

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

IN RE: SAMUEL M. BROTHERS
LORA BROTHERS
AKA LORIANN BROTHERS

CASE NO.: 10-10518-NPO
CHAPTER 13

**RESPONSE TO OBJECTION TO
SECURED CLAIM AND OTHER RELIEF**

NOW INTO COURT, through undersigned counsel, comes BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP, a secured creditor in the above entitled and numbered case, who respectfully represents as follows:

1.

Creditor is a secured creditor in the above entitled case by virtue of its holding a Note secured by a Deed of Trust affecting property of Debtors located at 668 W Mccorkle Cir, Greenville, MS. The Note and Deed of Trust is payable in monthly installments and the property affected by the mortgage is the home of the Debtors'.

2.

Trustee's Objection to Proof of Claim having been filed states that the Creditor filed a proof of claim (Clm. #9) with a pre-petition arrearage claim of \$19,934.12. Said arrearage claim includes an amount for escrow shortages in the amount of \$2,631.92. The Trustee demands strict proof of the components (i.e., principal, interest and escrow) of the pre-petition payments and post-petition payments, as well as strict proof of said escrow shortages as set forth in the proof of claim worksheet. Should the Creditor fail to provide strict proof, the Debtor's pre-petition arrearage claim should be reduced and escrow shortage in the total amount of \$2,631.92 should be removed from the arrearage claim.

3.

Counsel for Creditor would show that said information has been requested from the Creditor and is being provided to the Trustee for review. For the foregoing reasons, Creditor responds to the Objection to the Secured Claim and Other Relief proposed by the Debtors.

The undersigned files this pleading upon information and belief provided by Creditor.

WHEREFORE, CREDITOR PRAYS that Objection to the Secured Claim and Other Relief proposed by the Debtors herein be denied by the court.

MORRIS AND ASSOCIATES
2309 Oliver Road
Monroe, LA 71201
(318) 340-6487

/s/ MICHAEL JEDYNAK (Bar# 103014)
ATTORNEY FOR MOVER

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

IN RE: SAMUEL M. BROTHERS
LORA BROTHERS
AKA LORIANN BROTHERS

CASE NO.: 10-10518-NPO
CHAPTER 13

CERTIFICATE OF SERVICE

I, Michael Jedynak, hereby certify that I have notified all interested parties of the Response to the Objection to the Secured Claim and Other Relief filed by BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP, who are listed as follows:

Samuel and Lora Brothers
668 W Mccorkle Cir
Greenville, MS 38701

Michael W. Boyd
Attorney at Law
boydlawoffice@yahoo.com

Locke D. Barkley
Trustee
sbeasley@barkley13.com

Office of U.S. Trustee
USTPRegion05.AB.ECF@usdoj.gov

by mailing a copy of the Response to the Objection to the Secured Claim and Other Relief filed herein by United States Mail, first class, postage prepaid and properly addressed, all on this the 10th day of June 2010.

MORRIS AND ASSOCIATES
2309 Oliver Road
Monroe, LA 71201
(318) 340-6487

/s/ MICHAEL JEDYNAK (Bar# 103014)
Attorney for Mover