

FORMS ARE GENERIC SUGGESTIONS. PARTIES AND THEIR ATTORNEYS SHOULD REVISE THEM TO ADDRESS THE UNIQUE CIRCUMSTANCES OF EACH CASE.

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
___ DIVISION
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In re _____, Debtor(s).
_____)
)
) Case No. _:_-bk-____-____
) Chapter __
)
)
_____)

ORDER GRANTING DEBTOR’S MOTION TO DETERMINE SECURED STATUS OF CLAIMS AND VOID JUNIOR LIEN HELD BY [INSERT NAME HERE]

THIS CASE is considered without a hearing on Debtor’s Motion to Determine Secured Status of Claims and to Void Junior Lien held by [insert lienholder name] (the “Motion”) (Doc. No. __). The Motion was served under the negative notice provisions of Local Rule 2002-4. No party filed a timely objection to the Motion. Accordingly, under 11 U.S.C. § 506(a), it is

ORDERED:

1. Debtor’s Motion to Determine Secured Status of Claims and Void Junior Mortgage Lien held by [insert lienholder’s name] (the “Creditor”) (Doc. No. __) is granted.
2. Creditor has no secured claim.
3. If the Creditor has timely filed a Proof of Claim, the Proof of Claim is treated as an unsecured claim of \$_____. [OPTIONAL CHAPTER 20 LANGUAGE: Creditor has

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no unsecured claim due to the Debtor's prior Chapter 7 Discharge (Doc. No. ___) filed in Case No. _____.]

4. Creditor's [lien or mortgage, including properly redacted loan number], described as [insert address, legal description, and recording information for real property and the VIN for vehicles], shall be deemed void and extinguished automatically and without further order when the Chapter 13 Trustee's Notice of Completed Plan is filed in this case.

5. This Order is not recordable, effective, or enforceable until the Chapter 13 Trustee's Office files a Notice of Completed Plan with this Court.

6. The Court reserves jurisdiction to consider the avoidance of Creditor's lien prior to Debtor's successful completion of the Chapter 13 Plan.

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[Moving counsel's name] is directed to serve a copy of this order on interested parties who do not receive service by CM/ECF and file a proof of service within three days of entry of this order.