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Doc#: 0920244012 Fee: \$38.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 07/21/2009 09:09 AM Pg: 1 of 2

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:

ALBERTO MAGALLANEZ,
CHRISTINE MAGALLANEZ,
Debtors.

No. 04 B 24556

COVER PAGE FOR
JUDGMENT ORDER VOIDING MEMORANDUM OF JUDGMENT

Relates to Document #0418439045 Memorandum of Judgment against Alberto Magallanez

Property:

THE SOUTH 40 FEET OF LOT 1 IN BLOCK 45 IN THE SUBDIVISION OF BLOCKS 45, 47, 48, 49, 50, 51 AND 52 IN CIRCUIT COURT PETITION IN SECTION 31, TOWNSHIP 39 NORTH, RANGE 13, 3AST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

COMMONLY KNOWN AS: 3646 South Home, Berwyn, Illinois

TAX PARCEL NUMBER: 16-31-319-036-0000


UNOFFICIAL COPY**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:) Bankruptcy No. 04 B 24556
) Chapter 7
 ALBERTO MAGALLANEZ and) Judge John H. Squires
 CHRISTINE MAGALLANEZ,)
)
 Debtors.

ORDER

For the reasons set forth in a Memorandum Opinion dated March 31, 2009, the Court grants the motion of U.S. Bank National Association, as Trustee and finds that L.D.S., L.L.C. violated the automatic stay pursuant to 11 U.S.C. § 362(a)(4) when it obtained and recorded its memorandum of judgment. The Court denies the request of L.D.S., L.L.C. to annul the stay retroactively under 11 U.S.C. § 362(d). As a result of L.D.S., L.L.C.'s violation of the automatic stay, the Court voids its memorandum of judgment ab initio. The Court will not grant U.S. Bank National Association, as Trustee any relief under 11 U.S.C. § 362(n) because the stay violation was not willful, and U.S. Bank National Association, as Trustee is not an individual. Thus, U.S. Bank National Association, as Trustee is not able to recover any damages, fees, or costs.

ENTERED:DATE: 3/31/9


 John H. Squires
 United States Bankruptcy Judge

cc: See attached Service List