

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

IN RE:

DAREN L. BATCHELDER

Case No: 14-02764-PMG  
Chapter 7

Debtor.  
\_\_\_\_\_ /

**ORDER GRANTING DEBTOR'S MOTION TO DETERMINE SECURED  
STATUS OF LIEN OF NATIONSTAR MORTGAGE LLC AND  
TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE came on consideration of the Debtor's Motion to Determine Secured Status of Nationstar Mortgage LLC and to Strip Lien (Doc No. 8) (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 Nationstar Mortgage LLC. 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 7658 Lookout Point Dr., Jacksonville, FL 32210, and more particularly described as follows:

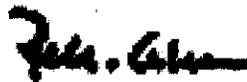
**LOT 42, VALLEY WEST, ACCORDING TO PLAT THEREOF AS  
RECORDED IN PLAT BOOK 53, PAGES 67, 67A AND 67B OF THE  
CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.**

3. If Nationstar Mortgage LLC 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 Nationstar Mortgage LLC and recorded by the original lender, Aames Funding Corporation DBA Aames Home Loan, on September 29, 2004 at Book 12062, Page 1813, Document No. 2004310234 of the Official Records of Duval County, Florida in the amount of \$21,000.00 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 Debtor's 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 Nationstar Mortgage LLC's lien prior to the entry of the Debtor's discharge.

5. This Order does not prohibit Nationstar Mortgage LLC from asserting, at any time prior to the entry of the Debtor's 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 in Jacksonville, Florida, this 26th day of September, 2014



---

PAUL M. GLENN  
UNITED STATES BANKRUPTCY JUDGE

Attorney Eugene H. Johnson, Esq. is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of the entry of this order.

RECORDED IN THE US BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION  
J.B. VOL. 54, NO. 8056