



20060531000255470 1/3 \$17.00
Shelby Cnty Judge of Probate, AL
05/31/2006 09:36:33AM FILED/CERT

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

In re:
First United Security Bank
P. O. Box 549
Grove Hill, AL 36451

BK Case No. 05-08246

Plaintiff(s)

AP No. 06-00086

vs.

David A. Cooper
5964 Forest Lakes Cove
Sterrett, AL 35147

Defendant(s)

CERTIFICATE OF JUDGMENT

I, ELIGAH DANE CLARK, Clerk of the United States Bankruptcy Court for the Northern District of Alabama, do hereby certify that on March 28, 2006, a Judgment was rendered in the United States Bankruptcy Court for the Northern District of Alabama, Southern Division in the above-styled cause wherein it was **ORDERED** by the Court that:

First United Security Bank obtained a Judgment against David A. Cooper without waiver of exemptions for the sum of eighteen thousand two hundred and fifty---(\$18,250) Dollars, and also the sum of two hundred and fifty---(\$250.00) Dollars, cost of said suit, and interest at the rate of 8.5% per annum from date of said Judgment.

W. Marcus Brakefield is the Attorney of Record for First United Security Bank in said cause.

Given under my hand and seal of this Court on this 10th day of May 2006.

**ELIGAH DANE CLARK, Clerk
United States Bankruptcy Court**

By


Deputy Clerk

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

IN RE:)	CHAPTER 7
)	
DAVID A. COOPER AND JOHNNA)	
D. COOPER)	CASE NO. 05-08246-BGC-7
)	
Debtors.)	
)	
FIRST UNITED SECURITY BANK,)	Adversary Proceeding No. 06-00086
)	
Plaintiff,)	
)	
VS.)	
)	
DAVID A. COOPER)	
)	
Defendant.)	

CONSENT JUDGMENT

At the request of the parties it is hereby ORDERED, ADJUDGED, and DECREED as follows:

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §1334, 28 U.S.C. §157(a), and the Order of Reference entered by the District Court.
2. Venue is proper in this district by virtue of 28 U.S.C. §1409(a), as this proceeding arises in and relates to a case under the Bankruptcy Code that is pending in this district.
3. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2)(I).
4. This is an adversary proceeding pursuant to Fed. R. Bankr. P. 7001(6).
5. Judgment is hereby rendered in favor of Plaintiff and against Defendant, David A. Cooper, for the principal sum of \$18,250.00 (hereinafter "Judgment").
6. The Judgment is non-dischargeable pursuant to 11 U.S.C. §523(a)(6).
7. Interest shall accrue upon said Judgment at 8.5% per annum, until paid in full.

8. The Judgment is rendered against Defendant without waiver of exemptions.
9. With the exception of the recording of a certificate of judgment, the Plaintiff shall be stayed from garnishment or execution upon this Judgment so long as Defendant shall pay to the order of Plaintiff, in presently available funds, the sum of \$304.17 per month, beginning the 1st day of the calendar month following sixty (60) days after the closing of this Chapter 7 case but not later than August 1, 2006, and on or before the 1st day of each consecutive month thereafter for a total of sixty (60) months until the full principal amount of \$18,250.00 is paid in full. Upon timely payment of all sixty (60) monthly payments as specified herein, the Judgment shall be deemed "paid in full." However, in the event Defendant fails to pay any payment within ten (10) days of the due date (hereinafter "Default"), said stay of execution and garnishment shall be automatically lifted without further order of this Court, and all payments received by Plaintiff from Defendant shall be applied first to interest accruing upon the Judgment and secondly to the principal amount of said Judgment. Further, upon Default, the original Judgment, together with interest as provided herein, shall then remain in full force and effect until all principal, interest and court costs are paid in full.
10. All payments are to be mailed directly to First United Security Bank at P.O. Box 549, Grove Hill, Alabama 36451.
11. Costs are hereby taxed to the Defendant.

ORDERED this the 28th day of March, 2006.

/s/Benjamin Cohen
BENJAMIN COHEN
United States Bankruptcy Judge

APPROVED IN ADVANCE:

/s/ W. Marcus Brakefield
W. Marcus Brakefield
Attorney for Plaintiff
Post Office Box 2427
Tuscaloosa, Alabama 35403
File No. 35000.1011

/s/ Horace V. O'Neal, Jr.
Horace V. O'Neal, Jr.
Attorney for Defendant
3250 Independence, Suite 201
Birmingham, Alabama 35209

/s/ David A. Cooper
David A. Cooper
Debtor/Defendant