



SO ORDERED.

SIGNED this 19 day of January, 2006.

Dale L. Somers

Dale L. Somers
UNITED STATES BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF KANSAS**

In Re: RANDAL STEVEN REED,

DEBTOR.

**CASE NO. 04-13824
CHAPTER 7**

CARL B. DAVIS, Trustee,

PLAINTIFF,

ADV. NO. 04-05302

v.

**RANDAL STEVEN REED and
ROSE HILL STATE BANK, f/k/a
Rose Hill State Bank,**

DEFENDANTS.

**JUDGMENT GRANTING IN PART AND DENYING IN PART TRUSTEE'S
COMPLAINT FOR LIEN AVOIDANCE**

This proceeding came before the Court on December 6, 2005, for trial on the merits. The Plaintiff, Chapter 7 Trustee, Carl B. Davis ("Trustee"), was represented by Carl B. Davis, Davis &

Jack, L.L.C. Defendant, Rose Hill Bank ("Bank"), was represented by Steve L. Speth, Speth & King. There were no other appearances.¹ The Court heard evidence and the arguments of counsel.

This Court has jurisdiction over the parties and the subject matter of this proceeding pursuant to 28 U.S.C.A. §§ 157(a) and 1334(a) and (b), and the Standing Order of the United States District Court for the District of Kansas that exercised authority conferred by § 157(a) to refer to the District's bankruptcy judges all matters under the Bankruptcy Code and all proceedings arising under the Code or arising in or related to a case under the Code, effective July 10, 1984². Furthermore, this Court may hear and finally adjudicate this matter because it is a core proceeding pursuant to 28 U.S.C.A. § 157(b)(2)(K).

Following the close of the evidence, pursuant to Federal Rule of Bankruptcy Procedure 7052, which makes Civil Rule 52 apply to this proceeding, the Court announced on January 19, 2006, by Memorandum and Order Granting in Part and Denying in Part Trustee's Complaint for Lien Avoidance, its Findings of Fact and Conclusions of Law. Based upon the foregoing, including those Findings and Conclusions, and in accordance with Bankruptcy Rule 9021 and Civil Rule 58(a), judgment is hereby entered denying the Trustee's complaint to avoid lien pursuant to 11 U.S.C.A. § 544 as to the Trailer and granting the complaint as to the Boat, including the engine.

IT IS SO ORDERED.

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¹ The Debtor was present as a witness.

²The order is referred to in D. Kan. Rule 83.8.5, and is quoted in the Preface to the 2004 Local Rules of the United States Bankruptcy Court for the District of Kansas, at page v.