

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
AT PENSACOLA**

In re:

Johnny L. Rozzelle and Betty Ann Rozzelle

Bankruptcy No. 11-31375-LMK
Chapter 7
Judge Lewis M Killian Jr.

Discover Bank, Issuer of the Discover Card,

Plaintiff,

vs.

Johnny L. Rozzelle,

Defendant.

ADV. NO. 11-03059-LMK

NONDISCHARGEABLE JUDGMENT

Based upon the Stipulation of the Parties, referenced as document #8, IT IS HEREBY ADJUDGED AND DECREED:

1. The sum of \$3,000.00 owed by the Defendant to Plaintiff is found to be nondischargeable and Plaintiff is granted judgment against Defendant in this amount.
2. The non-discharged sum of \$3,000.00 shall be paid as follows: the sum of \$100.00 per month, each month for 30 months, commencing 01/01/2012. The remaining payments shall be due on the same day of each month thereafter. While not in default, such principal shall not bear interest.

3. Payments are to be made to:

Accounts Receivable
Attn: Discover Bank, Issuer of the Discover Card
WEINSTEIN & RILEY, P.S.
P.O. Box 3978
Seattle, WA 98124
INCLUDE ACCOUNT NUMBER ON PAYMENTS

Plaintiff or its agents may send monthly bills and invoices as a courtesy reminder to Defendant.

4. In the event Defendant defaults in payments, Plaintiff shall be entitled to declare the sum of \$3,000.00, plus any interest, immediately due and payable, together with Plaintiff's reasonable attorneys' fees and costs incurred.
5. Defendant acknowledges and stipulates that if Defendant fails to make any payment as agreed, the remaining \$3,000.00, less any payments made, shall bear interest at twelve percent (12%) per annum until paid or otherwise satisfied. However, no interest will accrue so long as payments are kept current.
6. Plaintiff will refrain from pursuing its rights under this agreement so long as Defendant continues to make payment on a regular, timely basis. If Defendant defaults, however, Plaintiff shall have the right to pursue any legally available remedy without further notice, and without need for further relief from the automatic stay in any bankruptcy proceeding in which the Defendant is a Debtor pursuant to 11 U.S.C. § 362(c)(2)(C).

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7. The parties shall pay their own attorney fees and costs in this matter.

Dated: December 6, 2011


MARGARET A. MAHONEY
U.S. BANKRUPT

I HEREBY CERTIFY that this is a true and correct copy of the original on file in the office of the Clerk, United States Bankruptcy Court for the Northern District of Florida.

WILLIAM W. BLEVINS, Clerk, Bankruptcy Court

By 
Deputy Clerk

Furnished copies to:

Kenneth S. Jannette 0062211
Weinstein & Riley, P.S
14 Penn Plaza, Suite 1300
New York, NY 10122
800-206-7410

Steven D Jurnovoy
Attorney At Law
1100 North Palafox Street
Pensacola, FL 32501

Johnny L. Rozzelle
205 Street A
Picayune, MS 39466

Trustee
Sherry Chancellor
Law Office of Sherry F. Chancellor
619 West Chase St.
Pensacola, FL 32502

U.S. Trustee
United States Trustee
110 E. Park Avenue, Suite 128
Tallahassee, FL 32301

Notice Recipients

District/Off: 1129-3
Case: 11-03059-MAM

User: mmirra
Form ID: pdf002

Date Created: 12/6/2011
Total: 6

Recipients submitted to the BNC (Bankruptcy Noticing Center) without an address:

dft Betty Ann Rozelle

TOTAL: 1

Recipients of Notice of Electronic Filing:

aty Kenneth Steven Jannette kenj@w-legal.com
aty Martin S. Lewis landj@4-debtor.com

TOTAL: 2

Recipients submitted to the BNC (Bankruptcy Noticing Center):

pla Discover Bank, Issuer of the Discover Card Weinstein & Riley, PS 14 Penn Plaza Suite
1300 New York, NY 10122
dft Johnny L. Rozzelle P.O. Box 721 Pensacola, FL 32591
ust United States Trustee 110 E. Park Avenue Suite 128 Tallahassee, FL 32301 USA

TOTAL: 3