

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

IN RE:)	
)	
GERALD A. NEWMAN and)	CASE NO. 3:12-bk-08069-PMG
JOLIE M. NEWMAN,)	
)	CHAPTER 7
Debtors.)	

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED STATUS
OF REGIONS BANK AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE came on for consideration of the Debtors' Motion to Determine Secured Status of REGIONS BANK and to Strip Lien (Document No. 22) (hereinafter "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 REGIONS BANK 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 11 U.S.C. Section 506(a).

The real property (the "Real Property") that is the subject of the Motion is located at 1350 HAMILTON STREET, JACKSONVILLE, FLORIDA, and is more particularly described as follows:

The following described parcel of land, and improvements and appurtenances thereof in the County of Duval, State of Florida, to wit:

The North 148.6 feet of the South 773 feet of east half of the Northeast quarter of Southwest quarter, Section 29, Township 2 South, Range 26 East, excepting therefrom the East 40 feet and the West 30 feet for public roads, excepting the part recorded in Deed Book Volume 1763, Page 114, more particularly described as the Easterly 340 feet of the Southerly 133.6 feet of the Northerly 148.6

feet of the Southerly 773 feet of the Easterly half of the Northeast quarter of the Southwest quarter of Section 29, Township 2 South, Range 26 East, except that portion of the above-described lot lying within the right of way Hamilton Avenue.

Accordingly, it is hereby

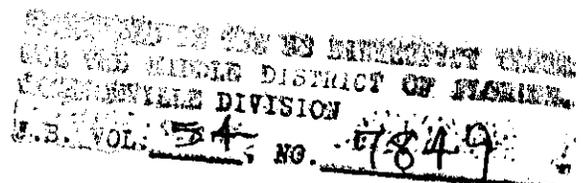
ORDERED:

1. The Motion is GRANTED.
2. If REGIONS BANK timely filed a proof of claim, the claim shall be treated as an unsecured claim in this Chapter 7 case.
3. The mortgage on the Real Property held by REGIONS BANK recorded on July 8, 2008, at Book 14565, Pages 1315-1323, Document No. 2008176515, of the Official Records of Duval County, Florida, 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 Debtors' Chapter 7 discharge 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 REGIONS BANK's mortgage lien prior to entry of the Debtors' discharge.
4. This Order does not prohibit REGIONS BANK from asserting, at any time prior to the entry of the Debtors' 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.

Dated December 24, 2013 in Jacksonville, Florida

Paul M. Glenn

Paul M. Glenn
United States Bankruptcy Judge



Attorney, Preston H. Oughton, 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.