

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re:

Case No. 6:05-bk-03334-ABB
Chapter 7

ALFRED KELLY CARPENTER and
JUANITA SUE CARPENTER,

Debtors.

JUDGMENT

This matter came before the Court on various pleadings filed by Marie E. Henkel, the Chapter 7 Trustee herein ("Trustee"), and Travelers Casualty and Surety Company ("Travelers") raising objections to the claims of exemption of Alfred Kelly Carpenter and Juanita Sue Carpenter (collectively, the "Debtors"). The pleadings include: (i) the Trustee's Amended Objection to Debtors' Claim of Exemptions¹; (ii) Travelers' Amended Objection to Debtor's Claim of Exemptions (Second Amended)²; (iii) Travelers' Motion for Summary Judgment as to Cash on Hand³; and (iv) the Debtors' Motion for Summary Judgment.⁴ After reviewing the pleadings and evidence, receiving testimony, exhibits, and in conformity with and pursuant to the **Memorandum Opinion** entered contemporaneously herewith, it is

Accordingly, it is

ORDERED, ADJUDGED and DECREED that the Debtors' Motion for Summary Judgment is hereby **GRANTED** and their homestead exemption claim is **ALLOWED** and their home located at 6851 Valhalla Way, Windermere, Florida 34786 is exempt in its entirety pursuant to Fla. Const. art. X, § 4(a)(2); and it is further

ORDERED, ADJUDGED and DECREED that the Trustee's and Travelers' objections to the Debtors' claim of exemption of cash on hand in the amount of \$16,000 are **SUSTAINED** and such claim of exemption is **DISALLOWED**; and it is further

ORDERED, ADJUDGED and DECREED that the Trustee's and Travelers' objections to the Debtors' claim of exemption of the Bank of America and Fifth Third Bank accounts are **OVERRULED** and such claims of exemption are **ALLOWED** and the funds in the accounts are exempt pursuant to Florida Statutes § 222.11(2)(b); and it is further

ORDERED, ADJUDGED and DECREED that the Trustee's and Travelers' objections to the Debtors' claim of exemption of the Bank One Kentucky Account in the amount of \$1,004.93 is **SUSTAINED** and such claim of exemption is **DISALLOWED**; and it is further

ORDERED, ADJUDGED and DECREED that Travelers' objection to the Debtors' claims of exemption in their four IRAs is **OVERRULED** and their exemption claim in the four IRAs is **ALLOWED** and the four IRAs are exempt pursuant to Florida Statutes § 222.21(2); and it is further

ORDERED, ADJUDGED and DECREED that the Debtors are directed to turn over the amount of \$17,004.93 to the Trustee forthwith; and it is further

ORDERED, ADJUDGED and DECREED that for all of the foregoing sums let execution issue and the Court reserves jurisdiction to enter such orders as may be necessary to give full effect to this Judgment.

Dated this 30th day of March, 2006.

/s/ Arthur B. Briskman
ARTHUR B. BRISKMAN
United States Bankruptcy Judge

¹ Doc. No. 88

² Doc. No. 90.

³ Doc. No. 93.

⁴ Doc. No. 68.