

This instrument prepared by and return to:  
Mary W. Colón, Esq., Trustee  
Smith, Thompson, Shaw, Minacci, Colón & Power, P. A.  
Post Office Box 14596  
Tallahassee, FL 32317

Parcel I. D. # 00-00-049-0000-09879-002

**THIS BANKRUPTCY TRUSTEE'S DEED**, made this 20<sup>th</sup> day of September, A.D. 2018,  
by **MARY W. COLÓN AS TRUSTEE UNDER BANKRUPTCY CASE DONA LYNN SWINDLE,  
DEBTOR IN BANKRUPTCY UNDER CASE NUMBER 15-40474-KKS PENDING IN THE U. S.  
BANKRUPTCY COURT, NORTHERN DISTRICT OF FLORIDA**, hereinafter called the grantor, to  
**DR. NORM GRIGGS**, whose post office address is 208 Isle of Paradise Road, Crawfordville, FL 32327,  
hereinafter called the grantee,

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

**WITNESSETH:** That the grantor, having filed notice of intent to sell the Bankruptcy Trustee's interest in real property by Trustee's Notice of Intent to Sell Property of the Estate (copy attached as Exhibit "A"), and subsequently upon receiving an objection thereto a hearing was held and the objection overruled (Trustee's Affidavit is attached as Exhibit "B"). Therefore, for and in consideration of the sum of \$10.00, including any and all taxes, and other valuable consideration, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee all of the Estate's interest, if any, in all that certain land situate in Wakulla County, Florida, to-wit:

Commence at a concrete monument marking the Southeast Corner of the Northeast quarter of Lot 49 of the Hartsfield Survey of Land in Wakulla County, Florida, thence run South 70 degrees 10 minutes 50 seconds West along the South boundary of the Northeast quarter of said Lot 49 a distance of 1056.45 feet to a re-rod (marked #4261) marking the POINT OF BEGINNING. From said POINT OF BEGINNING continue South 70 degrees 10 minutes 50 seconds West along South Boundary 36.72 feet to a re-rod (marked #4261), thence leaving said South boundary run North 18 degrees 32 minutes 29 seconds West 483.50 feet to a concrete monument (marked #4261), thence run North 70 degrees 26 minutes 51 seconds East 758.65 feet to a 2 inch iron pipe, thence run South 19 degrees 33 minutes 09 seconds East 70.51 feet to a re-rod (marked #4261), thence run South 40 degrees 58 minutes 45 seconds West 839.00 feet to the POINT OF BEGINNING containing 5.00 acres, more or less.

This Trustee's Deed is prepared at the request of the grantee, without benefit of a title search.

Subject to taxes, restrictions, reservations, covenants and easements of record, if any.

**TOGETHER** with all the appurtenances, and the estate which Dona Lynn Swindle (debtor) had at the time of the filing of his/her bankruptcy petition under Title 11 of the United States Code in the Bankruptcy Court for the Northern District of Florida, in the premises, and also the estate therein which the Grantor has power to convey or dispose of, as Trustee for Dona Lynn Swindle (debtor), case No. 15-40474-KKS.

PROPERTY IS SOLD AS IS, FREE AND CLEAR OF ANY AND ALL LIENS AND ENCUMBRANCES

**To Have and to Hold** the same in fee simple forever.

**IN WITNESS WHEREOF**, the grantor has signed and sealed these presents, the day and year first above written.

Signed, sealed and delivered in the presence of:

Cindy Gordon  
Witness Signature

Cindy Gordon  
Printed Name

Janet Reeve  
Witness signature

Janet Reeve  
Printed Name

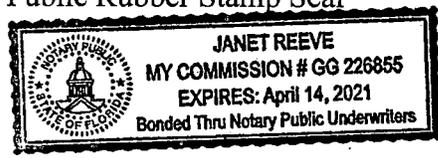
Mary W. Colón L.S.  
Mary W. Colón, as Trustee and only as Trustee under  
Bankruptcy Case Dona Lynn Swindle,  
Debtor in Bankruptcy Under  
Case Number 15-40474-KKS pending in the  
U. S. Bankruptcy Court, Northern District of Florida  
Address: Post Office Box 14596, Tallahassee, FL 32317

State of Florida  
County of Leon

I hereby certify that on this day, before me, an officer authorized to administer oaths and take acknowledgements, personally appeared Mary W. Colón as Trustee Under Bankruptcy Case Dona Lynn Swindle, Debtor in Bankruptcy under case Number 15-40474-KKS pending in the U. S. Bankruptcy Court, Northern District of Florida, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, and that she is personally known to me, and that an oath was not taken.

Witness my hand and official seal in the County and State last aforesaid this 20th day of September, A. D. 2018.

\_\_\_\_\_  
Notary Public Rubber Stamp Seal



Janet Reeve  
Notary Signature

Janet Reeve  
Printed Notary Signature

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION**

**IN RE:  
SWINDLE, DONA LYNN,**

**CASE NO 15-40474-KKS  
Chapter: 7**

**DEBTOR(S).**

**NOTICE OF INTENT TO SELL PROPERTY OF THE ESTATE**

**TO: Debtor(s), Creditors, and Parties in Interest**

**NOTICE OF OPPORTUNITY TO  
OBJECT AND REQUEST FOR HEARING**

Pursuant to Local Rule 2002-2, the Court will consider the relief requested in this paper without further notice or hearing unless a party in interest files a response within twenty-one (21) days from the date set forth on the proof of service plus an additional three days for service if any party was served by U.S. Mail, or such other period as may be specified in Fed. R. Bankr.P. 9006(f).

If you object to the relief requested in this paper, you must file an objection or response electronically with the Clerk of the Court or by mail at 110 E. Park Avenue, Suite 100, Tallahassee, FL 32301, and serve a copy on the Trustee, Mary W. Colón, Trustee, P. O. Box 14596, Tallahassee, FL 32317, and any other appropriate person within the time allowed. If you file and serve a response within the time permitted, the Court will either schedule and notify you of a hearing or consider the response and grant or deny the relief requested without a hearing.

If you do not file a response within the time permitted, the Court will consider that you do not oppose the relief request in the paper, will proceed to consider the paper without further notice or hearing, and may grant the relief requested.

NOTICE IS HEREBY GIVEN that the trustee/debtor-in-possession intends to sell the following property of the estate of the debtor(s), under the terms and conditions set forth below.

1. Description of property:

Real Property identified as Wakulla County Parcel ID No. 00-00-049-0000-09879-002, and described as:

**Commence at a concrete monument marking the Southeast Corner of the Northeast quarter of Lot 49 of the Hartsfield Survey of Land in Wakulla County, Florida, thence run South 70 degrees 10 minutes 50 seconds West along the South boundary of the Northeast quarter of said Lot 49 a distance of 1056.45 feet to a re-rod (marked #4261) marking the POINT OF BEGINNING. From said POINT OF BEGINNING continue South 70 degrees 10 minutes 50 seconds West along South Boundary 36.72 feet to a re-rod (marked #4261), thence leaving said South boundary run North 18 degrees 32 minutes 29 seconds West 483.50 feet to a concrete monument (marked #4261), thence run North 70 degrees 26 minutes 51 seconds East 758.65 feet to a 2 inch iron pipe, thence run South 19 degrees 33 minutes 09 seconds East 70.51 feet to a re-rod (marked #4261), thence run South 40 degrees 58 minutes 45 seconds West 839.00 feet to the POINT OF BEGINNING containing 5.00 acres, more or less.**

2. Manner of Sale: Private (  )\*      Public Auction (  )
3. Terms of Sale: (include purchaser, if known, price, price terms, whether or not sale is free and clear of liens, names and addresses of lienors, and all other pertinent information)
- a. Private sale to: Dr. Norm Griggs  
c/o Frances Casey Lowe, Esq.  
Guilday, Simpson, West, Hatch,

Lowe, & Roane, P.A.  
68A Feli Way  
Crawfordville, FL 32327-3136

- b. Free and Clear of Liens, encumbrances and interests.**
- c. Selling price and terms as follows: \$6,000.00 as is in its current condition with full right of inspection. Buyer is responsible for all inspection fees. Seller does not warrant condition.
- d. Additional Terms: Closing will take place within thirty (30) days of issuance of a Court Order authorizing the sale.

Purchaser has agreed to pay all closing costs, including documentary stamp taxes on the deed, recording fees for bankruptcy documents, and property taxes. Property taxes will not be pro-rated at closing. Seller will be responsible for recording the Deed. No seller's property disclosure will be provided. Purchaser shall receive a Trustee's Deed.

Purchaser to pay the purchase price at closing.

**4. Lienors (if any): N/A**

The subject property was not shown on Debtor's schedules. Time is of the essence for Buyer, so the Trustee is filing this Notice contemporaneously with a Motion to Sell Free and Clear of All Liens pursuant to Section 363 of the Bankruptcy Code.

The purchase price was/were established by review of the schedules, any additional documents and testimony provided by parties, negotiated in good faith within the principles of good business judgment with the relevant parties.

\*(Applicable to private sales only) The trustee will entertain any higher bids for the purchase of the assets of the debtor(s) which the trustee proposes to sell. Such bids must be in excess of 10% more than the original bid and

must be in writing and accompanied by a deposit of 20% of the proposed higher purchase price. Any higher bid must be received (with the applicable deposit) by the trustee at the address listed below *no later than the close of business 15 days from the date of this Notice.*

IF NO HIGHER BIDS ARE RECEIVED TIMELY, THE SALE WILL PROCEED AS SET FORTH IN THIS NOTICE. IF HIGHER BID(S) ARE RECEIVED TIMELY, THE TRUSTEE SHALL CONDUCT A TELEPHONIC OR IN-COURT AUCTION BETWEEN THE BIDDERS WHOSE BIDS ARE NOTICED ABOVE AND ARE RECEIVED TIMELY IN ACCORDANCE WITH THIS NOTICE. ANY BIDDER THAT DOES NOT PARTICIPATE IN ANY AUCTION SCHEDULE IN ACCORDANCE WITH THIS NOTICE IS DISQUALIFIED.

NOTICE IS HEREBY GIVEN that all objections to the same must state the basis for the objection. If no objection is filed, the sale described above will take place.

DATED: April 6, 2018

/S/ Mary W. Colón  
MARY W. COLÓN  
Chapter 7 Trustee  
Smith, Thompson, Shaw, et al  
P. O. Box 14596  
Tallahassee, FL 32317  
Telephone No.: (850) 241-0144  
Facsimile: (850) 702-0735  
Florida Bar No. 0184012  
trustee@marycolon.com

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE FOREGOING has been furnished by U.S. Mail with postage prepaid to all

persons on the Court's mailing matrix by BK Attorney Services, LLC d/b/a certificateofservice.com and by Trustee to:

Frances Casey Lowe, Esq.  
Guilday, Simpson, West, Hatch,  
Lowe, & Roane, P.A.  
68A Feli Way  
Crawfordville, FL 32327-3136

Michael B. Swindle  
Michael B. Swindle Attorney at Law  
174 Comstock Avenue, Suite 100  
Winter Park, FL 32789-4347

A. Clifton Black, Esq.  
916 Bryan Street  
Kissimmee, FL 34741

on April 6, 2018.

/S/ Mary W. Colón  
MARY W. COLÓN

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION

IN RE: SWINDLE, DONA LYNN

CASE NO: 15-40474-KKS

**CERTIFICATE OF SERVICE  
DECLARATION OF MAILING**

Chapter: 7

On 4/6/2018, a copy of the following documents, described below,

**NOTICE OF INTENT TO SELL PROPERTY OF THE ESTATE**

**MOTION TO SELL REAL PROPERTY FREE AND CLEAR OF LIENS, ENCUMBRANCES, AND INTERESTS**

were deposited for delivery by the United States Postal Service, via First Class United States Mail, postage prepaid, with sufficient postage thereon to the parties listed on the mailing matrix exhibit, a copy of which is attached hereto and incorporated as if fully set forth herein.

The undersigned does hereby declare under penalty of perjury of the laws of the United States that I have served the above referenced document(s) on the mailing list attached hereto in the manner shown and prepared the Declaration of Certificate of Service and that it is true and correct to the best of my knowledge, information, and belief.

DATED: 4/6/2018



Jay S. Jump  
BK Attorney Services, LLC  
d/b/a certificateofservice.com, for  
Mary W. Colon  
Mary W. Colon, Trustee  
P. O. Box 14596  
Tallahassee, FL 32317

PARTIES DESIGNATED AS "EXCLUDE" WERE NOT SERVED VIA USPS FIRST CLASS MAIL  
 PARTIES WITH A '+' AND DESIGNATED AS "CM/ECF E-SERVICE" RECEIVED ELECTRONIC NOTICE THROUGH THE CM/ECF SYSTEM

## CASE INFO

LABEL MATRIX FOR LOCAL NOTICING  
 11294  
 CASE 15-40474-KKS  
 NORTHERN DISTRICT OF FLORIDA  
 TALLAHASSEE  
 FRI APR 6 10-14-44 EDT 2018

SCOTT WALLACE LLP  
 209 E BREVARD ST  
 TALLAHASSEE FL 32301-1223

THOMSON BROCK LUGER COMPANY  
 3375G CAPITAL CIRCLE NE  
 TALLAHASSEE FL 32308-3798

110 WASTEPRO TALLAHASSEE  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 264 COMMERCE LANE  
 MIDWAY FL 32343-6646

AIRGAS USA LLC  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 2015 VAUGHN RD STE 400  
 KENNESAW GA 30144-7802

AMERICAN EXPRESS  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 ATTN  
 PO BOX 981535  
 EL PASO TX 79998-1535

AMERICAN EXPRESS BANK FSB  
 CO BECKET AND LEE LLP  
 POB 3001  
 MALVERN PA 19355-0701

ASCENTIUM CAPITAL LLC  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 PO BOX 301593  
 DALLAS TX 75303-1593

ATLANTA POSTAL CREDIT UNION  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 PO BOX 30495  
 TAMPA FL 33630-3495

BALBOA CAPITAL CORP  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 2010 MAIN STREET SUITE 1100  
 IRVINE CA 92614-8250

BALBOA CAPITAL CORPORATION  
 2010 MAIN STREET SUITE 1100  
 IRVINE CA 92614-8250

BANK OF AMERICA INSTALLMENT LOANS  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 PO BOX 45224  
 JACKSONVILLE FL 32232-5224

BANK OF AMERICA NA  
 BANK OF AMERICA NA  
 PO BOX 31785  
 TAMPA FL 33631-3785

BARR PLIMBING PUMP SERVICE LLC  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 89 RUFFED GROUSE LANE  
 HEDGESVILLE WV 25427-5377

BILATERAL CREDIT CORP LLC  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 1980 PAWTUCKET AVE STE 2A  
 EAST PROVIDENCE RI 02914-1715

BILL ANDERSON  
 2481 SURF RD  
 PANACEA FL 32346-2640

BILL ANDERSON  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 2481 SURF ROAD  
 PANACEA FL 32346-2640

BOMARA ASSOCIATES  
 3 COURTHOUSE LANE  
 CHELMSFORD MA 01824-1722

BRIDGEFIELD CASUALTY INSURANCE COMPANY  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 PO BOX 988  
 LAKELAND FL 33802-0988

BRUCE D SOULE PA  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 9073 SHOAL CREEK DRIVE  
 TALLAHASSEE FL 32312-4072

CAPITAL CITY BANK  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 PO BOX 870  
 TALLAHASSEE FL 32302-0870

CAPITAL ONE BANK USA NA  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 P O BOX 30285  
 SALT LAKE CITY UT 84130-0285

CAPITAL REGIONAL HEART ASSOCIATION  
 P O BOX 742406  
 ATLANTA GA 30374-2406

CAPITAL REGIONAL MEDICAL CENTER  
 P O BOX 99400  
 P O BOX 1927  
 LOUISVILLE KY 40201-1927

CENTENNIAL BANK ATTN SPECIAL ASSETS  
 P O BOX 1028  
 CABOT AR 72023-1028

CENTURYLINK  
 ATTN BANKRUPTCY DEPT  
 PO BOX 1319  
 CHARLOTTE NC 28201-1319

CHASEJP MORGANSLATE  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 P O BOX 15298  
 WILMINGTON DE 19850-5298

PARTIES DESIGNATED AS "EXCLUDE" WERE NOT SERVED VIA USPS FIRST CLASS MAIL  
 PARTIES WITH A '+' AND DESIGNATED AS "CM/ECF E-SERVICE" RECEIVED ELECTRONIC NOTICE THROUGH THE CM/ECF SYSTEM

CLEVELAND BROTHERS EQUIPMENT CO INC  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 4565 WILLIAM PENN HIGHWAY  
 MURRYSVILLE PA 15668-2016

CLINTON S GORDON  
 23 WALKER CREEK  
 CRAWFORDVILLE FL 32327-4743

CLINTON SCOTT GORDON  
 23 WALKER CREEK DR  
 CRAWFORDVILLE FL 32327-4743

COMCAST BUSINESS  
 4001 W 23RD STREET  
 PANACEA FL 32346-2163

COMCAST BUSINESS  
 4001 W 23RD STREET  
 PANAMA CITY FL 32405-0300

CORDOBA ASSOCIATES PA  
 1551 SAWGRASS CORPORATE PARKWAY  
 SUITE 110  
 FORT LAUDERDALE FL 33323-2832

DCM SERVICES LLC  
 7601 PENN AVE S  
 SUITE A600  
 MINNEAPOLIS MN 55423-5004

DALE GARDNER JACOBS ESQ  
 PO BOX 2537  
 LAKELAND FL 33806-2537

DONALD G JONES  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 25W732 GOLF VIEW LANE  
 WINFIELD IL 60190-1461

DUKE ENERGY  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 1 32327 23 MILLENDER LANE  
 CRAWFORDVILLE FL 32327

US BANK  
 PO BOX 5229  
 CINCINNATI OH 45201-5229

ELAVON  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 7300 CHAPMAN HWY  
 KNOXVILLE TN 37920-6612

ESTATE INFORMATION SERVICES LLC  
 P O BOX 1338  
 REYNOLDSBURG OH 43068-6338

GREENTREE SERVICING LLC  
 BANKRUPTCY DEPARTMENT  
 P O BOX 6154  
 RAPID CITY SD 57709-6154

JOHNSON CONTROLS  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 PO BOX 591  
 MILWAUKEE WI 53201-0591

JOHNSON CONTROLS  
 ATTN DAVID E MCKENZIE  
 14 WOODCROSS DRIVE  
 COLUMBIA SC 29212-2348

KELLY JONES  
 111 SW 51ST TERRACE  
 CAPE CORAL FL 33914-7107

LADCO LEASING  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 7300 CHAPMAN HWY  
 KNOXVILLE TN 37920-6612

MASTERY ENGINE CENTER LLC  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 2801 ANVIL STREET NORTH  
 SAINT PETERSBURG FL 33710-2909

MCMASTER CARR  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 PO BOX 7690  
 CHICAGO IL 60680-7690

MCMASTER CARR SUPPLY COMPANY  
 1901 RIVERSIDE PARKWAY  
 DOUGLASVILLE GA 30135-3150

MEDICREDIT INC  
 P O BOX 1629  
 MARYLAND HEIGHTS MO 63043-0629

MICHAEL B SWINDLE  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 174 W COMSTOCK AVE STE 100  
 WINTER PARK FL 32789-4347

MICHELLE A CHIONSGSON  
 INHOUSE COUNSEL BALBOA CAPITAL CORP  
 2010 MAIN STREET SUITE 1100  
 IRVINE CA 92614-8250

NEW LOGIC RESEARCH INC  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 1295 67TH STREET  
 EMERYVILLE CA 94608-1120

OLD FIELDS EMERGENCY PHYSICIANS LLC  
 P O BOX 37945  
 PHILADELPHIA PA 19101-0545

PANACEA AREA WATER SYSTEMS INC  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 PO BOX 215  
 PANACEA FL 32346-0215

PARTIES DESIGNATED AS "EXCLUDE" WERE NOT SERVED VIA USPS FIRST CLASS MAIL  
 PARTIES WITH A '+' AND DESIGNATED AS "CM/ECF E-SERVICE" RECEIVED ELECTRONIC NOTICE THROUGH THE CM/ECF SYSTEM

PHILLIPS COHON ASSOCIATES LTD  
 P O BOX 5790  
 HAUPPAUGE NY 11788-0164

QUANTUS POWER SOLUTIONS LLLP  
 CRITICAL ASSET SPECIALISTS  
 1265 OAK INDUSTRIAL LANE  
 CUMMING GA 30041-6446

RADIOLOGY ASSOCIATES OF TALLAHASSEE  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 P O BOX 12249  
 TALLAHASSEE FL 32317-2249

RAINEY CAWTHON DISTRIBUTION INC  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 PO BOX 643  
 TALLAHASSEE FL 32302-0643

SCOTT WALLACE  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 209 E BREVARD STREET  
 TALLAHASSEE FL 32301-1223

TALLAHASSEE MEDICAL CENTER INC  
 2626 CAPITAL MEDICAL BLVD  
 TALLAHASSEE FL 32308-4499

TREE CANOPY CITY IMPORT SCVS LLC  
 P O BOX 37947  
 PHILADELPHIA PA 19101-0547

US DEPT OF VETERANS AFFAIRS  
 1601 SW ARCHER ROAD  
 GAINESVILLE FL 32608-1197

UNITED RECOVERY SYSTEMS LP  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 5800 NORTH COURSE DRIVE  
 HOUSTON TX 77072-1613

UNITED RECOVERY SYSTEMS LP  
 PO BOX 722929  
 HOUSTON TX 77272-2929

UNITED STATES TRUSTEE  
 110 E PARK AVENUE  
 SUITE 128  
 TALLAHASSEE FL 32301-7728

VIERA WILLIAMS PA  
 ATTN ROBERT WILLIAMS  
 545 EAST TENNESSEE ST STE 100-A  
 TALLAHASSEE FL 32308-4992

WAKULLA URGENT CARE  
 41 FELI WAY  
 CRAWFORDVILLE FL 32327-2368

WANNER ENGINEERING INC  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 1204 CHESTNUT AVENUE  
 MINNEAPOLIS MN 55403-1230

WELLS FARGO BANK NA  
 PO BOX 10438  
 DES MOINES IA 50306-0438

WELLS FARGO VISA  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 P O BOX 10483  
 DES MOINES IA 50306-0483

WELLS FARGO VISA  
 420 MONTGOMERY STREET  
 SAN FRANCISCO CA 94104-1298

ZACHARIAH QUENTIN STALKER  
 23011 NUTALL RISE RD  
 LAMONT FL 32336-8242

ZACK STALKER  
 ATTN BANKRUPTCY LITIGATION OFFICER  
 23011 NUTALL RISE ROAD  
 LAMONT FL 32336-8242

RAINEY CAWTHON DISTRIBUTOR INC  
 601 WEST MADISON ST  
 TALLAHASSEE FL 32304-4343

ALLEN TURNAGE  
 ALLEN TURNAGE PA  
 PO BOX 15219  
 2344 CENTERVILLE ROAD SUITE 101  
 TALLAHASSEE FL 32308-4389

BRIAN C SPARLING  
 NORTHWEST FL AUCTION GROUP INC  
 1319 LEWIS TURNER BLVD  
 FT WALTON BEACH FL 32547-1137

DEBTOR  
 DONA LYNN SWINDLE  
 213 TUPELO DRIVE  
 CRAWFORDVILLE FL 32327-3467

MARY W COLON  
 PO BOX 14596  
 TALLAHASSEE FL 32317-4596

Prepared by:  
Mary W. Colón, Esq., Trustee  
Smith, Thompson, Shaw, Minacci, Colón & Power, P. A.  
3520 Thomasville Road, Fourth Floor  
Tallahassee, Florida 32309-3469

**AFFIDAVIT**

I HEREBY CERTIFY that on this day before me, the undersigned authority, duly authorized to administer oaths, personally appeared, Mary W. Colón ("Affiant"), who, being by me first duly sworn, deposes and says upon oath:

1. Affiant certifies that she is the Chapter 7 Trustee in that bankruptcy case in re: Dona Lynn Swindle, Debtor in Bankruptcy under Case Number 15-40474-KKS, pending in the Bankruptcy Court for the Northern District of Florida, Tallahassee Division.
2. Affiant certifies that a Notice of Intention to Sell Real Property of the Estate was served on all necessary parties in Bankruptcy Case Number 15-40474-KKS regarding the property described in said Notice (Doc. 71).
3. Affiant certifies that an objection was made to the proposed sale and the objection overruled (Doc. 119). A copy of the court docket is attached as Exhibit "A".
4. A copy of the court order authorizing the sale of the subject property is attached as Exhibit "B" (Doc. 119).

FURTHER AFFIANT SAYETH NOT. Dated as of the 20<sup>th</sup> day of September, 2018.

Witnesses:

Cindy Gordon  
Cindy Gordon

Janet Reeve  
Janet Reeve

Mary W. Colón  
Mary W. Colón, Affiant

STATE OF FLORIDA  
COUNTY OF LEON

SWORN TO and subscribed before me this 20<sup>th</sup> day of September, 2018, by  
Mary W. Colón who is personally known to me.



(NOTARY PUBLIC SEAL)

Janet Reeve  
NOTARY PUBLIC  
Janet Reeve  
Printed or Stamped Name of Notary Public

Unofficial Copy

MEANSNO, CLAIMS, ADV

**U.S. Bankruptcy Court  
Northern District of Florida (Tallahassee)  
Bankruptcy Petition #: 15-40474-KKS**

*Assigned to:* Judge Karen K. Specie  
Chapter 7  
Voluntary  
Asset

*Case Manager:* **Libby  
Deroche**

*Date filed:* 09/10/2015

*Debtor discharged:* 12/21/2015

*341 meeting:* 10/19/2015

*Deadline for filing claims:* 02/19/2016

*Deadline for objecting to* 12/18/2015

*discharge:*

*Deadline for financial mgmt.* 12/18/2015

*course:*

*Debtor disposition:* Standard Discharge

**Debtor**

**Dona Lynn Swindle**  
213 Tupelo Drive  
Crawfordville, FL 32327  
Wakulla-FL  
SSN / ITIN: xxx-xx-3453

represented by **Allen Turnage**

Allen Turnage, P.A.

P.O. Box 15219

2344 Centerville Road, Suite

101

Tallahassee, FL 32317

850-224-3231

Fax : (850)224-2535

Email: [service@turnagelaw.com](mailto:service@turnagelaw.com)

**Trustee**

**Mary W. Colon**  
P.O. Box 14596  
Tallahassee, FL 32317  
850-241-0144

represented by **Mary W. Colon**

P.O. Box 14596

Tallahassee, FL 32317

850-241-0144

Fax : 850-702-0735

Email: [trustee@marycolon.com](mailto:trustee@marycolon.com)

**Smith Thompson Shaw**

**Minacci Colon & Power, P.A.**

3520 Thomasville Road, 4th

Floor

Tallahassee, FL 32309

**U.S. Trustee**

**United States Trustee**  
110 E. Park Avenue  
Suite 128  
Tallahassee, FL 32301  
850-942-1660

Filing Date	#	Docket Text

09/09/2018	<u>121</u> (5 pgs)	BNC Certificate of Mailing - PDF Document. (Re: <u>119</u> Order on Motion to Approve.) Notice Date 09/09/2018. (Admin.) (Entered: 09/10/2018)
09/07/2018	<u>120</u> (5 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>119</u> Order on Motion to Approve). (Colon, Mary) (Entered: 09/07/2018)
09/07/2018	<u>119</u> (4 pgs)	Order Granting Chapter 7 Trustee's Motion for Final Order Approving Sale of Estate Property Free and Clear of Liens, Encumbrances, and Interests (Doc. 72) and Objection to Amended Motion for Extension (Docs. 95 and 96) (Re: <u>113</u> ) signed on 9/7/2018 . Service by the Court pursuant to applicable Rules. (Deroche, L.) (Entered: 09/07/2018)
08/31/2018	<u>118</u> (6 pgs)	BNC Certificate of Mailing - PDF Document. (Re: <u>115</u> Expedited Order (Granted/Denied Stamped) on Motion.) Notice Date 08/31/2018. (Admin.) (Entered: 09/01/2018)
08/31/2018	<u>117</u> (4 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>116</u> Notice of Hearing). (Colon, Mary) (Entered: 08/31/2018)
08/30/2018	<u>116</u> (1 pg)	Notice of Non Evidentiary Hearing. (Re: <u>113</u> Motion to Approve.) Hearing scheduled on 10/18/2018 at 10:30 AM (Eastern Time) at Tallahassee (2nd Floor Courtroom, 110 E. Park Ave.). Mary W. Colon shall serve this document pursuant to the applicable Rules and file a certificate of service within three (3) days. (Weems, Janet) (Entered: 08/30/2018)
08/29/2018	<u>115</u> (5 pgs)	DENIED: Amended Motion for Extension/Enlargement in Response to Order Dated 1 June 2018 signed on 8/29/2018 (Re: <u>95</u> Amended Motion). (Deroche, L.) Service by the Court pursuant to applicable Rules. (Entered: 08/29/2018)
08/28/2018	114	Administrative Entry Rendering Moot Motion for Final Decree (Re: <u>110</u> ) . (Deroche, L.) (Entered: 08/28/2018)
	<u>113</u> (12 pgs)	Motion to Approve <i>Final Order and Response</i> filed by Mary W. Colon on behalf of Mary W. Colon.

08/27/2018		(Colon, Mary) (Entered: 08/27/2018)
08/27/2018	112	Withdrawal of Document (Filed incorrectly. Court requires refile) filed by Mary W. Colon (Re: <u>110</u> Motion for Final Decree). (Colon, Mary) (Entered: 08/27/2018)
08/27/2018	111	SUBMISSION ERROR NOTIFICATION: Please take immediate action to correct the error(s) noted below: - <b>Incorrect Filing Event Used or Wrong PDF Attached:</b> Filing cannot be processed until refiled using the correct filing event or refiled with the correct PDF attached. The correct filing event is Motion to Approve.  (Re: <u>110</u> Motion for Final Decree.) (Deroche, L.) (Entered: 08/27/2018)
08/24/2018	<u>110</u> (12 pgs)	Motion for Final Decree / <i>Final Order and Objection to Amended Motion for Extension of Time</i> filed by Mary W. Colon on behalf of Mary W. Colon. (Colon, Mary) (Entered: 08/24/2018)
08/24/2018	109	SUBMISSION ERROR NOTIFICATION: Please take immediate action to correct the error(s) noted below: - <b>Document needs to be refiled as a Motion</b> (Re: <u>97</u> Response.) (Deroche, L.) (Entered: 08/24/2018)
08/17/2018	<u>108</u> (5 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>107</u> Notice of Hearing). (Colon, Mary) (Entered: 08/17/2018)
08/17/2018	<u>107</u> (1 pg)	Notice of Non Evidentiary Hearing. (Re: <u>97</u> Response.) Hearing scheduled on 9/20/2018 at 10:30 AM (Eastern Time) at Tallahassee (2nd Floor Courtroom, 110 E. Park Ave.). Mary W. Colon shall serve this document pursuant to the applicable Rules and file a certificate of service within three (3) days. (Weems, Janet) (Entered: 08/17/2018)
	106	CORRECTIVE ENTRY BY CASE ADMINISTRATOR - The entry referenced hereto has been modified by the court for accuracy: Entered in Error by Case Administrator - No action

08/16/2018		required; (Re: 103 Submission Error Notification - REFILING OF DOCUMENT REQUIRED.) (Deroche, L.) (Entered: 08/16/2018)
08/02/2018	<u>105</u> (6 pgs)	BNC Certificate of Mailing - PDF Document. (Re: <u>102</u> Service of Document by Court.) Notice Date 08/02/2018. (Admin.) (Entered: 08/03/2018)
08/02/2018	<u>104</u> (5 pgs)	Objection/Response to Chapter 7 Trustee's Motion for Final Order Approving Sale of Estate Property Free and Clear of Liens, Encumbrances and Interests (Doc. 72) and Objection to Amended Motion for Extension (Docs. 95 and 96)w/cert of svc and attachment filed by Attorney Michael B. Swindle. (Re: <u>72</u> Motion to Sell Property Free and Clear of Liens, <u>95</u> Amended Motion, <u>96</u> Amended Motion) (Akinsanya, S.) (Entered: 08/02/2018)
07/31/2018	103	PLEASE DISREGARD: ENTERED IN ERROR. SUBMISSION ERROR NOTIFICATION: Please take immediate action to correct the error(s) noted below: - <b>Multiple Documents Uploaded as One Filing:</b> Each pleading or document must be refiled separately using the correct filing event for the matter being filed.  (Re: <u>97</u> Response.) (Deroche, L.) Modified on 8/16/2018 (Deroche, L.). (Entered: 07/31/2018)
07/31/2018	<u>102</u> (5 pgs)	Document sent to BNC for service: Denied: Amended Motion for Extension/Enlargement in Response to Order Dated 1 June 2018 (Re: <u>101</u> Expedited Order (Granted/Denied Stamped) on Motion.) (Deroche, L.) (Entered: 07/31/2018)
07/31/2018	<u>101</u> (5 pgs)	DENIED: Amended Motion for Extension/Enlargement in Response to Order Dated 1 June 2018 signed on 7/31/2018 (Re: <u>96</u> Amended Motion). (Deroche, L.) Service by the Court pursuant to applicable Rules. (Entered: 07/31/2018)
07/23/2018	<u>100</u> (4 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>98</u> Order on Motion to Pay Taxes). (Colon, Mary) (Entered: 07/23/2018)

07/20/2018	<u>99</u> (3 pgs)	BNC Certificate of Mailing. (Re: <u>94</u> Order to File Papers In Proper Form.) Notice Date 07/20/2018. (Admin.) (Entered: 07/21/2018)
07/20/2018	<u>98</u> (2 pgs)	Order Granting Trustee's Motion for Authorization to Pay Tax Liabilities of the Estate (Re: <u>93</u> ) signed on 7/20/2018 . Trustee Mary Colon shall serve this document pursuant to the applicable Rules and file a certificate of service within three (3) days. (Hawkins, J.) (Entered: 07/20/2018)
07/19/2018	<u>97</u> (12 pgs)	Response to (Amended Motion, Amended Motion) <i>Chapter 7 Trustee's Motion for Final Order Approving Sale of Estate Property Free and Clear of Liens, Encumbrances and Interests (Doc. 72) and Objection to Amended Motion for Extension (Docs. 95 an d96)</i> filed by Trustee Mary W. Colon. (Re: <u>95</u> Amended Motion, <u>96</u> Amended Motion) (Colon, Mary) (Entered: 07/19/2018)
07/18/2018	<u>95</u> (5 pgs)	Amended Motion For Extension/Enlargement in Response to Order Dated 1 June 2018 (Re: <u>87</u> Motion to Extend Time) filed by Michael B. Swindle. (Isom, L.) (Entered: 07/18/2018)
07/18/2018	<u>94</u> (2 pgs)	Order to File Papers In Proper Form: Motion contains more than one request for relief in violation of LR 7007-1(B) signed on 7/18/2018 (Re: <u>91</u> Amended Motion). Responses due by 7/30/2018. (Deroche, L.) Service by the Court pursuant to applicable Rules. (Entered: 07/18/2018)
07/17/2018	<u>96</u> (5 pgs)	Amended Motion For Extension/Enlargement in Response to Order Dated 1 June 2018 (Re: <u>87</u> Motion to Extend Time) (amended per SEN) filed by Michael B. Swindle. (Isom, L.) (Entered: 07/18/2018)
07/17/2018	<u>93</u> (3 pgs)	Motion for Authority to Pay Taxes filed by Mary W. Colon. (Colon, Mary) (Entered: 07/17/2018)
	92	PLEASE DISREGARD ENTERED IN ERROR-SUBMISSION ERROR NOTIFICATION: Please take immediate action to correct the error(s) noted below: - <b>Copy was received without an original signature</b> (Re: <u>91</u> Amended Motion.) (Akinsanya, S.)

07/16/2018		Modified on 7/16/2018 (Akinsanya, S.). (Entered: 07/16/2018)
07/13/2018	<u>91</u> (5 pgs)	COPY NOT ORIGINAL SIGNATURE- Amended Motion For Extension/Enlargement In Response To Order Dated 1 June 2018 (Re: <u>87</u> Motion to Extend Time) filed by Michael B. Swindle. (Akinsanya, S.) (Entered: 07/16/2018)
06/21/2018	<u>90</u>	Transcript re: hearing held 05/24/2018 on Motion to Sell Property Free and Clear. The transcript may be viewed at the Clerk's Office during the restricted period (read-only format) or copies may be purchased directly from the court reporter. See Proceeding Memo/Hearing Held event for court reporter contact information. (Re: <u>72</u> Motion to Sell Property Free and Clear of Liens.) Notice of Intent to Request Redaction due by 6/28/2018. Redaction Request due by 7/12/2018. Redacted Transcript due by 7/23/2018. <b>Public access to this transcript will be restricted through 9/19/2018 after which it will be available at the regular PACER fee.</b> (Deroche, L.) (Entered: 06/21/2018)
06/14/2018	<u>89</u> (2 pgs)	BNC Certificate of Mailing. (Re: <u>88</u> Submission Error Notification - REILING OF DOCUMENT REQUIRED.) Notice Date 06/14/2018. (Admin.) (Entered: 06/15/2018)
06/12/2018	<u>88</u> (1 pg)	SUBMISSION ERROR NOTIFICATION: Please take immediate action to correct the error(s) noted below: <b>- Document Not Signed/Not Properly Signed:</b> Per Fed. R. Bankr. P. 1008 and 9011 and N.D. Fla. Loc. R. 5.1.(D) or (E) and (F), all documents and Certificates of Service must contain a signed signature block of the filing attorney or the pro se debtor. The document must be signed separately from the Certificate of Service.  (Re: <u>87</u> Motion to Extend Time.) (Deroche, L.) (Entered: 06/12/2018)
06/11/2018	<u>87</u> (4 pgs)	Motion for Extension in Response to Order Dated 1 June 2018 filed by Michael B. Swindle. (Akinsanya, S.) (Entered: 06/11/2018)
	<u>86</u>	Certificate of Service/Mailing filed by Mary W.

06/04/2018	(4 pgs)	Colon (Re: <u>83</u> Order on Motion to Sell Property Free and Clear of Liens). (Colon, Mary) (Entered: 06/04/2018)
06/04/2018	<u>85</u> (5 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>83</u> Order on Motion to Sell Property Free and Clear of Liens). (Colon, Mary) (Entered: 06/04/2018)
06/04/2018	<u>84</u> (2 pgs)	Notice of Filing <i>Receipt of Competing Bid</i> filed by Mary W. Colon on behalf of Mary W. Colon. (Colon, Mary) (Entered: 06/04/2018)
06/01/2018	<u>83</u> (2 pgs)	Interim Order on Motion to Sell Property Free and Clear of Liens (Re: <u>72</u> ) signed on 6/1/2018 . Mary Colon shall serve this document pursuant to the applicable Rules and file a certificate of service within three (3) days. (Laritz, A.) (Entered: 06/01/2018)
05/25/2018	82	Hearing Held on 5/24/18; (Re: <u>72</u> Motion to Sell Property Free and Clear of Liens.)- Objection to Sale Overruled as Announced: Written Bid w/ Deposit Within 10 Days. Once Deposit Received, Brief Issues Within 14 Days; Interim Order/Court; Appear.: Colon (T), Savage (Dr. Griggs), Mr. Swindle (Int. Pty.); CR: Dana Reeves (Premier Rptng., 850-894-0828). (Weems, Janet) (Entered: 05/25/2018)
05/23/2018	<u>81</u> (7 pgs)	Trustee's Response to (Objection) filed by Mary W. Colon (Re: <u>80</u> Objection). (Colon, Mary) (Entered: 05/23/2018)
05/14/2018	<u>80</u> (55 pgs; 11 docs)	Objection And Motion for Evidentiary Hearing In Response To Motion To Sell Real Property Free And Clear Of Liens, Encumbrances, And Interest (DOC #72) Dated April 16, 2018 filed by Attorney Michael B. Swindle. (Re: <u>72</u> Motion to Sell Property Free and Clear of Liens) (Attachments: # <u>1</u> Composite Exhibit A # <u>2</u> Exhibit B # <u>3</u> Exhibit C # <u>4</u> Exhibit D # <u>5</u> Exhibit E # <u>6</u> Exhibit F # <u>7</u> Exhibit G # <u>8</u> Exhibit H # <u>9</u> Exhibit I # <u>10</u> Composite Exhibit J) (Akinsanya, S.) (Entered: 05/14/2018)
	<u>79</u> (2 pgs)	BNC Certificate of Mailing. (Re: <u>78</u> Submission Error Notification - REILING OF DOCUMENT

04/29/2018		REQUIRED.) Notice Date 04/29/2018. (Admin.) (Entered: 04/30/2018)
04/27/2018	<u>78</u> (1 pg)	SUBMISSION ERROR NOTIFICATION: <b>Document Not Signed/Not Properly Signed</b> - Per Fed. R. Bankr. P. 1008 and 9011 and N.D. Fla. Loc. R. 5.1.(D) or (E) and (F), all documents and Certificates of Service must contain a signed signature block of the filing attorney or the pro se debtor. The document must be signed separately from the Certificate of Service <b>Multiple Documents Uploaded as One Filing</b> - Each pleading or document must be refiled separately using the correct filing event for the matter being filed. Please take immediate action to correct the error(s) noted herein. (Re: <u>77</u> Objection.) (Deroche, L.) (Entered: 04/27/2018)
04/26/2018	<u>77</u> (50 pgs; 11 docs)	Objection and Motion for Evidentiary Hearing in Response to Motion to Sell Real Property Free and Clear of Liens, Encumbrances, and Interest (Doc #72) Dated April 16, 2018 and Motion to Enforce Agreement for Purchase of Real Property w/Cert. of Svc. filed by Attorney Michael B. Swindle. (Re: <u>72</u> Motion to Sell Property Free and Clear of Liens) (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B # <u>3</u> Exhibit C # <u>4</u> Exhibit D # <u>5</u> Exhibit E # <u>6</u> Exhibit F # <u>7</u> Exhibit G # <u>8</u> Exhibit H # <u>9</u> Exhibit I # <u>10</u> Exhibit J) (Hawkins, J.) (Entered: 04/26/2018)
04/10/2018	<u>76</u> (4 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>74</u> Notice of Hearing). (Colon, Mary) (Entered: 04/10/2018)
04/10/2018	<u>75</u> (5 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>74</u> Notice of Hearing). (Colon, Mary) (Entered: 04/10/2018)
04/09/2018	<u>74</u> (1 pg)	Notice of Non Evidentiary Hearing. (Re: <u>72</u> Motion to Sell Property Free and Clear of Liens.) Hearing scheduled on 5/24/2018 at 10:30 AM (Eastern Time) at Tallahassee (2nd Floor Courtroom, 110 E. Park Ave.). Mary W. Colon shall serve this document pursuant to the applicable Rules and file a certificate of service within three (3) days. (Weems, Janet) (Entered: 04/09/2018)
	73	Receipt of Motion to Sell Property Free and Clear

04/06/2018		of Liens(15-40474-KKS) [motion,msell31] ( 181.00) filing fee. Receipt number 4181417, amount \$ 181.00 (re: <u>72</u> ) (U.S. Treasury) (Entered: 04/06/2018)
04/06/2018	<u>72</u> (15 pgs)	Motion to Sell Property Free and Clear of Liens under Section 363(f) <i>by private sale to Dr. Norm Griggs</i> [fee amount \$181] filed by Mary W. Colon on behalf of Mary W. Colon. (Colon, Mary) (Entered: 04/06/2018)
04/06/2018	<u>71</u> (9 pgs)	Notice of Intention to Sell Property of the Estate <i>by private sale to Dr. Norm Griggs</i> filed by Mary W. Colon. ECF Calculated Deadline: 04/27/2018. Note: See Fed. R. Bankr. P. 9006(f). Three additional days may be allowed for qualifying parties. (Colon, Mary) (Entered: 04/06/2018)
03/30/2018	<u>70</u> (7 pgs)	Interim Report of Trustee for period ending 12-31-2017 <i>AMENDED</i> filed by Mary W. Colon. (Colon, Mary) (Entered: 03/30/2018)
03/30/2018	<u>69</u> (8 pgs)	Notice of Intent to Abandon Property of the Estate and Notice of Opportunity to Object re: 2013 Jeep Wrangler 4WD 4D filed by Mary W. Colon. ECF Calculated Deadline: 04/20/2018. Note: See Fed. R. Bankr. P. 9006(f). Three additional days may be allowed for qualifying parties. (Colon, Mary) (Entered: 03/30/2018)
03/20/2018	68	Adversary Case 4:17-ap-4009 Closed. (Deroche, L.) (Entered: 03/20/2018)
02/08/2018	<u>67</u> (4 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>66</u> Order on Application to Employ). (Colon, Mary) (Entered: 02/08/2018)
02/07/2018	<u>66</u> (2 pgs)	Order Approving Application by Trustee to Employ and Appoint Accountant Under General Retainer (Re: <u>65</u> ) signed on 2/7/2018 . Mary W. Colon shall serve this document pursuant to the applicable Rules and file a certificate of service within three (3) days. (Deroche, L.) (Entered: 02/07/2018)
	<u>65</u> (6 pgs)	Application to Employ Thomson Brock Luger & Company (3375-G Capital Circle NE, Tallahassee, FL 32308) as Accountants filed by Thomson Brock

02/06/2018		Luger & Company. (Colon, Mary) (Entered: 02/06/2018)
01/17/2018	<u>64</u> (7 pgs)	Interim Report of Trustee for period ending 12-31-2017. (Colon, Mary) (Entered: 01/17/2018)
11/29/2017	<u>63</u> (4 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>62</u> Order Authorizing Employment of Attorney for the Trustee). (Colon, Mary) (Entered: 11/29/2017)
11/22/2017	<u>62</u> (2 pgs)	Order Approving Application to Employ Smith Thompson Shaw Minacci Colon & Power, P.A. as Attorney for the Trustee (Re: <u>61</u> ) signed on 11/22/2017 . Mary Colon shall serve this document pursuant to the applicable Rules and file a certificate of service within three (3) days. (Romine, Carolyn) (Entered: 11/22/2017)
11/15/2017	<u>61</u> (7 pgs)	Application to Employ Smith Thompson Shaw Minacci Colon & Power P.A. (3520 Thomasville Road, 4th Floor, Tallahassee, FL 32309) as General Counsel filed by Mary W. Colon. (Colon, Mary) (Entered: 11/15/2017)
10/25/2017	<u>60</u> (5 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>59</u> Order re Application for Compensation). (Colon, Mary) (Entered: 10/25/2017)
10/24/2017	<u>59</u> (2 pgs)	Order Approving Application for Compensation to Special Counsel (Re: <u>55</u> ) for Scott & Wallace LLP, fees awarded: \$9376.25, expenses awarded: \$0.00 signed on 10/24/2017 . Mary W. Colon shall serve this document pursuant to the applicable Rules and file a certificate of service within three (3) days. (Deroche, L.) (Entered: 10/24/2017)
10/20/2017	58	Hearing Held on 10/19/17; (Re: <u>55</u> Application for Compensation - Approved; Appear.: Colon (T); CR: Dana Reeves (Premier Rpting., 850-894-0828). (Weems, Janet) (Entered: 10/20/2017)
09/19/2017	<u>57</u> (5 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>56</u> Notice of Hearing). (Colon, Mary) (Entered: 09/19/2017)

09/18/2017	<u>56</u> (1 pg)	Notice of Non Evidentiary Hearing. (Re: <u>55</u> Application for Compensation (to be set for hearing.) Hearing scheduled on 10/19/2017 at 10:30 AM (Eastern Time) at Tallahassee (2nd Floor Courtroom, 110 E. Park Ave.). Mary W. Colon shall serve this document pursuant to the applicable Rules and file a certificate of service within three (3) days. (Deroche, L.) (Entered: 09/18/2017)
09/15/2017	<u>55</u> (5 pgs)	Application for Compensation for Scott & Wallace LLP, Special Counsel, Fee: \$9376.25, Expenses: \$0.00. filed by Mary W. Colon. (Colon, Mary) (Entered: 09/15/2017)
07/10/2017	<u>54</u> (5 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>53</u> Order on Motion to Approve Compromise or Settlement). (Colon, Mary) (Entered: 07/10/2017)
07/07/2017	<u>53</u> (2 pgs)	Order Granting Chapter 7 Trustee's Motion to Approve Compromise and Settlement Between the Trustee and British Petroleum (Re: <u>51</u> ) signed on 7/7/2017 . Mary W. Colon shall serve this document pursuant to the applicable Rules and file a certificate of service within three (3) days. (Deroche, L.) (Entered: 07/07/2017)
07/06/2017	<u>52</u> (8 pgs)	Adversary case 17-04009. (14 (Recovery of money/property - other)): Complaint by Mary W. Colon against Dawn Stanton ( Fee Amount \$350) (Colon, Mary) (Entered: 07/06/2017)
05/26/2017	<u>51</u> (9 pgs)	Motion to Approve Compromise or Settlement filed by Mary W. Colon. ECF Calculated Deadline: 06/16/2017. Note: See Fed. R. Bankr. P. 9006(f). Three additional days may be allowed for qualifying parties. (Colon, Mary) (Entered: 05/26/2017)
04/11/2017	<u>50</u> (4 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>49</u> Order Authorizing Employment of Attorney for the Trustee). (Colon, Mary) (Entered: 04/11/2017)
	<u>49</u> (2 pgs)	Order Approving Application by Trustee to Employ and Appoint Special Counsel Under Contingency Fee Basis (Re: <u>48</u> ) signed on

04/10/2017		4/10/2017 . Mary W. Colon shall serve this document pursuant to the applicable Rules and file a certificate of service within three (3) days. (Deroche, L.) (Entered: 04/10/2017)
03/24/2017	<u>48</u> (14 pgs)	Application to Employ Scott & Wallace LLP (J. Clint Wallace, Esq., 209 E. Brevard St., Tallahassee, FL 32301) as Special Counsel filed by Mary W. Colon. (Colon, Mary) (Entered: 03/24/2017)
01/09/2017	<u>47</u> (5 pgs)	Interim Report of Trustee for period ending 12-31-2016. (Colon, Mary) (Entered: 01/09/2017)
08/22/2016	<u>46</u> (19 pgs)	Report of Sale filed by Mary W. Colon (Re: <u>39</u> Notice of Intent to Sell (Negative Notice)). (Colon, Mary) (Entered: 08/22/2016)
08/11/2016	<u>45</u> (3 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>44</u> Order on Motion to Pay). (Colon, Mary) (Entered: 08/11/2016)
08/08/2016	<u>44</u> (1 pg)	Order Granting Trustee's Motion for Authorization to Pay Non-Estate Funds from Tax Refund to Debtor(s) (Re: <u>43</u> ) signed on 8/8/2016 . Mary Colon shall serve this document pursuant to the applicable Rules and file a certificate of service within three (3) days. (Deroche, L.) (Entered: 08/08/2016)
08/04/2016	<u>43</u> (2 pgs)	Motion to Pay <i>Non-Estate Funds from Tax Refund to Debtor(s)</i> filed by Mary W. Colon. (Colon, Mary) (Entered: 08/04/2016)
06/17/2016	<u>42</u> (4 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>41</u> Order on Application for Payment of Administrative Expenses). (Colon, Mary) (Entered: 06/17/2016)
06/16/2016	<u>41</u> (2 pgs)	Order Granting Creditor's Application for Administrative Claim (Re: <u>28</u> ) signed on 6/16/2016 . (Deroche, L.) Mary Colon shall serve this document pursuant to the applicable Rules and file a certificate of service within three (3) days. (Entered: 06/16/2016)
	40	Hearing Held on 6/7/16; (Re: <u>28</u> Application for

06/08/2016		Payment of Administrative Expenses.)- Approved as Announced; Order/Colon; Appear.: Colon (T), Mr.Anderson (Cred); CR: Andrea Komaridis (Premier Rptng, 850-894-0828). (Weems, Janet) (Entered: 06/08/2016)
05/24/2016	<u>39</u> (11 pgs)	Notice of Intention to Sell Property of the Estate <i>at Auction</i> filed by Mary W. Colon. Negative Notice Response Deadline: 6/14/2016. (Colon, Mary) (Entered: 05/24/2016)
05/12/2016	<u>38</u> (4 pgs)	BNC Certificate of Mailing - Hearing. (Re: <u>36</u> Notice of Hearing.) Notice Date 05/12/2016. (Admin.) (Entered: 05/13/2016)
05/11/2016	<u>37</u> (4 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>36</u> Notice of Hearing). (Colon, Mary) (Entered: 05/11/2016)
05/10/2016	<u>36</u> (1 pg)	Notice of Continued Non-Evidentiary Hearing. (Re: <u>28</u> Application for Payment of Administrative Expenses.) Hearing scheduled on 6/7/2016 at 10:30 AM (Eastern Time) at Tallahassee (2nd Floor Courtroom, 110 E. Park Ave.). Service by the Court pursuant to applicable Rules. (Weems, Janet) (Entered: 05/10/2016)
05/09/2016	<u>35</u> (4 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>34</u> Order on Motion to Continue Hearing). (Colon, Mary) (Entered: 05/09/2016)
05/09/2016	<u>34</u> (1 pg)	Order Granting Chapter 7 Trustee's Motion to Continue Hearing ( <u>33</u> Motion to Continue or Reschedule Hearing). Hearing to be re-scheduled by separate notice signed on 5/9/2016 . (Deroche, L.) Mary Colon shall serve this document pursuant to the applicable Rules and file a certificate of service within three (3) days. (Entered: 05/09/2016)
05/04/2016	<u>33</u> (2 pgs)	Motion to Continue or Reschedule Hearing to be held 05/12/2016 on <u>28</u> Application for Payment of Administrative Expenses, <u>30</u> Notice of Hearing on Application for Compensation filed by Mary W. Colon on behalf of Mary W. Colon. (Colon, Mary) (Entered: 05/04/2016)
	<u>32</u>	Notice of Change of Address to Creditor Matrix

04/21/2016	(1 pg)	<i>Wells Fargo Visa</i> filed by Allen Turnage on behalf of Dona Lynn Swindle. (Turnage, Allen) (Entered: 04/21/2016)
03/24/2016	<u>31</u> (3 pgs)	BNC Certificate of Mailing. (Re: <u>30</u> Notice of Hearing on Application for Compensation.) Notice Date 03/24/2016. (Admin.) (Entered: 03/25/2016)
03/22/2016	<u>30</u> (1 pg)	Notice of Hearing on Application for Compensation. Applicant, Bill Anderson, requests fees and expenses in the amount of \$3,000.00 (Re: <u>28</u> Application for Payment of Administrative Expenses.) Hearing scheduled on 5/12/2016 at 10:30 AM, Eastern Time, at Tallahassee (2nd Floor Courtroom, 110 E. Park Ave.). Service by the Court pursuant to applicable Rules. (Nah, Janet) (Entered: 03/22/2016)
02/17/2016	29	Creditor(s) added to matrix: Bank of America, NA. Added by (Spady, Latisha) (Entered: 02/17/2016)
02/17/2016	<u>28</u> (9 pgs)	Application for Payment of Administrative Expenses filed by Bill Anderson. (Kiser, S.) (Entered: 02/17/2016)
01/28/2016	<u>27</u> (4 pgs)	Interim Report of Trustee for period ending 12-31-2015. (Colon, Mary) (Entered: 01/28/2016)
12/23/2015	<u>26</u> (4 pgs)	BNC Certificate of Mailing - Order of Discharge. (Re: <u>25</u> Order Discharging Debtor(s).) Notice Date 12/23/2015. (Admin.) (Entered: 12/24/2015)
12/21/2015	<u>25</u> (2 pgs)	Order Discharging Debtor(s) (ADlapps)  Service by the Court pursuant to applicable Rules. (Entered: 12/21/2015)
11/21/2015	<u>24</u> (3 pgs)	BNC Certificate of Mailing. (Re: <u>23</u> Notice to File Claims.) Notice Date 11/21/2015. (Admin.) (Entered: 11/22/2015)
11/19/2015	<u>23</u> (1 pg)	Notice to creditors to file claims. Proof of Claims due by 02/19/2016. (ADlapps)  Service by the Court pursuant to applicable Rules. (Entered: 11/19/2015)

11/19/2015	<u>22</u> (7 pgs)	Notice of Intention to Sell Property of the Estate <i>by private sale to Debtor</i> filed by Mary W. Colon. Negative Notice Response Deadline: 12/10/2015. (Colon, Mary) (Entered: 11/19/2015)
11/18/2015	21	Trustee's Notice of Assets & Request for Notice to Creditors filed by Mary W. Colon. (Colon, Mary) (Entered: 11/18/2015)
11/18/2015	<u>20</u> (3 pgs)	Certificate of Service/Mailing filed by Mary W. Colon (Re: <u>19</u> Order on Application to Employ). (Colon, Mary) (Entered: 11/18/2015)
11/18/2015	<u>19</u> (2 pgs)	Order Approving Application to Employ Brian C. Sparling, Auctioneer (Re: <u>18</u> ) signed on 11/18/2015 . (Deroche, L.) Mary W. Colon shall serve this document pursuant to the applicable Rules and file a certificate of service within three (3) days. (Entered: 11/18/2015)
11/17/2015	<u>18</u> (5 pgs)	Application to Employ Northwest Florida Auction Group, Inc. (Brian C. Sparling, 1319 Lewis Turner Boulevard, Fort Walton Beach, FL 32547) as Auctioneer filed by Mary W. Colon. (Colon, Mary) (Entered: 11/17/2015)
11/09/2015	17	Trustee's memo/notice that 341(a) meeting of creditors was held and concluded Debtor absent. (Colon, Mary) (Entered: 11/09/2015)
10/30/2015	<u>16</u> (2 pgs)	Certification of Completion of Financial Management Course (Form 23) with attached certificate for course completed 19 October 2015 filed by Allen Turnage on behalf of Dona Lynn Swindle. (Turnage, Allen) (Entered: 10/30/2015)
10/30/2015	15	Withdrawal of Document (Incorrect PDF attached) filed by Allen Turnage on behalf of Dona Lynn Swindle [Re: <u>13</u> Satisfaction of Financial Management Requirements]. (Turnage, Allen) (Entered: 10/30/2015)
10/30/2015	14	SUBMISSION ERROR NOTIFICATION: Incorrect PDF - Referenced pdf has incorrect debtor name and/or case number and appears to have been filed in the wrong case. Please take immediate action to correct the error(s) noted herein. (Re: <u>13</u> Satisfaction of Financial Management Requirements.) (Deroche, L.) (Entered: 10/30/2015)
	<u>13</u>	Certification of Completion of Financial Management

10/29/2015	(3 pgs)	Course (Form 23) with attached certificate for course completed 19 October 2015 filed by Allen Turnage on behalf of Dona Lynn Swindle. (Turnage, Allen); SUBMISSION ERROR: Incorrect PDF - Referenced pdf has incorrect debtor name and/or case number and appears to have been filed in the wrong case. Modified on 10/30/2015 (Deroche, L.). (Entered: 10/29/2015)
10/19/2015	12	Continuance of Meeting of Creditors. Continued Meeting to be held on 11/9/2015 at 1:30 PM at Tallahassee (Rm. 004, U.S. Trustee Meeting Room, 110 E. Park Ave.). Debtor appeared. (Colon, Mary) (Entered: 10/19/2015)
10/19/2015		Creditor(s) added to matrix: Capital One Bank, Capital Regional Heart Associates, Capital Regional Medical Center, Centennial Bank, Chase/JP Morgan/Slate, DCM Services, LLC, Estate Information Services, LLC, Medicredit, Inc. Old Fields Emergency Physicians, LLC, Phillips & Cohon Associates, LTD, Radiology Associates of Tallahassee, Tallahassee Medical Center, inc., Tree Canopy City Import Scvs. LLC, U.S.Dept. of Veterans Affairs, Wakulla County EMS, Wakulla Urgent Care, Wells Fargo VISA. Added by (Deroche, L.) (Entered: 10/19/2015)
10/16/2015	<u>11</u> (2 pgs)	Certificate of Service/Mailing filed by Allen Turnage on behalf of Dona Lynn Swindle [Re: <u>6</u> Notice of 341 Meeting of Creditors - Chapter 7, <u>9</u> Amended Schedules and/or Statements]. (Turnage, Allen) (Entered: 10/16/2015)
10/16/2015	10	Receipt of Amended Schedules and/or Statements(15-40474-KKS) [misc,amdsched] ( 30.00) filing fee. Receipt number 3684484, amount \$ 30.00 (re: <u>9</u> ) (U.S. Treasury) (Entered: 10/16/2015)
10/16/2015	<u>9</u> (17 pgs)	Amended Schedules/Statements filed : Schedule F; Summary of Schedules; Declaration Concerning Debtors Schedules; (Schedules D, E or F amended to:Add or remove creditor(s)) Fee Amount \$30 filed by Allen Turnage on behalf of Dona Lynn Swindle. (Turnage, Allen) (Entered: 10/16/2015)
09/13/2015	<u>8</u> (4 pgs)	BNC Certificate of Mailing - Meeting of Creditors. (Re: <u>6</u> Notice of 341 Meeting of Creditors - Chapter 7.) Notice Date 09/13/2015. (Admin.) (Entered: 09/14/2015)
09/13/2015		Case assigned to Libby Deroche (admin) (Entered: 09/13/2015)

09/11/2015	7	The Clerk's Office has reviewed this case and it appears that the requirements of 11 U.S.C. Section 521(a) have been met. (ADlapps) (Entered: 09/11/2015)
09/11/2015		Case assigned to NeShoni Love-Beane (admin) (Entered: 09/11/2015)
09/11/2015	<u>6</u> (2 pgs)	Notice of Meeting of Creditors with 341(a) meeting to be held on 10/19/2015 at 01:30 PM at Tallahassee (Rm. 004, U.S. Trustee Meeting Room, 110 E. Park Ave.). Objections for Discharge due by 12/18/2015. Financial Management Certificate(s) due by 12/18/2015. (admin, ) (Entered: 09/11/2015)
09/10/2015	5	Receipt of Chapter 7 Voluntary Petition(15-40474) [caseupld,1027u] ( 335.00) filing fee. Receipt number 3661622, amount \$ 335.00 (re: <u>1</u> ) (U.S. Treasury) (Entered: 09/10/2015)
09/10/2015	<u>4</u> (3 pgs)	Chapter 7 Statement of Your Current Monthly Income Form 22A-1 and Statement of Exemption from Presumption of Abuse Form 22A-1Supp. The debtor has primarily non-consumer debts. filed by Allen Turnage on behalf of Dona Lynn Swindle. (Turnage, Allen) (Entered: 09/10/2015)
09/10/2015	<u>3</u> (2 pgs)	Employee Income Documents filed by Allen Turnage on behalf of Dona Lynn Swindle. (Turnage, Allen) (Entered: 09/10/2015)
09/10/2015	<u>2</u> (3 pgs)	Statement of Compliance with Credit Counseling for Debtor filed by Allen Turnage on behalf of Dona Lynn Swindle. (Turnage, Allen) (Entered: 09/10/2015)
09/10/2015	<u>1</u> (48 pgs)	Chapter 7 Voluntary Petition [ Fee Due \$ 335] filed by Allen Turnage on behalf of Dona Lynn Swindle. (Turnage, Allen) (Entered: 09/10/2015)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
09/10/2018 09:31:47			
<b>PACER Login:</b>	cp3823cp3823:3558248:0	<b>Client Code:</b>	

<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	15-40474-KKS Fil or Ent: filed Doc From: 0 Doc To: 99999999 Term: included Format: html Page counts for documents: included
<b>Billable Pages:</b>	10	<b>Cost:</b>	1.00

Unofficial Copy

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION

IN RE:

DONA LYNN SWINDLE,

CASE NO.: 15-40474-KKS  
CHAPTER: 7

Debtor.

---

**ORDER GRANTING CHAPTER 7 TRUSTEE'S MOTION FOR  
FINAL ORDER APPROVING SALE OF ESTATE PROPERTY  
FREE AND CLEAR OF LIENS, ENCUMBRANCES, AND  
INTERESTS (DOC. 72) AND OBJECTION TO AMENDED  
MOTION FOR EXTENSION (DOCS. 95 AND 96) (DOC. 113)**

THIS MATTER is before the Court on the Chapter 7 Trustee's ("Trustee") *Motion for Final Order Approving Sale of Estate Property Free and Clear of Liens, Encumbrances, and Interests (Doc. 72) and Objection to Amended Motion for Extension (Docs. 95 and 96)* ("Motion," Doc. 113).<sup>1</sup> In response Michael B. Swindle ("Mr. Swindle") filed his Objection on August 2, 2018 (Doc. 104). In the Motion, the Trustee requests an order allowing the Trustee to sell the property to the original bidder, Dr. Norm Gribbs. After consideration of the pleadings, the Motion is due to be granted, and the Objection overruled.

This issue first came before the Court on the Trustee's *Notice of*

---

<sup>1</sup> The Amended Motions for Extension filed at Doc. 95 and Doc. 96 have both been denied, so there is no need to discuss them further. Docs. 101 and 115.

*Intent to Sell* (“Notice”), and *Motion to Sell Property Free and Clear of Liens, Encumbrances, and Interests* filed on April 6, 2018.<sup>2</sup> In the Notice, the Trustee indicated that while she had a private buyer for the property, she would “entertain any higher bids for the purchase of the assets . . . Such bids must be in excess of 10% more than the original bid and must be in writing and must be accompanied by a deposit of 20% of the proposed higher purchase price.”<sup>3</sup> Any party interested in bidding had twenty-one (21) days to submit a bid. As alleged in the Motion, the Trustee did not receive any other bids for this property. Instead, after the deadline for competing bids, Mr. Swindle filed his *Objection and Motion for Evidentiary Hearing in Response to Motion to Sell Real Property Free and Clear of Liens, Encumbrances, and Interest* (Doc. 77).

The Court held a hearing on the Trustee’s Motion to Sell on May 24, 2018, and gave Mr. Swindle ten (10) days to submit a higher bid and held that if he did the parties were to brief the issue of whether the bidding process should be reopened. At the same hearing, the Court rejected Mr. Swindle’s argument that a binding contract existed between him and the Trustee for the purchase price of \$3,000 for the property and

---

<sup>2</sup> Docs. 71 and 72.

<sup>3</sup> Doc. 71, p. 3-4.

made clear to Mr. Swindle that if he intended to purchase the property, he would have to follow the requirements in the Notice.

Mr. Swindle submitted a bid within the 10-day period, but his actions since have indicated that his intentions are contrary to his bid. In his Objection, Mr. Swindle indicates that he still proposes to pay \$3,000 for the property, but if the Court rejects \$3,000, he is willing to pay the \$7,000 he bid to purchase the property. Further, Mr. Swindle not only failed to submit briefing on why the Court should re-open the bidding process but continues to argue that \$3,000 is a fair price for the property. Because of his failure to follow the Court's directions at the hearing, the Court finds that Mr. Swindle did not submit a timely bid for the property, so the bid Mr. Swindle submitted is rendered untimely, and thus null and void.

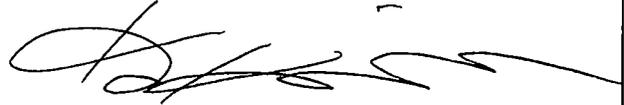
For the reasons stated, it is

ORDERED:

1. The Trustee's *Motion for final Order Approving Sale of Estate Property Free and Clear of Liens, Encumbrances, and Interests* (Doc. 113) is GRANTED. The Trustee is authorized to sell the property to Dr. Norm Gribbs for the original price bid.
2. Mr. Swindle's Objection (Doc. 104) is OVERRULED.

3. The Trustee is further authorized to return any deposit made by Mr. Swindle in connection with his bid.
4. The 14-day stay imposed by Fed. R. Bankr. P. 4003(a)(3) is waived.
5. The hearing currently scheduled for October 18, 2018 is CANCELED.

DONE and ORDERED on September 7, 2018.



KAREN K. SPECIE  
Chief U.S. Bankruptcy Judge

cc: all parties in interest

Unofficial Copy