

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF: )  
 )  
THERESA ANN LYNCH ) CASE NO. 05-17266  
 )  
 )  
Debtor )

**DECISION AND ORDER**  
**ON MOTION TO AVOID LIENS**

At Fort Wayne, Indiana, on May 3, 2007.

This case was reopened at the debtor's request so that she could amend her schedules to provide for an omitted exemption. That motion was granted and the debtor filed an amended schedule C. In that amended schedule, the debtor claimed an exemption in real property that had not been claimed before the case was closed. On the strength of the newly claimed exemption, the debtor also filed a motion to avoid judicial liens upon that property.<sup>1</sup> This court has previously held that "a debtor may not reopen a case in order to amend its claimed exemptions and then avoid judicial liens against the newly exempted property." In re Bartlett, 326 B.R. 436, 438 (Bankr. N.D. Ind. 2005); In re Clear, 1992 WL 1359570 (Bankr. N.D. Ind. 1992). A post-closure amendment of claimed exemptions is of no effect. Bartlett, 326 B.R. at 441. The motion to avoid judicial liens, filed on January 5, 2007, is therefore DENIED.

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<sup>1</sup>The notice of the motion to avoid the liens and opportunity object fails to comply with the local rules of this court for a number of reasons: it does not "contain a brief summary of the ground for the motion or have a copy of the motion attached to it," N.D. Ind. L.B.R. B-2002-2(c)(4); it does not adequately "state the relief sought" by the motion, N.D. Ind. L.B.R. B-2002-2(c)(3); it is not signed by counsel for the movant, N.D. Ind. L.B.R. B-2002-2(c)(8); and, there is no certificate of service accompanying the notice indicating to whom it may have been sent, including the lienholders. N.D. Ind. L.B.R. B-2002-2; N.D. Ind. L.B.R. B-9013-4. In light of the deficiencies in the motion itself, the court does not need to ponder further over the notice.

SO ORDERED.

/s/ Robert E. Grant  
Judge, United States Bankruptcy Court