

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 BY HEIKO AND  
SONJA VIETS FOR RELIEF FROM THE AUTOMATIC STAY**

THIS CASE came on for hearing on May 20, 2011, upon the Motion for Relief from Automatic Stay (the “**Motion**”)<sup>1</sup> (Docket No. 2984) filed by Heiko and Sonja Viets (the “**Movants**”). 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.

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<sup>1</sup> All capitalized terms not otherwise defined have the meanings ascribed to them in the Motion.

2. The underlying loan and Mortgage have been transferred by the Debtor to Cenlar FSB as servicer for the Federal Home Loan Mortgage Corporation which is the owner of the underlying loan and Mortgage.

3. That said property is not property of the estate.

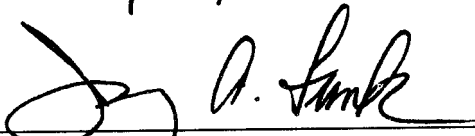
4. That the automatic stay in this case does not bar the Movants from commencing and prosecuting a quiet title action with respect to the 4 feet of real property described in the Motion.

5. 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 May 23, 2011.

  
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JERRY A. FUNK  
United States Bankruptcy Judge