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*Attorney for the Debtor*

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF IDAHO

IN RE:

KEVIN D. RUMPLE,

Debtor.

CHAPTER 7

CASE NO. 20-40177-JMM

**Notice of Debtor's Motion to Avoid Judicial Lien and Opportunity to Object and  
for a Hearing**

**No Objection.** The Court may consider this request for an order without further notice or hearing unless a party in interest files an objection within fourteen [14] days of the date of service of this notice.

If an objection is not filed within the time permitted, the Court may consider that there is no opposition to the granting of the requested relief and may grant the relief without further notice or hearing.

**Objection.** Any objection shall set out the legal and/or factual basis for the objection. A copy of the objection shall be served on the movant.

**Hearing on Objection.** The objecting party shall also contact the court's calendar clerk to schedule a hearing on the objection and file a separate notice of hearing.

**MOTION TO AVOID JUDICIAL LIEN**

NOW COMES the Debtor, by and through her attorney, Alexandra O. Caval, and hereby moves this Court for an order avoiding the judicial lien of Medical Recovery Services, LLC,

pursuant to 11 U.S.C. §522(f) and Fed. R. Bankr. P. 4003(d). In support of the motion the Debtor asserts the following:

1. The Debtor, Kevin Rumble, filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code on March 4, 2020.

2. On or about July 2, 2019 Medical Recovery Services, LLC obtained a judgment against the debtor in CV42-19-217 which was filed in the Fifth Judicial District of the State of Idaho in and for the County of Gooding. The judgment was in the principal amount of \$2,646.63 together with statutory interest.

5. On or about July 8, 2019 the creditor recorded the judgment in the records of the Gooding County Recorder's Office as Instrument No. 265404. Consequently, Medical Recovery Services, LLC holds a judicial lien. Attached hereto as Exhibit "A" is a true and correct copy of the creditor's judicial lien.

6. The Debtor claims a household goods & furnishings exemption in the amount of \$856 in his household goods and furnishings pursuant to Idaho Code §§11-605(1)(a), et seq.

7. The entirety of the creditor's judicial lien impairs the Debtor's \$7,500 household goods & furnishings exemption under Idaho Code §§11-605(1)(a), et seq.

WHEREFORE, the Debtor moves this Court for an order pursuant to 11 U.S.C. §522(f) avoiding the entirety of judicial lien held by MEDICAL RECOVERY SERVICES in the principal amount of \$2,646.63 against the Debtor's property.

DATED: May 11, 2020.

/s/ Alexandra O. Caval

Alexandra O. Caval, Attorney for the Debtor

**CERTIFICATE OF SERVICE**

**I, HEREBY CERTIFY that on May 11, 2020, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:**

Office of the U.S. Trustee  
[ustp.region18.bs.ecf@usdoj.gov](mailto:ustp.region18.bs.ecf@usdoj.gov)

Gary Rainsdon, trustee  
[trustee@filertel.com](mailto:trustee@filertel.com)

**AND I FURTHER CERTIFY that on such date I served the foregoing on the following non CM/ECF Registered Participants in the manner indicated:**

**Via first class mail, postage prepaid addressed as follows:**

Medical Recovery Services, LLC  
c/o Smith, Driscoll, & Assoc., PLLC  
P.O. Box 50731  
Idaho Falls, ID 83405

Medical Recovery Services, LLC  
c/o: Bryan Zollinger, Registered Agent  
414 Shoup Ave  
Idaho Falls, ID 83402

Medical Recovery Services, LLC  
P.O. Box 51178  
Idaho Falls, ID 83405-1178

Medical Recovery Services, LLC  
430 Shoup Ave  
Idaho Falls, ID 83402

/s/ Alexandra O. Caval

Alexandra O. Caval, Attorney for the Debtor