

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION AT LAFAYETTE

IN THE MATTER OF:)
)
DUANE PAUL GRITTEN) CASE NO. 02-41447
SCHONDA SUE GRITTEN)
)
Debtors)

DECISION AND ORDER

At Fort Wayne, Indiana, on September 30, 2005.

The notice of motion and opportunity to object which the trustee (hereinafter “Movant”) served in connection with its motion for turnover does not comply with the requirements of N.D. Ind.

L.B.R. B-2002-2 because:

- a. The notice does not state the date upon which the motion was filed. N.D. Ind. L.B.R. B-2002-2(c)(2).
- b. The notice does not adequately “state the relief sought” by the motion. N.D. Ind. L.B.R. B-2002-2(c)(3).

Since creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the court cannot grant it at this time. Movant shall prepare and serve an Amended Notice of Motion and Opportunity to Object which complies with N.D. Ind. L.B.R. B-2002-2 and file proof thereto within fourteen (14) days of this date. See, N.D. Ind. L.B.R. B-9013-4(a). The failure to do so will result in the motion being denied without prejudice and without further notice.

SO ORDERED.

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