

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

In re:

RODNEY MCDOUGAL,  
JENNIFER MCDOUGAL,

Case No.: 14-02813-JAF

Debtors.

---

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED STATUS AND  
TO STRIP JUNIOR LIEN ON DEBTORS' PRINCIPAL RESIDENCE**

This case came on for consideration of Debtor's Motion to Determine Secured Status and to Strip Junior Lien on Debtor's Principal Residence. Pursuant to Local Rule 2002-4, the debtors served the Motion on all interested parties, and no interested parties have filed a response within the thirty (30) day time period allowed. Therefore, it is

ORDERED:

1. Debtors' Motion to Determine Secured Status and to Strip Junior Lien on Debtor's Principal Residence is granted.
2. The Court finds that the Debtors' homestead property has no equity to secure the second mortgage. The property is encumbered by a valid first mortgage, held by Green Tree Servicing, LLC, in the amount of \$253,750.00 at the time of filing the petition. Republic Equity Credit Services, Inc. holds a second mortgage that is wholly unsecured.
3. The real property (the "Real Property") that is subject of the proceeding is located at 2382 Carolina Cherry Court, Fleming Island, FL 32003, and more particularly described as follows:

**THE FOLLOWING DESCRIBED LAND, SITUATE, LYING AND BEING  
IN THE COUNTY OF CLAY, STATE OF FLORIDA, TO WIT: LOT 31,  
LINKS UNIT ONE, ACCORDING TO THE PLAT THEREOF IN PLAT**

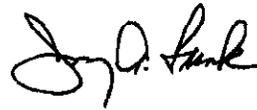
**BOOK 40, PAGES 68 THROUGH 76, OF THE PUBLIC RECORDS OF  
CLAY COUNTY, FLORIDA.**

**ADDRESS: 2382 CAROLINA CHERRY CT; ORANGE PARK, FL 32003**

**TAX MAP OR PARCEL ID NO.: 014266-035-31.**

4. The mortgage held by Republic Equity Credit Services, Inc. recorded on September 22, 2006, at Book 2794, Pages 982-992, Instrument No. 2006066422 of the official records of Clay County, Florida, shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtor's discharge in this Chapter 7 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of Republic Equity Credit Services, Inc.'s lien prior to the entry of the Debtor's discharge.

DONE and ORDERED in Jacksonville, Florida, this 23rd day of September, 2014



---

**JERRY A. FUNK**  
United States Bankruptcy Judge

Attorney, Candyce M. King, is directed to serve a copy of this order on interest parties and file a Proof of Service within three days of the entry of the order.

"RECORDED IN THE US BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION  
J.B. VOL. 54, NO. 80521"