

**U. S. Bankruptcy Court – Northern District of Mississippi**  
**Instructions for Filing Application for Payment of Unclaimed Funds**

The court holds unclaimed funds for an individual or entity who is entitled to the money but who has failed to claim ownership of it. The United States Courts, as custodians of such funds, have established policies and procedures for holding, safeguarding, and accounting for the funds.

**I. Searching Unclaimed Funds**

To search unclaimed funds, use the [Unclaimed Funds Locator](https://ucf.uscourts.gov/) at <https://ucf.uscourts.gov/>. Select MSNB – Northern District of Mississippi from the dropdown list and enter the applicable search criteria. If you need access to a computer to perform the search, you may use the court’s public computer terminal located at 703 Hwy. 145 North, Aberdeen, MS 39730.

**II. Filing Requirements for Payment of Unclaimed Funds**

**a. Application for Payment of Unclaimed Funds**

Any party who seeks the payment of unclaimed funds must file an Application for Payment of Unclaimed Funds (“Application”) using the court’s local form and serve a copy of the Application on the United States Attorney for the Northern District of Mississippi. For purposes of this procedure, the “Applicant” is the party filing the Application, and the “Claimant” is the party entitled to the unclaimed funds. The Applicant and Claimant may be the same.

**b. Supporting Documentation**

**1. Payee Information**

Funds are payable to the Claimant. In addition to the Application for Payment of Unclaimed Funds, Claimant’s tax identification number (TIN) must be provided to the court on a certification form signed by the Claimant to whom funds are being distributed.

**A. Domestic Claimant**

A Claimant who is a U.S. person<sup>1</sup> must use either the [AO 213P](#) or W-9 certification form (accessible by searching on the Internal Revenue Service (IRS) website at: <https://www.irs.gov/>).

If a Claimant wants payment via Electronic Funds Transfer (EFT), the [AO 213P](#) form must be submitted.

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<sup>1</sup> “U.S. person” includes: an individual who is a U.S. citizen or U.S. resident alien; a partnership, corporation, company or association created or organized in the U.S. or under the laws of the U.S.; an estate (other than a foreign estate); or a domestic trust (as defined in 26 C.F.R. 301.7701-7).

## **B. Foreign Claimant**

A foreign Claimant must use a W-8 certification form (available on the IRS website at: <https://www.irs.gov/>) accompanied by the [AO-215](#) form.

## **2. Additional Supporting Documentation**

Requirements for additional supporting documentation vary depending on the type of Claimant and whether the Claimant is represented. Please read the instructions below to identify what documents must accompany your Application.

Sufficient documentation must be provided to the court to establish the Claimant's identity and entitlement to the funds. The proof of identity must be provided in unredacted form and contain a current address. If there are joint Claimants, then supporting documentation must be provided for both Claimants.

### **A. Owner of Record**

The Owner of Record is the original payee entitled to the funds according to the records of the court. If the Claimant is the Owner of Record, the following additional documentation is required:

#### **i. Owner of Record - Individual**

- a. Proof of identity of the Owner of Record (*e.g.*, unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address); and
- b. A notarized signature of the Owner of Record (incorporated in the Application).

#### **ii. Owner of Record - Business or Government Entity**

- a. Application must be signed by an authorized representative for and on behalf of the business or government entity;
- b. A notarized statement of the signing representative's authority; and
- c. Proof of identity of the signing representative (*e.g.*, unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address).

If the Owner of Record's name has changed since the funds have been deposited with the court, then proof of the name change must be provided.

## **B. Successor Claimant**

A successor Claimant may be entitled to the unclaimed funds as a result of assignment, purchase, merger, acquisition, succession or by other means. If the Claimant is a successor to the original Owner of Record, the following documentation is required:

### **i. Successor Claimant - Individual**

- a. Proof of identity of the successor Claimant (*e.g.*, unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address);
- b. A notarized signature of the successor Claimant (incorporated in the application); and
- c. Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record.

### **ii. Successor Claimant – Business or Government Entity**

- a. Application must be signed by an authorized representative for and on behalf of the successor entity;
- b. A notarized statement of the signing representative's authority;
- c. A notarized power of attorney signed by an authorized representative of the successor entity;
- d. Proof of identity of the signing representative (*e.g.*, unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address); and
- e. Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record.

### **iii. Deceased Claimant's Estate**

- a. Proof of identity of the estate representative (*e.g.*, unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address);
- b. Certified copies of probate documents or other documents authorizing the representative to act on behalf of the decedent or decedent's estate in accordance with applicable state law (*e.g.*, small estate affidavit); and
- c. Documentation sufficient to establish the deceased Claimant's identity and entitlement to the funds.

### **C. Claimant Representative**

If the Applicant is the Claimant's attorney or other representative, the following documentation is required:

- i. Proof of identity of the representative (e.g., unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address);
- ii. A notarized power of attorney signed by the Claimant (or Claimant's authorized representative) on whose behalf the representative is acting; and
- iii. Documentation sufficient to establish the Claimant's identity and entitlement to the funds, as set forth above.

### **c. Proposed Order**

A proposed order is not required. The court will prepare and enter an order accordingly.

### **d. Certificate of Service**

Applicant must complete the certificate of service included the court's local form or provide a certificate of service that substantially confirms with the court's local form with sufficient information to certify that:

- i. A copy of the application and supporting documentation were sent to the Office of the United States Attorney for the Northern District of Mississippi; and
- ii. If the Claimant is entitled to the unclaimed funds by transfer, assignment, purchase, merger, acquisition, or succession by other means, a copy of the Application was sent to the Owner of Record and all other previous owner(s) of the claim at their current address or the Applicant must include a statement explaining why the Applicant was not able to do so or an explanation of why doing so is not necessary.

### **e. Filing the Application**

The Application (including a completed certificate of service as described in the previous section) and Supporting Documents may be filed in the following manner:

#### **1. Attorneys (Registered ECF Users)**

**Application:** [Bankruptcy > Motions/Applications > Release Unclaimed Funds from Court Registry \(Application\)](#)

**Supporting Documents:** [Bankruptcy > Other > Supporting Documents Re Unclaimed Funds \(Document Restricted\)](#)

*\*This filing is restricted from public access.*

**2. Limited Filers (Registered ECF Users)**

**Application:** [Bankruptcy > Claims Actions > Release Unclaimed Funds from Court Registry \(Application\)](#)

**Supporting Documents:** [Bankruptcy > Claims Actions > Supporting Documents Re Unclaimed Funds \(Document Restricted\)](#)

*\*This filing is restricted from public access.*

**3. All Other Parties (Not Registered to File via ECF)**

The original Application and supporting documentation (containing original aka “wet” signatures) must be delivered or mailed to the court at the following address:

U.S. Bankruptcy Court  
Northern District of Mississippi  
703 Hwy. 145 North  
Aberdeen, MS 39730

**f. Post-Filing Process**

Any party objecting to the Claimant’s Application shall file an Objection with the court and serve a copy upon the Applicant and other appropriate parties within twenty-eight (28) days of the filing of the Application or entry of an order granting the application, whichever is later.

If the Application is deficient due to failure to meet the requirements provided in these instructions, the court will enter an order denying the Application. The Claimant may file a subsequent and non-deficient Application for consideration.