

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

IN RE:

LAJEANNE S. MIZELL

Case No: 14-01870-JAF
Chapter 7

Debtor.

**ORDER GRANTING DEBTOR'S MOTION TO DETERMINE SECURED
STATUS OF LIEN OF SPECIALIZED LOAN SERVICING AND
TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE came on for consideration of the Debtor's Motion to Determine Secured Status of Specialized Loan Servicing and to Strip Lien (Doc No.8) (the "Motion") pursuant to the negative notice provisions of Local Rule 2002-4. Having considered the Motion and the absence of any record objection to the relief requested in the Motion by any party in interest, the Court Deems the Motion to be uncontested. If Specialized Loan Servicing has not timely filed a proof of claim in this case, the Motion is not deemed to be an informal proof of claim except for the purpose of initiating the Debtors' ability to request relief pursuant to U.S.C § 506(a).

Accordingly, it is hereby:

ORDERED:

1. The Motion is Granted.
2. The real property (the "Real Property") that is the subject of the Motion is located

at 13365 Solar Drive, Jacksonville, FL 32258, and more particularly described as follows:

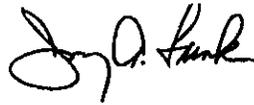
**LOT 12H, VERANO REPLAT, ACCORDING TO THE PLAT
THEREOF AS RECORDED IN PLAT BOOK 61, PAGES 164
THROUGH 177, INCLUSIVE, OF THE CURRENT PUBLIC
RECORDS OF DUVAL COUNTY, FLORIDA.**

3. If Specialized Loan Servicing has timely filed a proof of claim, the claim shall be treated as an unsecured claim in this case.

4. The lien on the Real Property held by Specialized Loan Servicing and recorded by the original lender American Mortgage Express Corp. on November 27, 2006 at book 13660, page 337, Document No. 2006407186 of the Official Records of Duval County, Florida in the amount of \$46,942.00 shall be deemed void, and shall be extinguished automatically, without further court order, upon the recordation in the public records of a certified copy of this Order together with (a) a certified copy of the Debtor's Chapter 7 discharge order in this case or (b) such other paper as the Court may specify by separate order. However, the Court reserves jurisdiction to consider, if appropriate, the avoidance of Specialized Loan Servicing's lien prior to the entry of the Debtor's discharge.

5. This Order does not prohibit Specialized Loan Servicing from asserting, at any time prior to the entry of the Debtor's discharge, any rights it may have as a defendant in any foreclosure proceeding brought by a senior mortgagee, including the right to claim excess proceeds from any foreclosure sale.

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



JERRY A. FUNK
UNITED STATES BANKRUPTCY JUDGE

Attorney Eugene H. Johnson, Esq. is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of the entry of this order.

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
J.B. VOL. 54, NO. 8032