

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.

**ORDER DENYING THE BANK OF NEW YORK MELLON'S
MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

THIS CASE came on for hearing on December 2, 2011, upon the Motion for Relief from the Automatic Stay (the "**Motion**")¹ (Docket No. 4246) filed by The Bank of New York Mellon, as Trustee for TBW Mortgage-Backed Trust Series 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 real property is not property of the estate.

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

3. That the automatic stay in this case does not bar the Movant from continuing to foreclose the lien interest in question on the property located at 19304 N. 68th Avenue, Glendale, Arizona 85308, legally described as:

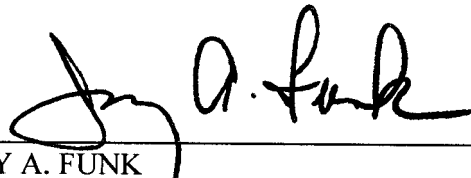
LOT 118, HAMILTON ARROWHEAD RANCH TWO, A
SUBDIVISION RECORDED IN BOOK 273 OF MAPS,
PAGE 35, AND CERTIFICATE OF CORRECTION
RECORDED JULY 28, 1987 IN DOCUMENT NO. 87-
477047, RECORDS OF MARICOPA COUNTY,
ARIZONA

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 December 8, 2011.



JERRY A. FUNK
United States Bankruptcy Judge