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FILED
JACKSONVILLE, FLORIDA

SEP 21 2011

CLERK, U. S. BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

UNITED STATES BANKRUPTCY COURT
MIDDLES DISTRICT OF FLORIDA
Jacksonville Division

In re:

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

Debtors

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

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

TAYLOR, BEAN & WHITAKER
MORTGAGE, CORP.,
Applicable Debtor

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

NOTICE OF MOTION

TO LIFT STAY ON CERTAIN REAL PROPERTY

COMES NOW, Plaintiff Billie Jean Ford, proceeding *in propria persona*, and files Notice of Motion to Lift Stay. Filed contemporaneously herewith, is Ms. Ford's Motion.

Respectfully submitted, this 25th day of July, 2011,

By: *Billie Jean Ford*
BILLIE JEAN FORD
Address: 8663 Manassas Rd, Tampa, FL
Phone: 813-532-4208

UNITED STATES BANKRUPTCY COURT
MIDDLES DISTRICT OF FLORIDA
Jacksonville Division

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In re:

CLERK, U. S. BANKRUPTCY COURT
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Applicable Debtor

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

MOTION TO LIFT STAY ON CERTAIN REAL PROPERTY

COMES NOW, Plaintiff Billie Jean Ford, proceeding *in propria persona*, and files her Motion to Lift the Automatic Stay associated with real property listed with this Court, which belongs to Ms. Ford. There is no debt associated with Ms. Ford's real property, but there remains a cloud on the title showing that Taylor, Bean & Whitaker never entered into the record that the debt had been satisfied.

Ms. Ford doesn't believe that she is required to file as a Creditor because she is not a creditor, but she did not want to lose the chance to remove the cloud from her title by missing the deadlines should she be required to file the documents.

Attached, is a description of the property "Exhibit A"

Therefore, Ms. Ford, unsure of the proper steps to take to clear the cloud off her title and not wanting to miss her opportunity, maybe for a long time, to take care of the matter has come to this court seeking relief from the Automatic Stay. Ms. Ford knows of no other way than to come before this Court to request that this honorable Court Grant her Relief from the Stay, that due to the Trustee's having mailed the claim forms to Ms. Ford, she imagines she must file.

The facts are clear, when the debt against Ms. Ford's real property was satisfied TB&W failed to enter into the record that the debt had been satisfied. The record fails to reflect that said debt had been satisfied, and a year ago there showed no liens, and no debt against the property.

GROUND TO LIFT THE STAY

It appears that there are certain criteria that should be met before a Stay is lifted. Apparently there are twelve factors that the court considers before ruling on a Motion to lift the stay. (1) Lifting the Stay concerning Ms. Ford's property would indeed result in if not complete resolution of the issues, a great portion of the issues; (2) There will be a lack of any connection with or interference with the bankruptcy case; (3) there will not be any proceedings, other than the Quiet Title action in state court; (4) The state court has the proper expertise to hear the

action; (6) the action does not involve any other parties, to Ms. Ford's knowledge; (7) there will be no prejudice to any of the other creditors; (12) the impact of the stay on Ms. Ford can cause further hardship and prolonged harm.

The courts have been clear that not all the factors will be implicated in every case. See *Mazzeo v. Lenhart (In re Mazzeo)*, 167 F.3d 139, 143 (2d Cir. 1999), *In re Enron Corp*, 306 B.R. 465, 476 (Bankr. S.D.N.Y. 2004). However, the factors that are applicable here plainly favor lifting the automatic stay to allow the state court to conclude.

Furthermore, Taylor, Bean & Whitaker have alleged that they "transferred servicing of Ms. Ford's loan, and that they no longer have an interest in the loan and/or property at issue".

Should the Stay be lifted the proceedings involved in Quiet Title are not lengthy, and they usually quickly result in quick, efficient means, and end without problem.

CONCLUSION AND PRAYER

Ms. Ford has shown that what she asks is painless for everyone. She only wants to clear the cloud off her title. There should not be a cloud on the title, but there is, and it is a simple matter that will not interfere with Bankruptcy, or with

other creditor/debtor claims. Ms. Ford Prays this Honorable Court will GRANT her Motion. Respectfully submitted, this 25th day of July, 2011,

By: Billie Jean Ford
BILLIE JEAN FORD
Address: 8663 Manassas Rd. Tampa, FL
Phone: (813) 532-4208

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED Made the 14th day of March, 2008 by Phong Vo, also known as Tom Phong Vo and Kim Tuyen Thi Vo, husband and wife whose post office address is 9152 Lost Mill Drive, Land O' Lakes, FL 34638-2636, hereinafter called the grantor, to Billie J. Ford, a single person whose post office address is 8663 Manassas Road Tampa, FL 33635 hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH, that the grantor, for and in consideration of the sum \$10.00 and other valuable considerations receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliena, remises, releases, conveys and confirms unto the grantee all that certain land situate in HILLSBOROUGH County, State of FLORIDA, to-wit:

Lot 8, Block 2, MEADOW BROOK UNIT 4C, according to the map or plat thereof, as recorded in Plat Book 78, Page 52, of the Public Records of Hillsborough County, Florida.

Together, with all the tenements, hereditaments and appurtenances thereto belonging or in otherwise appertaining.

To Have and to Hold, the same in fee simple forever

And the grantor hereby covenants with the grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31st, 2007. FURTHER SUBJECT TO restrictions, reservations, covenants and easements of record, if any, however this reference shall not operate to recompose same.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Signature of witness

Printed name of witness

Signature of witness

Printed name of witness

Phong Vo aka's Tom Phong Vo

Kim Tuyen Thi Vo

9152 Lost Mill Drive
Land O' Lakes, FL 34638-2636

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 14th day of March, 2008 by Phong Vo, also known as Tom Phong Vo and Kim Tuyen Thi Vo, husband and wife, who is personally known to me or who produced a driver's license as identification and who did not take an oath.

Notary Public
My Commission Expires:



(seal)

Exhibit A

FILED
JACKSONVILLE, FLORIDA

SEP 21 2011

AMENDED CERTIFICATE OF SERVICECLERK, U. S. BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

I hereby certify that I have this 19th day of September, 2011 served the 1007-2 parties of interest on the list by causing a copy to be deposited with USPS, First Class Mail, addressed to the following:

American Home Mortgage, Inc.
c/o Bart T. Heffernan, Esq.
100 Cypress Creek Rd. #1045
Ft. Lauderdale, FL 33309-2191

Jody & Lacy McKnight
c/o Schuyler Smith
118 W. Adams St. #800
Jacksonville, FL 32202-3866

American Home Mortgage Svc.
c/o Anila Rasul
Kahane & Assoc
8201 Peters Rd., #3000
Plantation, FL 33324

Craig & Lyndsi Crowell
c/o Schuyler Smith
118 W. Adams St. #800
Jacksonville, FL 32202-3866

Bank of Ozarks as Successor
co Patti W. Halloran, Esq.
Gibbons, Neuman et al
3321 Henderson Blvd,
Tampa, FL 33609-2921

Brodie & Laura Calder
c/o Schuyler Smith
118 W. Adams St., #800
Jacksonville, FL 32202-3866

John A. Crain
PO Box 13
Melbourne, FL 32902-0013

John Caine, Creditor
c/o S. Hunter Malin
PO Box 477
Jacksonville, FL 32201-0477

Land Settlement Svc.
c/o Barry Jay Warsch
100 S E 2nd St, 36th floor
Miami, FL 33131-2134

Land Settlement Svc. Inc
107 S. 4th Street
Lebanon, PA 17042-6108

Michael C. Cabassol
c/o D. Kirk and D Barrett, Esq.
Fowler White Boggs PA
PO Box 1438
Tampa, FL 33601-1438

Park Scottsdale Townhouse
c/o Philip Brown
The Brown Law Group
190 W. Magee, #182
Tucson, AZ 85704-6486

Oakland County Treasurer
Richardo Kolpatrick
903 N. Opdyke, Rd, #C
Auburn Hills, MI 48326-2693

One West Bank FSB
c/o Scott Weiss
1800 NW 49th St., #120
Ft Lauderdale, FL 33309-3092

American Home Mtg Svc
c/o Jacqueline Brown
601 Cleveland St., #600
Clearwater, FL 33755-4171

RL Regi-FL Cutler Ridge, LLC
c/o Robert P. Charbonneau, Esq.
501 Brickell Key Dr., #300
Miami, FL 33131-2624

Saxon Mortgage Svc, Inc.
c/o Brad W. Hissing, Esq.
PO Box 800
Tampa, FL 33601-0800

Selene Finance, LP
Butler & Hosch, PA
3185 S Conway Rd, Ste E
Orlando, FL 32812-7349

Selene Finance LP as Servicer
Taylor, Bean & Whitaker Mtg.
Butler & Hosch, P.A.
3185 S. Conway Rd, Ste E
Orlando, FL 32812-7349

St of Michigan Treasury Dept.
Attn: Suann D. Cochran
3030 W. Grand Blvd # 10-200
Detroit, MI 48202-6030

Bank of NY Mellon Corp
John C. Brock, Jr.
Albertelli Law
PO Box 23028
Tampa, FL 33623-2028

Bank of New York Mellon Corp
Shapiro & Fishman, LLP
4630 Woodland Corp Blvd. #100
Tampa, FL 33614-2429

US Bank Natl Assn.
Shapiro & Fishman, LLP
4630 Woodland Corp Blvd #100
Tampa, FL 33614-2429

US Bank Natl Assn.
David J. Miller
Albertelli Law
PO Box 23028
Tampa, FL 33623-2028

US Bank Natl Assn, as Trustee
c/o Maurice D. Hinton, Esq.
3010 N. Military Trail, #300
Boca Raton, FL 33431-6393

US Bank National Assoc.
c/o Suly Espinoza
440 N Andrew Avenue
Ft Lauderdale, FL 33301-3214

Wayne County Treasurer
c/o Richardo I. Kilpatrick
615 Griswold, Ste 1004
Detroit, MI 48226-3985

Wells Fargo Bank
c/o John C. Brock & Cindy Runyan
Florida Default Law Group
PO Box 25018
Tampa, FL 33622-5018