

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

IN RE:
RAMON P. BARANDA
and BRIGIET O. BARANDA,
Debtors.

CASE NO.: 11-bk-6681-JAF

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED
STATUS OF SECOND MORTGAGE OF HSBC MORTGAGE SERVICES, INC.
(CLAIM 6) AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtors' Motion To Determine Secured Status Of Second Mortgage Of HSBC Mortgage Services, Inc. (Claim 6) 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

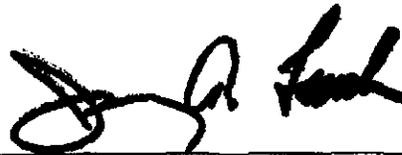
ORDERED as follows:

1. The Motion is **GRANTED**.
 2. Claim Number Six (6) filed by HSBC Mortgage 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 6290 Ironside Drive South, Jacksonville, FL 32244, and is more particularly described as follows:

**LOT 10, VILLAGES AT WESTLAND PHASE II-C, ACCORDING TO THE PLAT
THEREOF AS RECORDED IN PLAT BOOK 55, PAGES 95, 95A, 95B AND 95C, OF
THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA**
 4. The mortgage held by HSBC Mortgage Services, Inc. (Claim 6) which was recorded on or about February 9, 2006 in Duval County, Florida shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtors' discharge in
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this Chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of HSBC Mortgage 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.

DATED this 22 day of January, 2013 in Jacksonville, Florida.



Jerry A. Funk
United States Bankruptcy Judge

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
S.B. NO. NO.
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Copies to:

Debtors
Robert W. Elrod, Jr., Attorney for Debtors
Douglas Neway, Trustee
HSBC Mortgage Services, Inc.