

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION
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In re)
)
BRUCE GRANT BONAVENTURE,) Case No. 6:09-bk-18649-KSJ
) Chapter 7
Debtor.)
)
_____)

**ORDER DENYING DEBTOR’S MOTION TO
REOPEN CHAPTER 7 CASE AND MOTION FOR RELIEF FROM DISMISSAL**

The debtor has filed a Motion to Reopen Chapter 7 Case and Motion for Relief from Dismissal (Doc. No. 256). Under 11 U.S.C. § 350(b), a bankruptcy case may be reopened for “cause,” which may include newly discovered evidence.¹ Debtor has argued he has new evidence that disputes the validity of the state court foreclosure judgment. As this Court has previously stated, the proper and only forum to determine the validity and enforceability of the state court foreclosure judgment is the Fifth District Court of Appeal.² Various rules and doctrines, including the Rooker-Feldman Doctrine and Full Faith and Credit Act,³ preclude federal courts, except the United States Supreme Court, from reviewing state court judgments.⁴ This Court cannot re-litigate the state court foreclosure judgment⁵ and cannot “trump” the state court’s ruling. Only the state appellate court can alter the result of the state trial court’s judgment.

Debtor has presented no cause that would justify reopening this case, and debtor’s motion is denied.

¹ Fed. R. Civ. P. 60(b)(2).

² Doc. No. 226 at 4-5.

³ 28 U.S.C. § 1738.

⁴ *Goodman ex rel. Goodman v. Sipos*, 259 F.3d 1327, 1332 (11th Cir. 2001); *First Alabama Bank of Montgomery, N.A. v. Parsons Steel, Inc.*, 825 F.2d 1475, 1480 (11th Cir. 1987); *In re W.G. Wade Shows, Inc.*, 218 B.R. 625 (Bankr. M.D. Fla. 1998).

⁵ *In re Collado*, Nos. 09-32049-BKC-AJC, 10-3019-BKC-AJC-A, 2010 WL 3282595, at *2 (Bankr. S.D. Fla. Aug. 13, 2010).

ORDERED:

1. Debtor's Motion to Reopen Chapter 7 Case and Motion for Relief from Dismissal (Doc. No. 256) is denied.
2. This is debtor's fifth attempt to have this Court review the state court foreclosure judgment.⁶ All requests have been denied. Similar repetitive filings will result in an order to show cause as to why sanctions should not be assessed against the debtor for abuse of the bankruptcy system.

DONE AND ORDERED in Orlando, Florida, this 8th day of August, 2012.

A handwritten signature in black ink, appearing to read "Karen S. Jennemann", with the initials "K.O." written in the upper right corner of the signature.

KAREN S. JENNEMANN
United States Bankruptcy Judge

Copies furnished to:

Debtor: Bruce Grant Bonaventure, P.O. Box 940804, Maitland, FL 32794

Trustee: Emerson C. Noble, P.O. Box 195008, Winter Springs, FL 32719-5008

United States Trustee: Jill E. Kelso, 135 W. Central Blvd., Suite 620, Orlando, FL 32801

Creditor: Aurora Loan Services, LLC, c/o Carey N. Bos, Bos & Associates, PA, 723 E. Colonial Drive, Suite 400, Orlando, FL 32803

All Creditors and Interested Parties

⁶ Doc. No. 218; Doc. No. 232; Doc. No. 236; Doc. No. 248; and Doc. No. 256.
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