

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

**IN RE:**

**CASE NO: 3:11-bk-07277-PMG  
CHAPTER 13**

**Michael G. Hoffon and  
Rita P. Hoffon**

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED  
STATUS OF CITIMORTGAGE, INC., AS SERVICER FOR CITIBANK, N.A.,  
CLAIM # 17 AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

**THIS CASE** came on for consideration of the Debtors' Motion to Determine Secured Status of **CITIMORTGAGE, INC., AS SERVICER FOR CITIBANK, N.A., CLAIM # 17** and to strip lien effective upon discharge (the "Motion") (Docket No. 24). The motion was filed on negative notice pursuant to local Rule 2002-4, and no objections were filed during the time period for responses. The Court has reviewed the Motion together with the record, and makes the following findings:

**ORDERED**

1. The Motion is GRANTED.
2. **CITIMORTGAGE, INC., AS SERVICER FOR CITIBANK, N.A., CLAIM NO: 17** shall be treated as an unsecured claim in this Chapter 13 case.
3. The real property, that is the subject of the Motion is located at **8671 Charlesgate Circle North, Jacksonville, FL 32244**, and more particularly described as follows:

**LOT 37, ARGYLE FOREST CHIMNEY LAKES UNIT 14,  
ACCORDING TO THE PLAT THEREOF AS RECORDED IN  
PLAT BOOK 46 PAGES 6, 6A, 6B AND 6 C, OF THE PUBLIC  
RECORDS OF DUVAL COUNTY, FLORIDA.**

4. The secured line of credit held by **CITIMORTGAGE, INC., AS SERVICER FOR CITIBANK, N.A.**, recorded on 5/21/2007, at Book 13990, Page 87, Instrument No.:2007166083, of the official records in Duval County in the amount not to exceed \$32,600.00 shall be deemed void, and shall be extinguished automatically, without further court order, upon entry of the

Debtor's discharge in the Chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of CITIMORTGAGE, INC., AS SERVICER FOR CITIBANK, N.A., CLAIM NO: 17 mortgage lien prior to the entry of the Debtors' discharge. Further, if this case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

**DONE and ORDERED** in Chambers at Jacksonville, Florida on  
October 11, 2012.

**BY THE COURT**

*Paul M. Glenn*

**Paul M. Glenn**  
United States Bankruptcy Judge

Copies furnished to:

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ORLANDO, FLORIDA 32801

REGISTERED AGENT: CT CORPORATION, 1200 SOUTH PINE ISLAND  
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RECORDED IN THE US BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION  
I.B. VOL. 5A, NO. 17636