

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

In re:

Chapter 11

TAYLOR, BEAN & WHITAKER  
MORTGAGE CORP.,  
REO SPECIALISTS, LLC, and  
HOME AMERICA MORTGAGE, INC.

Case No. 3:09-bk-07047-JAF  
Case No. 3:09-bk-10022-JAF  
Case No. 3:09-bk-10023-JAF

Debtors.

Jointly Administered Under  
Case No. 3:09-bk-07047-JAF

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TAYLOR, BEAN & WHITAKER  
MORTGAGE CORP.,

Case No. 3:09-bk-07047-JAF

Applicable Debtor.

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**ORDER DENYING MOTION FOR  
RELIEF FROM THE AUTOMATIC STAY**

THIS CASE came on for hearing on February 4, 2011, upon the Motion for Relief from Automatic Stay (the "**Motion**") (Docket No. 2541) filed by The Bank of New York Mellon Corporation, as Trustee for TBW Mortgage-Backed Trust 2007-1, Mortgage Pass-Through Certificates, Series 2007-1 (the "**Movant**"). The Court having heard argument of counsel, considering the record, finds:

1. That the Debtor does not have an interest in the real estate that is the subject of the Motion.
2. That said property is not property of the estate.

3. That the automatic stay in this case does not bar the Movant from continuing to foreclose the mortgage interest in question on the property legally described as:

Lot 39, Continental Villas, according to the Plat of record in the Office of the County Recorder of Maricopa County, Arizona, recorded in Book 121 of maps, Page 35

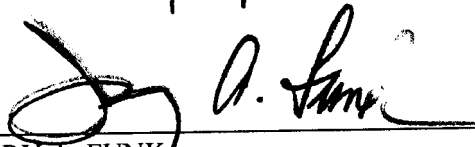
a/k/a 8337 East Kein Drive, Scottsdale, Arizona 85259

4. However, the automatic stay continues to stay any action to obtain a money judgment or any other type of *in personam relief* against the Debtor.

Accordingly, it is hereby

ORDERED that the Motion is denied, as moot.

DATED in Jacksonville, Florida on February 4, 2011.

  
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JERRY A. FUNK  
United States Bankruptcy Judge