

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

In re: Michael P. Coppola,
Donna M. Coppola,

Case No. 3:14-bk-04299-JAF
Chapter 7

Debtors.

**ORDER GRANTING MOTION TO STRIP LIEN OF
CITIMORTGAGE, INC.**

This case was considered on Debtors' Verified Motion to Strip Second Mortgage of Citimortgage, Inc., on the Debtors' real property located at 74 Woodbury, Palm Coast, Florida 32164 (the "Property") (Doc. No. 7) (the "Motion"). The Motion was filed on October 13, 2014 with thirty (30) days negative notice. No party filed a timely objection or response to the Motion. The legal description of the Property is as follows:

Lot 5, Block 51, PALM COAST, MAP OF WYNNFIELD, SECTION 27, according to the plat thereof, recorded in Plat Book 9, Page 47, of the Public Records of Flagler County, Florida.

Because senior mortgage liens exceed the value of the Property, the Creditor's junior mortgage is unsecured. The creditor's claim shall be treated as a general unsecured claim in this case. Accordingly, it is

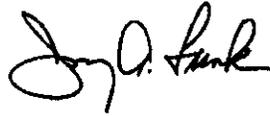
ORDERED:

1. The Debtors' Motion (Doc. No. 7) is granted.
2. The Creditor's claim shall be treated as a general unsecured claim in this case.

Upon entry of the discharge, pursuant to 11 U.S.C. § 727, the Creditor's lien is avoided and extinguished automatically without further order of the court, provided the Eleventh Circuit Court of Appeals or the Supreme Court has not, at the time of discharge, vacated the opinion or

otherwise overruled or limited the holding on *In re McNeal*, 477 Fed. Appx. 562 (11th Cir. 2012).

DONE and ORDERED in Jacksonville, Florida, this 29th day of December, 2014



JERRY A. FUNK
United States Bankruptcy Judge

Attorney for the Debtors, Donald Appignani, Esq., is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of this order.

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
J.B. VOL. 54, NO. 8124