

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

IN RE:

David McFarland
Cynthia Joan McFarland

CASE NO.: 3:12-bk-02332
Chapter 13

Debtors

David McFarland
Cynthia Joan McFarland

Plaintiffs

Adv. No. 3:12-ap-00420

v.

RBS Citizens, N.A.
Bank of America, as Successor in interest to Countrywide Home Loans, Inc.
Countrywide Home Loans, Inc.
Mortgage Electronic Registration Systems, Inc.

Defendants.

DEFAULT JUDGMENT

This Judgment is entered after entry of Default dated July 11, 2012 and Order Granting Motion for Judgment by Default against the Defendants, it is:

ORDERED AND ADJUDGED

1. Judgment is entered in favor of the Plaintiffs, David McFarland and Cynthia Joan McFarland, and against the Defendants, RBS Citizens, Bank of America, as Successor in interest to Countrywide Home Loans, Inc., Countywide Home Loans, Inc. and Mortgage Electronic Registration Systems, Inc.

2. The replacement value of the interest or claim of the Defendants in the Plaintiffs' property is \$0.00.

3. Defendants' lien on the Plaintiffs' property located at 1424 Arlingwood Avenue, Jacksonville, Florida, with the legal description of:

Lot 26, Block 10, ARLINGWOOD, UNIT THREE, according to the plat thereof recorded in Plat Book 26, Page 62 of the current public records of Duval County, Florida.

as recorded at OR Book 13465 Page 838 of the Public Records of Duval County, Florida shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtors' discharge in the lead chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of RBS Citizens, Bank of America, as Successor in interest to Countrywide Home Loans, Inc., Countywide Home Loans, Inc. and Mortgage Electronic Registration Systems, Inc.'s lien prior to the Debtors' discharge. Further, if this chapter 13 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

4. To the extent that the Defendant has filed a Proof of Claim in the main bankruptcy case, then such claim may be amended to claim an unsecured claim. In the alternative, if this case is converted to Chapter 7, the mortgage shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtors' discharge in the lead chapter 7 case.

DATED this 9 day of April, 2013 in Jacksonville, Florida.



JERRY A. FUNK

United States Bankruptcy Judge

Copies furnished to:
Matthew L. Wolfe
Debtors
RBS Citizens, N.A.
Bank of America, as Successor in interest to Countrywide Home Loans, Inc.
Countrywide Home Loans, Inc.
Mortgage Electronic Registration Systems, Inc.

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
FILE NO. 13-507 NO. 27706