

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

JOHN M. BRANN,

Case No. 13-02478-PMG

Debtor.

**ORDER GRANTING DEBTOR'S MOTION TO DETERMINE SECURED STATUS AND
TO STRIP JUNIOR LIEN ON DEBTOR'S PRINCIPAL RESIDENCE**

This case came on for consideration of Debtor's Motion to Determine Secured Status and to Strip Junior Lien on Debtor's Principal Residence against The Landings at Belle Rive Condominium Association. Pursuant to Local Rule 2002-4, the debtor served the Motion on all interested parties, and no interested parties have filed a response within the thirty (30) day time period allowed. Therefore, it is

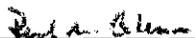
ORDERED:

1. Debtor's Motion to Determine Secured Status and to Strip Junior Lien on Debtor's Principal Residence against The Landings at Belle Rive Condominium Association is granted.
2. The Court finds that the Plaintiff's homestead property has no equity to secure the judgment lien. The property is encumbered by a valid first mortgage, held by Wells Fargo Home Mortgage, in the amount of \$192,000.00 at the time of filing the petition. The Defendant holds a judgment lien that is wholly unsecured.
3. The real property (the "Real Property") that is subject of the proceeding is located at 3370 Chapel Court, Jacksonville, FL 32226-5815, and more particularly described as follows:

**LOT 200, VICTORIA LAKES UNIT ONE, AS PER PLAT THEREOF,
RECORDED IN PLAT BOOK 55, AT PAGE(S) 96, 96A THROUGH 96L,
OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.**

4. The lien created by the certified judgment held by The Landings at Belle Rive Condominium Association, Inc. recorded on September 8, 2011 at Book 15707, Page 918, Instrument No. 2011195946 of the official records of Duval County, Florida, shall be deemed avoided and shall be extinguished automatically, without further court order, upon entry of the Debtor's discharge in this Chapter 7 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of The Landings at Belle Rive Condominium Association, Inc.'s lien prior to the entry of the Debtor's discharge.

DATED this 10 day of September, 2013 at Jacksonville, Florida.



PAUL M. GLENN
United States Bankruptcy Judge

Attorney, Candyce M. King, is directed to serve a copy of this Order on interested parties and file a Proof of Service within three (3) days entry of this Order.

CLERK OF THE US BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
FILE NO. 13-2799