

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

**IN RE:**

**JARED ALEXANDER BROWN  
SUSAN ELIZABETH BROWN,**

**DEBTORS.**

**Case No.: BK-09-12142-M  
Chapter 7**

**MOTION FOR RELIEF FROM AUTOMATIC STAY AND ABANDONMENT OF  
PROPERTY AND BRIEF IN SUPPORT THEREOF AND NOTICE OF OPPORTUNITY  
FOR HEARING**

COMES NOW METLIFE HOME LOANS, A DIVISION OF METLIFE BANK, N.A., (hereinafter referred to as Movant) and pursuant to the provisions of Title 11 U.S.C. Section 361, 362 and 554, moves the Court to grant it relief from the automatic stay and order of abandonment of the subject property. In support of its Motion, Movant alleges and states as follows:

1. That the original makers, for a good and valuable consideration, made, executed and delivered to the Payee, a certain promissory note; a true copy of said note and endorsements thereon, if any, is hereto attached, marked Exhibit "A", and made a part hereof.

2. As a part of the same transaction, and to secure the payment of said note and the indebtedness represented thereby, the said makers, being then the owners of the real estate hereinafter described, made, executed and delivered to the Payee, a real estate mortgage in writing and therein and thereby mortgaged and conveyed to said mortgagee the following described real estate situated in Rogers County, State of Oklahoma, to-wit:

Lot 22, in Block 6, WILLOW GORGE, an Addition to the Town of Verdigris, being a part of Section 2, Township 20 North, Range 15 East, and a Resubdivision of part of RESERVE A, "COTTONWOOD HILL", an Addition to the Town of Verdigris, County of Rogers, State of Oklahoma, according to the recorded Plat thereof. a/k/a 25195 Creek Bank Trail, Verdigris, OK 74019;

with the buildings and improvements and the appurtenances, hereditaments and all other rights thereunto appertaining or belonging, and all fixtures then or thereafter attached or used in

connection with said premises. A true and correct copy of said mortgage is attached hereto, marked Exhibit "B", and made a part hereof.

3. Movant is duly authorized to bring this action.

4. Default has been made upon said note and mortgage. As of December 4, 2009, the loan is due for the January 1, 2009, and subsequent payments with an outstanding principal balance of \$228,000.00 plus accruing interest, attorney fees, costs and expenses, and other allowable charges.

5. The mortgage of Movant constitutes a valid lien against the mortgaged property, prior and superior to any right, title, lien, estate or interest of the Debtors or Estate.

6. You are hereby notified that you have 15 days from the date of the filing of this motion to file a written answer or objection to the requested relief. If no answer or objection is timely filed the Court may grant the requested relief without further notice. The 15 day period includes the 3 days allowed for mailing provided by Rule 9006(f) Fed. R. Bankr. Proc.

WHEREFORE, Movant moves the Court for an Order vacating or modifying the automatic stay herein as provided by 11 U.S.C. Section 362 and directing the Trustee herein to abandon the mortgaged property as authorized by 11 U.S.C. Section 554 so as to permit Movant and other interested parties to enforce their liens against the mortgaged property.

METLIFE HOME LOANS, A DIVISION OF  
METLIFE BANK, N.A.,

By: s/ Michael W. McCoy  
MICHAEL W. MCCOY - #16690  
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## NOTICE OF OPPORTUNITY FOR HEARING

**Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document.** If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Northern District of Oklahoma, 224 South Boulder, Tulsa, Oklahoma 74103 no later than 15 days from the date of the filing of this request for relief. You should also mail a file-stamped copy of your response or objection to the undersigned movant/movant's attorney [and others who are required to be served] and file a certificate of service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice. **The 15 day period includes the 3 days allowed for mailing provided for in Rule 9006(f) Fed. R. Bankr. Proc.**

### CERTIFICATE OF SERVICE

I hereby certify that I mailed a true and correct copy of the Motion for Relief filed on behalf of MetLife Home Loans, a division of MetLife Bank, N.A., with postage thereon fully prepaid, to all parties claiming an interest in the subject property as listed below and to those parties listed on the attached Creditor's Mailing Matrix, on August 24, 2009.

Jared Alexander Brown  
Susan Elizabeth Brown  
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Tulsa, OK 74133

Steven W. Soule  
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By: s/ Michael W. McCoy  
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