

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

IN RE:

CASE NO.: 13-bk-00201-JAF

DANIEL E. HERMANY, JR.
and SANDRA E. HERMANY,
Debtors.

**ORDER GRANTING DEBTOR'S MOTION TO DETERMINE
SECURED STATUS OF CITIFINANCIAL EQUITY SERVICES, INC. (CLAIM 9)
AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtors' Motion To Determine Secured Status Of Citifinancial Equity Services, Inc. (Claim 9) And To Strip Lien Effective Upon Discharge (the "Motion"). For the reasons set forth in the Debtors' Motion, the Court finds it appropriate to grant the Debtors' Motion. The Court further finds that negative notice contained in the Motion was proper, that the Motion was properly served pursuant to Local Rule 2002-4 and that no opposition thereto has been filed. Accordingly, it is

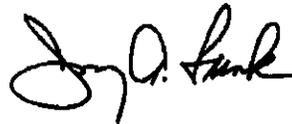
ORDERED as follows:

1. The Motion is **GRANTED**.
2. Claim Number Nine (9) filed by Citifinancial Equity Services, Inc. shall be treated as an unsecured claim in this Chapter 13 Case.
3. The real property (the "Real Property") that is the subject of the Motion is located at 11477 Cypress Bend Court, Jacksonville, FL 32223, and is more particularly described as follows:

ALL THAT CERTAIN PARCEL OF LAND IN DUVAL COUNTY, STATE OF FLORIDA, AS MORE FULLY DESCRIBED IN OR BOOK 13171 PAGE 2087 ID# 156332-1242, BEING KNOWN AND DESIGNATED AS LOT 102 MANDARIN WOODS UNIT 2, FILED IN PLAT BOOK 36 AT PAGE 68.
4. The mortgage held by Citifinancial Equity Services, Inc. (Claim 9) which was recorded on or about May 25, 2007 in 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 13 case or in a Chapter 7 case should this case be converted to one under Chapter 7; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of Citifinancial Equity Services, Inc.'s lien prior to the entry of the Debtors' discharge. Further, if this Chapter 13 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

DONE and ORDERED in Jacksonville, Florida, this 4th day of April, 2014



JERRY A. FUNK
United States Bankruptcy Judge

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
J.B. VOL. 54, NO. 7933

Copies to:
Debtors
Robert W. Elrod, Jr., Attorney for Debtors
Citifinancial Equity Services, Inc.
Douglas Neway, Trustee

Robert W. Elrod, Jr., Attorney for the Debtor(s), is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of the order.