

(Chapter 7 only)

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION
www.flmb.uscourts.gov

In re _____)
)
) Case No. 6:___-bk-_____-KSJ
) Chapter ____
Debtor[s].)
_____)

ORDER GRANTING MOTION TO STRIP LIEN of (insert Creditor name)

This case was considered on Debtor's Motion to Strip Lien of **(insert Creditor name)** (the "Creditor") on the Debtor's real property located at **(insert Property Address)** (the "Property") (Doc. No. ____) (the "Motion"). The Motion was filed on ____ with thirty (30) days negative notice. No party filed a timely objection or response to the Motion. The legal description of the Property is as follows:

[INSERT LEGAL DESCRIPTION HERE]

Because senior mortgage liens exceed the value of the Property, the Creditor's junior mortgage is unsecured. The Creditor's claim shall be treated as a general unsecured claim in this case. Accordingly, it is

ORDERED:

1. The Debtor's Motion (Doc. No. ____) is granted.
2. The Creditor's claim shall be treated as a general unsecured claim in this case.

Upon entry of a discharge, pursuant to 11 U.S.C. § 727, the Creditor's lien is avoided and extinguished automatically without further order of the Court, provided the Eleventh Circuit

Court of Appeals or the Supreme Court has not, at the time of the discharge, vacated the opinion or otherwise overruled or limited the holding of *In re McNeal*, 477 Fed. Appx. 562 (11th Cir. 2012).

DONE AND ORDERED in Orlando, Florida, on _____.

KAREN S. JENNEMANN
Chief United States Bankruptcy Judge

Attorney, **[Insert Name of submitting attorney]** is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of the order.