

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

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In re: :

ROBERT R. BUSHEE, SR. : BK No. 96-12625
Debtor Chapter 7

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TITLE: *In re Bushee*

CITATION: 1997 WL 665543 (Bankr. D.R.I. Oct 7, 1997)

ORDER DENYING DEBTOR'S MOTION TO AVOID LIEN

Before the Court is the Debtor's motion to avoid the lien of his former wife, Patricia Bushee, on the Debtor's 1989 motor home. The Debtor contends that the lien in question is a judicial lien created by a judgment of divorce entered by the Rhode Island Family Court and is therefore voidable under 11 U.S.C. § 522(f). Ms. Bushee contends, and we agree, that the lien on the motor home is a consensual lien voluntarily granted to Ms. Bushee by Mr. Bushee under the Marital Settlement Agreement. *See Naqvi v. Fisher* 192 B.R. 591, 595-96 (D.N.H. 1995). Accordingly, the lien is not avoidable and the Debtor's Motion is DENIED. *See* 11 U.S.C. § 522(f).

Dated at Providence, Rhode Island, this 7th day
of
October, 1997.

/s/ Arthur N. Votolato

Arthur N. Votolato
U.S. Bankruptcy Judge