

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

In re:

RICHARD J. FOWLER, II,  
LYNN M. FOWLER,

Case No. 09-01674-PMG

Debtor.

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

This case came on for consideration of Debtors' Motion to Determine Secured Status and to Strip Junior Lien on Debtors' 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:**

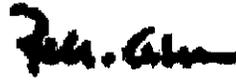
1. Debtors' Motion to Determine Secured Status and to Strip Junior Lien on Debtors' Principal Residence is granted.
2. The Court finds that the Debtors' homestead property has no equity to secure the second mortgage. The property is encumbered by a valid first mortgage, held by Green Tree, in the amount of \$143,814.40 at the time of filing the petition. Bank of America, N.A. holds a second mortgage that is wholly unsecured.
3. The real property (the "Real Property") that is subject of the proceeding is located at 2445 Ormsby Circle West, Jacksonville, FL 32210, and more particularly described as follows:

**LOT 6, BLOCK 2, CEDAR SHORES, UNIT THREE, ACCORDING TO  
PLAT THEREOF AS RECORDED IN PLAT BOOK 24, PAGE 15, OF  
THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.**

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4. The mortgage held by Bank of America, N.A. recorded on May 7, 2007, at Book 13966, Page 422, Instrument No. 2007151316 of the official records of Duval 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 Bank of America, N.A.'s lien prior to the entry of the Debtor's discharge.

DONE and ORDERED in Jacksonville, Florida, this 13th day of January, 2014



PAUL M. GLENN  
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 (3) days of entry of the order.

RECORDED IN THE US BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION  
J.B. VOL. 64, NO. 7859