

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

IN RE:
MICHAEL JOSEPH DEVITO, JR.,
Debtor(s).

CASE NO: 3:10-BK-10271
CHAPTER 13

_____/

MICHAEL JOSEPH DEVITO, JR.,
Plaintiffs,

v

3:12-ap-00223

BAC HOME LOANS SERVICING, L.P.;
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.

Defendants.
_____/

DEFAULT JUDGMENT

This judgment is entered after prior entry of Default by the clerk of this Court and Order Granting Motion for Judgment by Default against the Defendants, it is:

ORDERED AND ADJUDGED

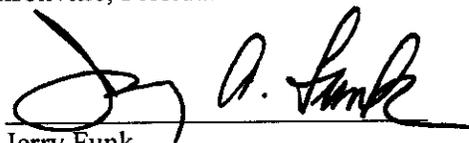
1. Judgment is entered in favor of the Plaintiff, Michael Joseph DeVito, Jr., and against the Defendants, BAC Home Loans Servicing ["BAC"], and Mortgage Electronic Registration Systems, Inc. ["MERS"].
2. The replacement value of the interest or claim of the Defendants in the Plaintiff's property is \$0.00.
3. Defendants' lien on the Plaintiff's property located at 837 S. Edenbridge Way, St. Augustine, FL 32092, with a legal description of

Lot 29, Stonehurst Plantation Unit One-C, according to plat thereof as recorded in Map Book 45, Pages 31 through 34, of the Public Records of St. Johns County, Florida

as recorded at Official Records Book 2941 Page 898 of the Public Records of St. Johns County, Florida shall be and hereby is deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtor's discharge in the lead chapter 13 case; provided, however, that the court reserves jurisdiction to consider, if appropriate, the avoidance of BAC's or MERS's lien prior to the Debtors' discharge. Further, if this case is converted to a Chapter 7 or 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.

DATED this 24th day of May, 2012 in Jacksonville, Florida.



Jerry Funk
United States Bankruptcy Judge

Copies furnished to:

Elizabeth Gonzalez, for Plaintiffs, by electronic mail

BAC Home Loans Servicing, LP, c/o Prober & Raphael, 20750 Ventura Blvd, Suite 100,
Woodland Hills, CA 91364

Mortgage Electronic Registration Systems, INC, c/o CT Corporation System, 1200 South Pine
Island Rd, Plantation, FL 33324

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION
J.B. VOL. 54. NO. 7563