Name: Amy Kristin Engle**Case Number:** 21-00964-lmj7**Document Number:** 8**Docket Text:**

Motion to Avoid Lien with Lien Holder Unifund CC, LLC Filed by John M Miller on behalf of Amy Kristin Engle. (Miller, John)

The following document(s) are associated with this transaction:

Document description:Main Document**Original filename:**F:\ECF\Engle, Amy\unifund lien.pdf**Electronic document Stamp:**

[STAMP bkecfStamp_ID=984761026 [Date=7/8/2021] [FileNumber=6798981-0]
[ad87adf5b4299d8add512cee7fd166c9279861ccc628015280782e73a4316a6d9f2e4
d47d682b6062631ee95a4a82c814aa31597cde93e52ac5873bf70384403]]

21-00964-lmj7 Notice will be electronically mailed to:

John M Miller on behalf of Debtor Amy Kristin Engle
lisar@johnmillerlaw.com, millerjr39952@notify.bestcase.com

Donald F Neiman,
trusteeneiman@bradshawlaw.com,
IA02@ecfcbis.com;DFN@trustesolutions.com;DFN@trustesolutions.net

United States Trustee
USTPRegion12.DM.ECF@usdoj.gov

21-00964-lmj7 Notice will not be electronically mailed to:

LVNV Funding LLC
c/o Messerli & Kramer PA
3033 Campus Drive, Ste. 250
Plymouth, MN 55441

ATTORNEY FOR DEBTORS

CERTIFICATE OF SERVICE: By signing above, the attorney certifies that on this 8th day of July, 2021, this document was filed electronically in the United States Bankruptcy Court, for the Southern District of Iowa. The parties listed below will receive notice electronically.

US Trustee
USTPRegion12.DM.ECF@usdoj.gov

Donald F. Neiman, Trustee
Trustee@bradshawlaw.com

CERTIFICATE OF SERVICE: By signing above, the attorney certifies that on this 8th day of July, 2021, this document was filed electronically in the United States Bankruptcy Court, for the Southern District of Iowa. The parties listed below will receive notice by regular mail.

Unifund CC, LLC
c/o Christopher L. Low
Attorney for Creditor

Lisa Riebkes

From: CM_ECF@iasb.uscourts.gov
Sent: Tuesday, July 27, 2021 11:01 AM
To: CM_ECF@iasb.uscourts.gov
Subject: 21-00964-lmj7 Order on Motion to Avoid Lien

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30-page limit do not apply.

U.S. Bankruptcy Court

Southern District of Iowa

Notice of Electronic Filing

The following transaction was received from acw entered on 7/27/2021 at 12:00 PM CDT and filed on 7/27/2021

Case Name: Amy Kristin Engle
Case Number: 21-00964-lmj7
Document Number: 20

Docket Text:

Docket Text Order Regarding Motion to Avoid Lien Held by Unifund CC, LLC. There being no timely objection to the motion, it is hereby Ordered that: The fixing of the lien described in the motion is avoided pursuant to 11 U.S.C. section 522(f). As required by any applicable federal rule or statute, the filer shall serve this order on all appropriate parties (except those parties who will receive notice of electronic filing). This order has been entered on the docket as directed by the Judge assigned to the case. (Related Doc # [8]). (acw)

The following document(s) are associated with this transaction:

21-00964-lmj7 Notice will be electronically mailed to:

John M Miller on behalf of Debtor Amy Kristin Engle
lisar@johnmillerlaw.com, millerjr39952@notify.bestcase.com

Donald F Neiman,
trusteeneiman@bradshawlaw.com, IA02@ecfcbis.com;DFN@trustesolutions.com;DFN@trustesolutions.net

United States Trustee
USTPRegion12.DM.ECF@usdoj.gov

21-00964-lmj7 Notice will not be electronically mailed to:

LVNV Funding LLC
c/o Messerli & Kramer PA

File a Motion:21-00964-lmj7 Amy Kristin Engle

Type: bk

Chapter: 7 v

Office: 4 (Des Moines)

Assets: n

Judge: lmj

Case Flag: MEANSNO

U.S. Bankruptcy Court**Southern District of Iowa**

Notice of Electronic Filing

The following transaction was received from John M Miller entered on 7/8/2021 at 1:55 PM CDT and filed on 7/8/2021

Case Name: Amy Kristin Engle**Case Number:** 21-00964-lmj7**Document Number:** 7**Docket Text:**

Motion to Avoid Lien with Lien Holder LVNV Funding LLC Filed by John M Miller on behalf of Amy Kristin Engle. (Miller, John)

The following document(s) are associated with this transaction:

Document description:Main Document**Original filename:**F:\ECF\Engle, Amy\lvnv funding lien.pdf**Electronic document Stamp:**

[STAMP bkecfStamp_ID=984761026 [Date=7/8/2021] [FileNumber=6798975-0]
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cee30d9656f3c5f7748faed29dc3fdea2d20af0e52e1c73e085f067e58a]]

21-00964-lmj7 Notice will be electronically mailed to:

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lisar@johnmillerlaw.com, millerjr39952@notify.bestcase.com

Donald F Neiman,
trusteeneiman@bradshawlaw.com, IA02@ecfcbis.com;DFN@trustesolutions.com;DFN@trustesolutions.net

United States Trustee
USTPRegion12.DM.ECF@usdoj.gov

21-00964-lmj7 Notice will not be electronically mailed to:

LVNV Funding LLC
c/o Messerli & Kramer PA
3033 Campus Drive, Ste. 250
Plymouth, MN 55441

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

RE: :
Amy K. Engle : Case No. 21-00964
Debtor : Chapter 13

MOTION TO AVOID JUDICIAL LIEN

The Debtors complains as follows:

1. That the Creditor, LVNV Funding, LLC has a judicial lien (SCSC016946) in the following described homestead property of the Debtor or the Debtors dependents:

Parcel "B" in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty (20), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, as shown in the Plat of Survey recorded in Book 2013, Page 521 of the Recorder's Office of Madison County, Iowa and Parcel "G" in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty (20), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, as shown in the Plat of Survey recorded in Book 2018, Page 872 of the recorder's Office of Madison County, Iowa

2. That the lien impairs an exemption to which the Debtors would have been entitled under § 561.16, Code of Iowa (2018).

3. That pursuant to 11 U.S.C. Sec. 522(f) the Debtors may avoid any judicial liens on the property described above to the extent that the lien impairs an exemption to which the Debtors would have been entitled, and the Debtors hereby invoke said section and avoid the liens of the Creditor.

WHEREFORE, the Debtors PRAYS that the Court enter an Order avoiding any and all judicial liens of the Creditor in the property described above pursuant to 11 U.S.C. Sec. 522 (f).

/s/ John M. Miller
John M. Miller, 3810
974 73rd St., Ste. 15
West Des Moines, IA 50265
Telephone: (515) 225-3333
Lisar@johnmillerlaw.com

ATTORNEY FOR DEBTORS

CERTIFICATE OF SERVICE: By signing above, the attorney certifies that on this 8th day of July, 2021, this document was filed electronically in the United States Bankruptcy Court, for the Southern District of Iowa. The parties listed below will receive notice electronically.

US Trustee

USTPRegion12.DM.ECF@usdoj.gov

Donald F. Neiman, Trustee

Trustee@bradshawlaw.com

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LVNV Funding LLC

c/o Messerli & Kramer PA

Attorney for Creditor

Lisa Riebkes

From: CM_ECF@iasb.uscourts.gov
Sent: Tuesday, July 27, 2021 11:00 AM
To: CM_ECF@iasb.uscourts.gov
Subject: 21-00964-lmj7 Order on Motion to Avoid Lien

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U.S. Bankruptcy Court

Southern District of Iowa

Notice of Electronic Filing

The following transaction was received from acw entered on 7/27/2021 at 11:59 AM CDT and filed on 7/27/2021

Case Name: Amy Kristin Engle
Case Number: 21-00964-lmj7
Document Number: 19

Docket Text:

Docket Text Order Regarding Motion to Avoid Lien Held by LVNV Funding LLC. There being no timely objection to the motion, it is hereby Ordered that: The fixing of the lien described in the motion is avoided pursuant to 11 U.S.C. section 522(f). As required by any applicable federal rule or statute, the filer shall serve this order on all appropriate parties (except those parties who will receive notice of electronic filing). This order has been entered on the docket as directed by the Judge assigned to the case. (Related Doc # [7]). (acw)

The following document(s) are associated with this transaction:

21-00964-lmj7 Notice will be electronically mailed to:

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