

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

IN RE:

CASE NO.: 13-bk-04929-JAF

RAFAEL GARLAND
and ZIOMARA GARLAND,
Debtors.

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED
STATUS OF SECOND MORTGAGE OF NAVY FEDERAL CREDIT UNION AND TO
STRIPE LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtors' Motion To Determine Secured Status Of Second Mortgage Of Navy Federal Credit Union And To Strip Lien Effective Upon Discharge (the "Motion"). For the reasons set forth in the Debtors' Motion, the Court finds it appropriate to grant the Debtors' Motion. The Court further finds that negative notice contained in the Motion was proper, that the Motion was properly served pursuant to Local Rule 2002-4 and that no opposition thereto has been filed. Accordingly, it is

ORDERED as follows:

1. The Motion is **GRANTED**.
2. The second mortgage of Navy Federal Credit Union shall be treated as an unsecured claim in this Chapter 7 Case.
3. The real property (the "Real Property") that is the subject of the Motion is located at 2512 White Horse Road East, Jacksonville, FL 32246 and more fully described as follows:

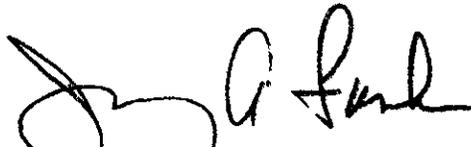
ALL THAT PARCEL OF LAND IN DUVAL COUNTY, STATE OF FLORIDA, AS MORE FULLY DESCRIBED IN DEED BOOK 10942, PAGE 1772, ID# 165289-0768, BEING KNOWN AND DESIGNATED AS:

LOT 34, SUMMER TREES UNIT FOUR-A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41, PAGES 26, 26A AND 26B, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

BY FEE SIMPLE DEED FROM CARA D. MATZA, SINGLE, AS SET FORTH IN DEED BOOK 10942, PAGE 1772 DATED 02/21/2003 AND RECORDED 02/27/2003, DUVAL COUNTY RECORDS, STATE OF FLORIDA

4. The mortgage held by Navy Federal Credit Union which was recorded on or about August 13, 2013 in Duval County, Florida is hereby deemed void and was extinguished upon the entry of the Debtors' discharge in this Chapter 7 case on November 14, 2013.

DATED: December 20, 2013 in Jacksonville, Florida



JERRY A. FUNK
United States Bankruptcy Judge

Copies to:
Debtors
Robert W. Elrod, Jr., Attorney for Debtors
Navy Federal Credit Union
Douglas Neway, Trustee

RECORDED IN THE OFFICE OF THE CLERK OF THE
UNITED STATES DISTRICT COURT
JACKSONVILLE DIVISION
FILED: EL NO. 7846

Robert W. Elrod, Jr., Attorney for the Debtors, is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of the order.