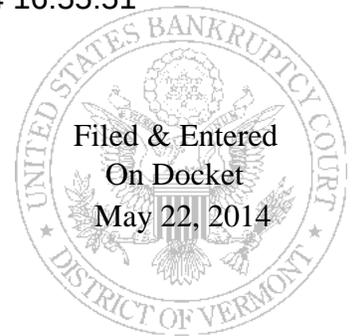


UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT



In re:

**William F. Brooks,
Debtor.**

**Chapter 13 Case
14-10096**

Appearances: *Michelle Kainen, Esq.*
 Kainen Law Office, PC
 White River Junction, VT
 For the Creditor

William Brooks
White River Junction, VT
Pro se Debtor

ORDER

**DENYING DEBTOR'S MOTION TO ENFORCE AUTOMATIC STAY AND
DETERMINING THAT ESTATE HAS NO INTEREST IN CERTAIN PROPERTY**

For the reasons set forth in the memorandum of decision of even date, THE COURT FINDS that the Debtor had no interest in the property located at 3713 Quechee West Hartford Road (the "Property") on the date he filed his bankruptcy petition in this case, and likewise that the items removed from the Property, as well as any rents received from use of the Property, are outside the scope of the estate.

THE COURT FURTHER FINDS it lacks jurisdiction over the Property, rents from use of the Property, and items belonging to the Property; that there is no automatic stay to enforce with respect to the Property or the related items; that any action for turnover of these items must be brought in a state court forum; and that the Debtor may not claim the Property or items belonging to the Property as exempt.

Accordingly, IT IS HEREBY ORDERED that the Debtor's Motion seeking determinations that the Creditor violated the stay, the Creditor has no interest in the Property, the Property is part of the Debtor's homestead property, and the Creditor's claim to the Property can be avoided as impairing the Debtor's homestead exemption (doc. # 47) is DENIED; and the Creditor's Motion seeking a determination that the Property is not property of the estate (doc. # 48) is GRANTED.

IT IS FURTHER ORDERED that the Creditor's requests for turnover of the items the Debtor removed from the Property and for a monetary award for damages the Debtor's livestock caused to the Property (doc. # 54) are DENIED.

SO ORDERED.

May 22, 2014
Burlington, Vermont

A handwritten signature in black ink, appearing to read "Colleen A. Brown".

Colleen A. Brown
United States Bankruptcy Judge