UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re:

DAVID JOHN MOTH,

Debtor.

_____/

Case No. 6:09-bk-10554-ABB
Chapter 7

EDGAR TYKE G. MOJICA,

Plaintiff,

v.

DAVID JOHN MOTH,

Defendant.

_____/

Adv. Pro. No. 6:09-ap-00924-ABB

JUDGMENT

This matter came before the Court on the Complaint Objecting to Discharge of the Debtor (Doc. No. 1) filed against the Defendant/Debtor David John Moth by the Plaintiff Edgar Tyke G. Mojica acting on behalf of his mother Adelina M. Preibisius through a Limited Power of Attorney dated October 30, 1999. The final evidentiary hearing was held on October 6, 2010. After reviewing the pleadings and evidence, hearing live testimony and argument, and in conformity with and pursuant to the **Memorandum Opinion** entered contemporaneously herewith, it is

ORDERED, ADJUDGED and DECREED that the relief sought in Plaintiff's Complaint is hereby **DENIED** and **JUDGMENT** is hereby entered in favor of the Debtor/Defendant David John Moth and against the Plaintiff Edgar Tyke G. Monica pursuant to 11 U.S.C. Sections 523(a)(2)(A), 523(a)(4), and 727; and it is further

ORDERED, ADJUDGED and DECREED that any indebtedness owed by the Debtor/Defendant David John Moth to the Plaintiff Edgar Tyke G. Mojica and/or Adelina M. Preibisius is **DISCHARGEABLE** pursuant to 11 U.S.C. Sections 523(a)(2)(A) and 523(a)(4) and shall be discharged if and when a discharge is granted to the Defendant/Debtor David John Moth pursuant to Title 11 of the United States Code; and it is further

ORDERED, ADJUDGED and DECREED that **JUDGMENT** is hereby entered in favor of the Defendant/Debtor David John Moth and against the Plaintiff Edgar Tyke G. Mojica, individually and as the limited and special power of attorney for Adelina M. Preibisius, in the amount of $15,650.27; and it is further

ORDERED, ADJUDGED and DECREED that for the foregoing sum le execution issue.

Dated this 13th day of January, 2011.

ARTHUR B. BRISKMAN
United States Bankruptcy Judge