

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

In re:

DAVID CARTER,  
OLIVIA CARTER,

Case No.: 14-04158-JAF

Debtors.

---

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED STATUS AND  
TO STRIP JUNIOR LIEN ON DEBTORS' PRINCIPAL RESIDENCE**

This case came on for consideration of Debtors' Motion to Determine Secured Status and to Strip Junior Lien on Debtor's Principal Residence. Pursuant to Local Rule 2002-4, the debtors served the Motion on all interested parties, and no interested parties have filed a response within the thirty (30) day time period allowed. Therefore, it is

ORDERED:

1. Debtors' Motion to Determine Secured Status and to Strip Junior Lien on Debtor's Principal Residence is granted.
2. The Court finds that the Debtors' homestead property has no equity to secure the second mortgage. The property is encumbered by a valid first mortgage, held by Household Finance Corporation III, in the amount of \$150,397.00 at the time of filing the petition. Household Finance Corporation III holds a second mortgage that is wholly unsecured.
3. The real property (the "Real Property") that is subject of the proceeding is located at 5432 Contina Ave., Jacksonville, FL 32277, and more particularly described as follows:

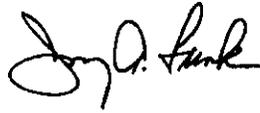
**ALL THAT CERTAIN REAL ESTATE SITUATED IN THE COUNTY OF  
DUVAL, STATE OF FLORIDA, TO-WIT:**

**LOT 13, BLOCK 2 UNIVERSITY PARK, UNIT 1, ACCORDING TO THE  
PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGE 34 AND 34A**

**OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY,  
FLORIDA.**

4. The mortgage held by Household Finance Corporation III recorded on July 18, 2006, at Book 13398, Pages 872-877, Instrument No. 2006248888 of the official records of Duval County, Florida, shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtors' discharge in this Chapter 7 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of Household Finance Corporation III's lien prior to the entry of the Debtors' discharge.

DONE and ORDERED in Jacksonville, Florida, this 27th day of October, 2014



---

**JERRY A. FUNK**  
United States Bankruptcy Judge

Attorney, Candyce M. King, is directed to serve a copy of this order on interest parties and file a Proof of Service within three days of the entry of the order.

FILED IN THE US BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION  
C.B. VOL. 54, NO. 8082