

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

In re:

Chapter 7

EUGENE RUSSELL SIMPSON.,

Case No. 8:05-bk-25043-KRM

Debtor.

ANGELA STATHOPOULOS, Chapter 7
Trustee of the bankruptcy estate of
Eugene Russell Simpson,

Plaintiff,

v.

Adv. Pro. No. 8:06-ap-00551-KRM

KRISTIE L. SIMPSON,

Defendant.

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FINAL JUDGMENT OF DEFAULT

THIS CAUSE came on for consideration upon the Court's own motion for the purpose of entering an appropriate order in the above-captioned adversary proceeding. The Court reviewed the record and finds that on May 16, 2007, the Clerk of the Bankruptcy Court entered a Default against the Defendant, Kristie L. Simpson. (Doc. No. 30). Plaintiff, Angela Stathopoulos, Chapter 7 trustee of the Estate of Eugene Russell Simpson, filed a Motion for Entry of Default Judgment and the Affidavit of the Debtor, Eugene Russell Simpson, in support of the Motion. (Doc. No. 36). This Court entered an Order granting the Motion for Entry of Default Judgment. The Court, therefore, finds it appropriate to enter a final judgment in this proceeding.

Accordingly, it is

ORDERED, ADJUDGED AND DECREED as follows:

1. Judgment is hereby entered in favor of Plaintiff, Angela Stathopoulos, Chapter 7 trustee of the Estate of Eugene Russell Simpson, and against Defendant, Kristie L. Simpson as to Count I of the Complaint brought pursuant to 11 U.S.C. §§ 548(a)(1)(A) and 550, Count II brought pursuant to 11 U.S.C. §§ 548(a)(1)(B) and 550, Count III brought pursuant to 11 U.S.C. §§ 549 and 550, and Count VI seeking damages for unjust enrichment.

2. Pursuant to 11 U.S.C. §§ 548(a)(1)(A), 548(a)(1)(B) and 550, Debtor, Eugene Russell Simpson's transfer of his ownership interest in the following described real property located at 11514 CR 39 S, Lithia, Florida 33547 to Defendant is hereby avoided.

See Legal Description attached hereto as Attachment "A."

The Debtor's ownership interest in the real property is hereby revested in the Chapter 7 bankruptcy estate.

3. Pursuant to 11 U.S.C. §§ 548(a)(1)(A), 548(a)(1)(B) and 550, Debtor's transfer of his ownership interest in the following described real property located at 5417 Kennedy Hills Drive, Seffner, Florida 33584 to Defendant is hereby avoided.

LOT 76 KENNEDY HILL SUBDIVISION, ACCORDING TO PLAT
THEREOF AS RECORDED IN PLAT BOOK 27, PAGE 114 OF THE
PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

The Debtor's ownership interest in the real property is hereby revested in the Chapter 7 bankruptcy estate.

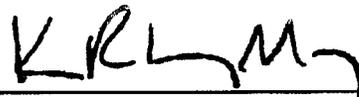
4. Pursuant to 11 U.S.C. §§ 549 and 550, Debtor's transfer of his ownership interest in the real property located at 395 Rugged Top Road, Hendersonville, North Carolina 28792 to Defendant is hereby avoided. The Debtor's ownership interest in the real property is hereby revested in the Chapter 7 bankruptcy estate.

5. Pursuant to 11 U.S.C. §§ 548(a)(1)(A), 548(a)(1)(B) and 550, and based upon Plaintiff's claim of unjust enrichment, damages are awarded in favor of Plaintiff and against Defendant in the amount of \$37,930.62, representing one-half of the net proceeds paid to Defendant from Defendant's sale of the real property located at 7319 Sequoia Drive, Tampa, Florida 33617 to Carl J. Hancock and Cheryl Lynn Hancock.

6. Pursuant to 11 U.S.C. §§ 548(a)(1)(A), 548(a)(1)(B) and 550, and based upon Plaintiff's claim of unjust enrichment, damages are awarded in favor of Plaintiff and against Defendant, in the amount of \$31,724.86, representing one-half of the net proceeds paid to Defendant from Defendant's sale of the real property located at 7326 Kingsbury Circle, Tampa, Florida 33619 to Jesus Hernandez and Milena Hernandez.

7. Plaintiff is awarded post-judgment interest on the damages in the amount of \$69,655.48 at the federal rate from the date of the entry of this judgment.

DONE AND ORDERED in Tampa, Florida on June 26, 2007.



K. RODNEY MAY
U.S. Bankruptcy Judge

Copies to:

Dawn A. Carapella, Esquire, P.O. Box 1102, Tampa, FL 33601-1102

Patrick R. Smith, Esquire, 901 West Hillsborough Avenue, Tampa, FL 33603-1309

Kristie L. Simpson; 1704 Cottageside Court, Brandon, FL 33510-2747

Kristie L. Simpson, 11514 County Road 39, South, Lithia, FL 33547-3003

Eugene Russell Simpson, 913 Homewood Drive, Brandon, FL 33511

Angela Stathopoulos, Trustee, 39040 U.S. Highway 19, North, Tarpon Springs, FL 34689

U.S. Trustee's Office, 501 East Polk Street, Suite 1200, Tampa, FL 33602.

ATTACHMENT "A"

As a Point of Reference commence at the Southwest corner of the Northeast 1/4 of the Southeast 1/4 of Section 31, Township 30 South, Range 22 East, Hillsborough county, Florida and proceed North 00°08'48" East, along the West boundary of the Northeast 1/4 of the Southeast 1/4 of said Section 31, a distance of 1311.40 feet to the Northwest corner of the Northeast 1/4 of the Southeast 1/4 of said section 31, thence South 88°44'14" West along the South boundary of the South 1/2 of the Northeast 1/4 of said Section 31 and the South boundary of the Southeast 1/4 of the Northwest 1/4 of said Section 31, a distance of 1413.62 feet to a point on the East right-of-way line of State Road 39; thence North 00°31'55" East along said East right-of-way line a distance of 1032.27 feet to a point lying 295.00 feet South of the North boundary of the Southwest 1/4 of the Northeast 1/4 of said Section 31 for a POINT OF BEGINNING thence continue North 00°31'55" East along said East right-of-way line a distance of 20.01 feet thence North 89°03'20" East, parallel with the North boundary of the South 1/2 of the Northeast 1/4 of said Section 31, a distance of 800.00 feet; thence North 00°31'55" East, parallel with the East right-of-way line of State Road 39, a distance of 275.09 feet to a point on the North boundary of the South 1/2 of the Northeast 1/4 of said Section 31; thence North 89°03'20" East, along said North boundary, a distance of 748.09 feet to a point on the West boundary of a parcel described in Official Records Book 7575, Page 513 of the Public Records of Hillsborough County, Florida; thence South 00°31'55" West along said West boundary, a distance of 295.05 feet; thence South 89°03'20" West parallel with the North boundary of the South 1/2 of the Northeast 1/4 of said Section 31, a distance of 1550.05 feet to the POINT OF BEGINNING.

AND

As a point of Reference commence at the Southwest corner of the Northeast 1/4 of the Southeast 1/4 of Section 31, Township 30 South, Range 22 East, Hillsborough county, Florida and proceed North 00°08'48" East, along the West boundary of the Northeast 1/4 of the Southeast 1/4 of said Section 31, a distance of 1311.40 feet to the Northwest corner of the Northeast 1/4 of the Southeast 1/4 of said section 31, thence South 88°44'14" West along the South boundary of the South 1/2 of the Northeast 1/4 of said Section 31 and the South boundary of the Southeast 1/4 of the Northwest 1/4 of said Section 31, a distance of 1413.62 feet to a point on the East right-of-way line of State Road 39; thence North 00°31'55" East along said East right-of-way line a distance of 1052.28 feet to a point lying 275.00 feet South of the North boundary of the Southwest 1/4 of the Northeast 1/4 of said Section 31 for a PIONT OF BEGINNING; thence continue North 00°31'55" East, along said East right of way line, a distance of 275.09 feet to a point on the North boundary of the Southeast 1/4 of the Northwest 1/4 of said Section 31; thence North 89°03'20" East, along said North boundary and the North boundary of the South 1/2 of the Northeast 1/4 of said Section 31, a distance of 800.00 feet; thence South 00°31'55" West, parallel with the East right of way line of State Road 39, a distance of 275.09 feet; thence South 89°03'20" West, parallel with the North boundary of the South 1/2 of the Northeast 1/4 of said Section 31, a distance of 800.00 feet to the POINT OF BEGINNING.