

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

CASE NO.: 10-9491-PMG

JOHN M. PATTERSON
KRISTYN M. PATTERSON

Debtors.
_____ /

**ORDER GRANTING DEBTOR'S AMENDED MOTION TO DETERMINE SECURED
STATUS OF LIEN OF HOUSEHOLD FINANCE CORPORATION III AND TO STRIP
LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE came on for consideration of the Debtor's Motion to Determine Secured Status of Vystar Credit Union and to Strip Lien (Doc No. 51) (the "Motion") pursuant to the negative notice provisions of Local Rule 2002-4. Having considered the Motion and the absence of any record objection to the relief requested in the Motion by any party in interest, the Court Deems the Motion to be uncontested. If Household Finance Corporation III has not timely filed a proof of claim in this case, the Motion is not deemed to be an informal proof of claim except for the purpose of initiating the Debtor's ability to request relief pursuant to U.S.C § 506(a).

Accordingly, it is hereby:

ORDERED:

1. The Motion is Granted.
2. The real property (the "Real Property") that is the subject of the Motion is located at 742 Winfred Drive North, Orange Park, FL 32073, and more particularly described as follows:

**LOT 9 OF TWIN OAKS UNIT THREE, ACCORDING TO THE
PLAT THEREOF AS RECORDED IN PLAT BOOK 10,
PAGE(S) 15, OF THE PUBLIC RECORDS OF CLAY COUNTY,
FLORIDA.**

3. If Household Finance Corporation III has timely filed a proof of claim, the claim shall be treated as an unsecured claim in this case.

4. The lien on the Real Property held by Household Finance Corporation III recorded on 17, 2006 at book 2759, page 131-136, Document No. 2006049421 of the Official Records of Clay County, Florida shall be deemed void, and shall be extinguished automatically, without further court order, upon the recordation in the public records of a certified copy of this Order together with (a) a certified copy of the Debtors' Chapter 7 discharge order in this case or (b) such other paper as the Court may specify by separate order. However, the Court reserves jurisdiction to consider, if appropriate, the avoidance of Household Finance Corporation III's lien prior to the entry of the Debtor's discharge.

5. This Order does not prohibit Household Finance Corporation III from asserting, at any time prior to the entry of the Debtors' discharge, any rights it may have as a defendant in any foreclosure proceeding brought by a senior mortgagee, including the right to claim excess proceeds from any foreclosure sale.

DONE and ORDERED this 18 day of April, 2013 in Jacksonville, Florida.

Paul M. Glenn

PAUL M. GLENN
UNITED STATES BANKRUPTCY JUDGE

Copies to:

Debtors
Eugene H. Johnson, counsel for Debtor

Household Finance Corporation III
Attn: Kathryn Madison, President
c/o CT Corporation System
1200 S. Pine Island Road
Plantation, FL 33324

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
FILE NO. 54 NO. 7712