

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

IN RE:

**CHRISTOPHER PAUL PIERCE and
DARLENE MARIE PIERCE,**

Debtors.

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**CASE NO. 11-04217-PMG
CHAPTER 13**

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED STATUS OF
CLAIM ELEVEN (11) OF GREEN TREE SERVICING, LLC AND TO STRIP LIEN
EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtors' Motion to Determine Secured Status of the Homestead property mortgage held by Green Tree Servicing, LLC (Claim Eleven) and to Strip Lien (the "Motion") filed September 22, 2011 and said Creditor having failed to file a written response to the Motion in accordance with Rule 2002--4, Local Bankruptcy Rules, it is

ORDERED:

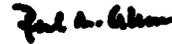
1. The Motion to Determine Secured Claim Status Eleven (11) is GRANTED pursuant to 11 U.S.C. §506(a) and the mortgage lien is voided pursuant to 11 U.S.C. §506(d).
2. The value of that portion of Claim Eleven (11) secured by Real Property (Homestead) is \$0.00. The balance of this claim shall be treated as unsecured.
3. The legal description of this property is as follows:

Lot 14, MAJESTIC OAKS PHASE 1, according to map in MAP BOOK 49,
PAGES 99 through 101, inclusive, Public Records of Volusia County, Florida.

Parcel # 8402- 57 – 00 - 0140
4. The mortgage held by Green Tree Servicing, LLC dated August 14, 2007, unrecorded in the official records of Volusia County, Florida, shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtors' discharge in this Chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the

avoidance of Green Tree Servicing, LLC lien prior to the entry of the Debtors' discharge. Further, if this case is converted to a case under Chapter 7, or if this Chapter 13 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

DATED this 27 day of October 2011 at Jacksonville, Florida



PAUL M. GLENN
~~Chief~~ United States Bankruptcy Judge

Copies to:

Debtors, Christopher and Darlene Pierce, 227 Oak Branch Drive, Edgewater, FL 32141-3001
Bankruptcy Law Firm of Lansing J. Roy, P.A., Debtors' Attorney, P.O. Box 10399,
Jacksonville, FL 32247-0399

Douglas W. Neway, Trustee, P.O. Box 4308, Jacksonville, FL 32201-4308
United States Trustee's Office, 175 West Central Blvd, Suite 620, Orlando, FL 32801-2476
Creditor, Herschel Hoyt, Green Tree Servicing LLC, 7360 S. Kyrene Road, T-120, Tempe,
AZ 85283

Registered Agent, Green Tree Servicing, LLP, c/o CT Corporation System,
1200 South Pine Island Road, Plantation, FL 33324