
The Motion to Avoid Judicial Lien is granted.

This Motion requests an order avoiding the judicial lien of Beneficial California, Inc. (“Creditor”) against property of Jerry Lee Peeler and Karyn Nora Peeler (“Debtors”) commonly known as 206 Amherst Court, Vacaville, California (“Property”).

A judgment was entered against Debtors in favor of Creditor in the amount of \$9,116.53. An abstract of judgment was recorded with Solano County on March 30, 2010, that encumbers the Property.

Pursuant to Debtor’s Schedule A, the subject real property has an approximate value of \$219,099.00 as of the petition date. Dckt. 1. The unavoidable consensual liens that total \$254,442.00 as of the commencement of this case are stated on Debtor’s Schedule D. Dckt. 1. Debtor has claimed an exemption pursuant to California Code of Civil Procedure § 703.140 (b)(1) in the amount of \$1000.00 on Amended Schedule C. Dckt. 29.

After application of the arithmetical formula required by 11 U.S.C. § 522(f)(2)(A), there is no equity to support the judicial lien. Therefore, the fixing of the judicial lien impairs Debtor’s exemption of the real property, and its fixing is avoided in excess of \$219,099.00 subject to 11 U.S.C. § 349(b)(1)(B).

ISSUANCE OF A COURT-DRAFTED ORDER

An order (not a minute order) substantially in the following form shall be prepared and issued by the court:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Avoid Judicial Lien pursuant to 11 U.S.C. § 522(f) filed by Jerry Lee Peeler and Karyn Nora Peeler (“Debtors”) having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the judgment lien of Beneficial California, Inc., California Superior Court for Solano County Case No. FCM110733, recorded on March 30, 2010, Document No. 201000028371 , with the Solano County Recorder, against the real property commonly known as 206 Amherst Court, Vacaville, California, is avoided in its entirety pursuant to 11 U.S.C. § 522(f)(1), subject to the provisions of 11 U.S.C. § 349 if this bankruptcy case is dismissed.

Pro Se

TO PAY FEES
1-4-19 [19]

Final Ruling: No appearance at the January 31, 2019 hearing is required.

The Order to Show Cause was served by the Clerk of the Court on Debtor (*pro se*) and Chapter 7 Trustee as stated on the Certificate of Service on January 6, 2019. The court computes that 25 days' notice has been provided.

The court issued an Order to Show Cause based on Debtor's failure to pay the required fees in this case: \$31.00 due on December 21, 2018.

The Order to Show Cause is discharged, and the bankruptcy case shall proceed in this court.

The court's docket reflects that the default in payment that is the subject of the Order to Show Cause has been cured.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Order to Show Cause having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Order to Show Cause is discharged, no sanctions ordered, and the bankruptcy case shall proceed in this court.