

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

REQUESTS FOR UNCLAIMED FUNDS

Unclaimed funds exist when the Court grants rights or ownership of funds to a party and:

- a. the party has not claimed the funds, negotiated payment, or been located; or
- b. the court cannot obtain information needed to issue a payment (e.g., correct address, taxpayer identification number), or ascertain the identity of a class member in a class action.

A request must be submitted to the court for the release of unclaimed funds along with certain documentation. The documentation required depends on who is requesting the funds:

- **Owner of Record**: (1) A notarized signature; (2) the name, address and telephone number of the claimant; and (3) the social security or tax identification number of the claimant.
- **Successor Business**: (1) Proof of identity of the owner of record; (2) a notarized power of attorney signed by an officer of the successor business; (3) a statement of the signing officer's authority; and (4) documentation establishing chain of ownership from the original business claimant.
- **Decedent's Estate**: (1) Proof of identity of the owner of record; (2) proof of personal identity of the estate administrator; and (3) certified copies of probate documents establishing the representative's right to act on behalf of the decedent's estate.
- **Transferred Claims**: Successor claimant must provide: (1) proof of identity of the owner of record; (2) proof of identity of the successor claimant; and (3) documentation evidencing the transfer of claim.
- **Claimant Representative**: (1) Proof of identity of the owner of record including the name, address, telephone number, and social security or tax identification number of the owner; (2) a notarized power of attorney signed by the claimant on whose behalf the representation is acting; (3) proof of identity of the representative; (4) documentation sufficient to establish the claimant is entitled to the funds.

Notice Requirement

The claimant must provide proof of notice to the U. S. attorney. The court will not issue an order to release funds without proof that the U. S. Attorney has been provided with notice of the claimant's request for funds.

Disbursement Policy - The court has instituted a policy prohibiting the issuance of a check payable solely to a funds locator, even if a power of attorney authorizes it. The check will be issued to the owner of record only or issued with the name of the owner of record and the funds locator on the check, if authorized by a power of attorney.

Shallanda J. Clay
Clerk, U. S. Bankruptcy Court