

United States Bankruptcy Court

JUN 15 1990

For the NORTHERN District of IOWA

IN RE: KEVIN JOSEPH GILLESPIE and
JEANETTE LOUISE GILLESPIE,
Debtors.

Chapter BARBARA A. EVERLY, CLERK

Case No. X90-00025F

KEVIN JOSEPH GILLESPIE and
JEANETTE LOUISE GILLESPIE, Plaintiffs

v.
WEBSTER COUNTY SHERIFF; WEBSTER
COUNTY CLERK OF COURT; ROBERT
VAN DIEST; VAN DIEST SUPPLY
COMPANY, INC.; and HAMILTON COUNTY
CLERK OF COURT, Defendants

Adversary Proceeding No. X90-0078F

JUDGMENT

This proceeding having come on for trial or hearing before the court, the Honorable William L. Edmonds, United States Bankruptcy Judge, presiding, and the issues having been duly tried or heard and a decision having been rendered,

[OR]

The issues of this proceeding having been duly considered by the Honorable William L. Edmonds, United States Bankruptcy Judge, and a decision having been reached without trial or hearing,

IT IS ORDERED AND ADJUDGED:

that the Hamilton County Clerk of Court shall deliver to the plaintiffs Kevin and Jeannette Gillespie the sum of \$414.94 and

IT IS FURTHER ORDERED that any claim of Robert Van Diest and/or Van Diest Supply Co., Inc. to the garnished funds is inferior to that of the plaintiffs and such interest is avoided.



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BARBARA A. EVERLY
Clerk of Bankruptcy Court

[Seal of the U.S. Bankruptcy Court]

6-15-90

Louis McElhany

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

FILED
U.S. BANKRUPTCY COURT S.C.
NORTHERN DISTRICT OF IOWA

JUN 15 1990

BARBARA A. EVERLY, CLERK

IN RE:

KEVIN JOSEPH GILLESPIE and)
JEANETTE LOUISE GILLESPIE,)
)
Debtors.)

Chapter 7

Bankruptcy No. X90-00025F

KEVIN JOSEPH GILLESPIE and)
JEANETTE LOUISE GILLESPIE,)
)
Plaintiffs,)

Adversary No. X90-0078F

vs.)

WEBSTER COUNTY SHERIFF;)
WEBSTER COUNTY CLERK OF COURT;)
ROBERT VAN DIEST; VAN DIEST)
SUPPLY COMPANY, INC.; and)
HAMILTON COUNTY CLERK OF COURT,)
)
Defendants.)

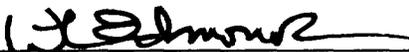
ORDER GRANTING MOTION FOR DEFAULT

The matter before the court is the plaintiffs' motion for default in this adversary proceeding. Having examined the complaint, amended complaint, motion for default, proof of service and affidavit of plaintiffs' counsel, the court finds that the complaint was filed May 3, 1990 and amended May 10, 1990. The court further finds that all defendants have been timely and properly served with summons and notice with attached complaint and amended complaint. The time for answer or responsive motion has passed and no one of the defendants has filed answer or responsive motion and all are in default within the provisions of Bankr. R. 7055. The court finds, for defendants' failure to answer, that the allegations of the complaint are

true, and that the plaintiffs are entitled to the relief requested in their amended complaint. The court further finds that none of the defendants are infants or incompetent persons or within the protection of the Soldiers' and Sailors' Civil Relief Act of 1940.

IT IS ORDERED that plaintiffs' motion for default judgment is granted. Judgment shall enter that the Hamilton County Clerk of Court shall deliver to the plaintiffs Kevin and Jeannette Gillespie the sum of \$414.94 and said judgment shall further provide that any claim of Robert Van Diest and/or Van Diest Supply Co., Inc. to the garnished funds is inferior to that of the plaintiffs and such interest is avoided.

SO ORDERED ON THIS 15th DAY OF JUNE, 1990.



William L. Edmonds, Bankruptcy Judge

cc: David A. Sergeant
James Cossitt
Webster Co. Sheriff
Webster Co. Clerk of Ct.
Robert Van Diest
Van Diest Supply Co., Inc.
Hamilton Co. Clerk of Ct.
U.S. Trustee
on 6/15/90, *Jm*