

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

In re:

Case No.: 3:11-bk-02868-JAF

JOSE E. DIAZ,

Chapter 7

Debtor.

\_\_\_\_\_/

GORDON P. JONES, Chapter 7 Trustee,

Adv. Proc. No. 3:12-ap-00214-JAF

Plaintiff,

vs.

ROCCO TOLERICO and  
MAGDA TORRES,

Defendants.

\_\_\_\_\_/

**FINAL JUDGMENT**

This proceeding is before the Court upon the Motion of Plaintiff, Gordon P. Jones, Chapter 7 Trustee, for Entry of Final Default Judgment. Based upon the Defaults entered by the Clerk on April 25, 2012, against Defendants, Rocco Tolerico and Magda Torres, for failure to serve or file any paper in response to the Complaint to Avoid and Recover Preferential Transfers of Property Pursuant to 11 U.S.C. §§ 547 and 550 as required by law, the Affidavit of Gordon P. Jones, Chapter 7 Trustee, and there appearing sufficient cause, it is

ORDERED AND ADJUDGED:

1. Final Judgment in this adversary proceeding is entered in favor of Plaintiff, Gordon P. Jones, Chapter 7 Trustee, whose business address is P.O. Box 600459 Jacksonville, Florida 32260-0459, and against the Defendants, Rocco Tolerico, whose last

known address is 14804 Avenue of the Groves, Apt. 11103, Winter Garden, Florida 34787, and Magda Torres, whose last known address is 323 S. Barbour Street, Beverly Hills, Florida 34465.

2. Pursuant to 11 U.S.C. §§ 547 and 550, the transfer of \$5,100.00 (the "Funds") by the Debtor to the Defendant, Rocco Tolerico, is hereby avoided.

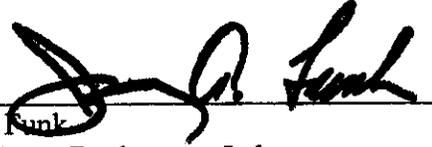
3. The Funds are property of the bankruptcy estate, and pursuant to 11 U.S.C. §§ 547 and 550, the Plaintiff, Gordon P. Jones, Chapter 7 Trustee, may recover the Funds for the benefit of creditors of the estate, for which let execution issue.

4. Pursuant to 11 U.S.C. §§ 547 and 550, the transfer of \$2,034.14 in furniture from American Freight (the "Furniture") by the Debtor to the Defendant, Magda Torres, is hereby avoided.

5. The Furniture is property of the bankruptcy estate, and pursuant to 11 U.S.C. §§ 547 and 550, the Plaintiff, Gordon P. Jones, Chapter 7 Trustee, may recover the Furniture and liquidate the Furniture for the benefit of creditors of the estate, for which let execution issue.

6. This Court retains jurisdiction of this action to enter further orders that are proper, including, but not limited to, orders authorizing the issuance of writs of replevin, writs of execution, writs of garnishment, and other post-judgment collection remedies.

Dated this 18 day of June, 2012, at Jacksonville, Florida.

  
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. 7587

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