

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

Gregory LaFarlette
Christa LaFarlette

Case No: 3:12-bk-05929

Debtor(s)
_____ /

**ORDER GRANTING DEBTOR'S MOTION TO DETERMINE SECURED STATUS OF
NAVY FEDERAL CREDIT UNION CLAIM 1 AND TO STRIP LIEN EFFECTIVE
UPON DISCHARGE**

THIS CASE came on for consideration on the Debtor(s)' Motion to Determine Secured Status of Navy Federal Credit Union and to Strip Lien pursuant to negative notice provision of the Local Rule 2002-4. The Court, considering the Motion and the absence of any record objection to the relief requested in the Motion by any party interest, deems the Motion to be uncontested.

The real property that is the subject of the Motion is located at 2866 CIRCLE RIDGE DR. ORANGE PARK, FL.

Accordingly, it is hereby

ORDERED:

1. The Motion is Granted;
2. Claim no. 1 filed by Navy Federal Credit Union shall be treated as an unsecured claim in this chapter 13 case;
3. The Mortgage on the Real Property held by Navy Federal Credit Union recorded on recorded on September 10, 2007 at Book 2943, Page 1079 Instrument # 2007055113 of the official records of Clay County, Florida in the amount of \$72,000.00, shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtor's discharge in this Chapter 13 case, provided however that the Court reserves

jurisdiction to consider, if appropriate, the avoidance of Navy Federal Credit Union's mortgage lien prior to the entry of the Debtor's discharge.

4. This order does not prohibit Navy Federal Credit Union from asserting, at any time prior to the time when the lien is avoided by this order upon entry of the Debtor's discharge, any rights it may have as a defendant in any foreclosure proceeding brought by a senior mortgagee, including the right to claim excess proceeds from any foreclosure sale.

DONE and ORDERED ~~in Chambers~~ at Jacksonville, Florida on January 31, 2013.



Jerry A. Funk
United States Bankruptcy Judge

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
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