


ORDERED.

Dated: July 28, 2017



 Karen S. Jennemann
 United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
 MIDDLE DISTRICT OF FLORIDA
 ORLANDO DIVISION
www.flmb.uscourts.gov

In re)	
)	
ANDREW BRUCE MIGELL,)	Case No. 6:15-bk-10569-KSJ
)	Chapter 7
Debtor.)	
_____)	

ORDER GRANTING EMERGENCY MOTION BY CREDITOR ALICE E. MIGELL FOR CLARIFICATION OF ORDER GRANTING RELIEF FROM AUTOMATIC STAY FOR AUTHORITY OF STATE COURT TO PROCEED REGARDING REAL ESTATE OVER WHICH DEBTOR CLAIMS EXEMPTION

Creditor, Alice Migell, moves this Court for an order to clarify the authority of the Massachusetts state court to enforce its judgment entered against Debtor’s property at 11 Timicuan Drive, Ormond Beach, Florida (“Homestead”) (Doc. No. 252). This Court issued a Memorandum Opinion and Order overruling Creditor’s Amended Objection to Debtor’s Claimed Exemption in Certain Real Property (Doc. No. 126). Debtor’s Homestead is protected from Creditor’s claims.

Accordingly, it is

ORDERED:

1. Creditor’s Motion for Clarification (Doc. No. 252) is **GRANTED**, to the limited extent the Court confirms that the Homestead is exempt property protected by Article X of

the Florida Constitution from claims of creditors, including the claims Creditor Alice Migell has against the Debtor.

2. The automatic stay remains in full force and effect as to the Homestead property.
3. Any Order of the Massachusetts Court directing the Debtor to waive his protection in the Homestead is void and unenforceable.
4. Debtor's Homestead is protected by Florida's homestead protection of Article X of the Florida Constitution, and, as such, creditors cannot seek, directly or indirectly, to collect any judgment against the Homestead property.

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Attorney Robert O'Regan is directed to serve a copy of this order on all interested parties and file a proof of service within 3 days of entry of the order