

FILED

OCT 27 1997

DOROTHY A. EVANS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

IN RE:)	
)	
DWAYNE LEROY AREHART and)	Case No. 97-02466-R
JEAN DELORIS AREHART,)	(Chapter 7)
)	
Debtors,)	
)	
JOSEPH Q. ADAMS, TRUSTEE,)	
)	
Plaintiff,)	
)	
v.)	Adversary No. 97-0291-R
)	
KEARNEY STATE BANK & TRUST)	
COMPANY,)	
)	
Defendant.)	

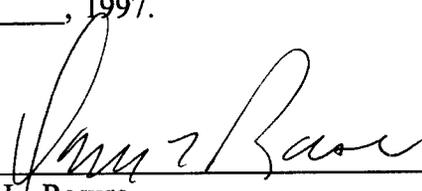
DEFAULT JUDGMENT AGAINST KEARNEY STATE BANK

There came on for consideration before the Honorable Dana L. Rasure, United States Bankruptcy Judge, the Application and Affidavit for Judgment by Default against Defendant, Kearney State Bank, filed by Plaintiff, Joseph Q. Adams, trustee. The Court, upon reviewing the file and the Application and Affidavit for Judgment by Default, finds: Plaintiff's Complaint and an Alias Summons were properly served upon Defendant through its Vice-President, L.L. Raasch, on September 23, 1997, in compliance with Rule 7004(h) Fed. R. Bank. Pro.; the time within which Defendant was required to answer, plead or otherwise appear in this adversary proceeding was October 20, 1997; and because the Defendant has failed to do so, pursuant to Rule 55 Fed. R. Civ. Pro. and Rule 7055 Fed. R. Bank. Pro., Plaintiff is entitled to the relief prayed for in his Complaint.

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IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiff, Joseph Q. Adams, trustee, be and is hereby granted Judgment against Defendant, Kearney State Bank, voiding the filing of the lien entry form on July 23, 1997, in an effort to perfect its security interest in the 1989 Chevrolet Pickup, VIN 1GCDC14KOKZ125590, and voiding Defendant's unperfected security interest in the aforementioned vehicle.

Entered this 27 day of October, 1997.



Dana L. Rasure
United States Bankruptcy Judge

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