



**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA**

In re

VAN HUNG LANDRUM,

Debtor.

)
) CASE NO. SV 08-13644-KT
)
) CHAPTER 7
)
)
) MEMORANDUM ON MOTION TO
) AVOID LIEN
)
)
)
)
) DATE: September 9, 2008
) TIME: 10:00 a.m.
) PLACE: Courtroom 301
) 21041 Burbank Blvd.
) Woodland Hills, CA

On June 2, 2008, the debtor in the above-captioned Chapter 7 case, Van Hung Lundrum ("Debtor"), filed a Motion to Avoid Judicial Lien with reference to "*Barclays Bank Delaware*" and a "*Default judgment [in] Case #07A02859, Superior Court of Los Angeles County, Plaintiff HSBC Bank of Nevada, entered June 8 2007 total \$1,592.69 Address 4545 Murphy CYN Rd San Diego, CA 92123 Atty Michael Kohn*" "*said judicial lien is entered of record as follows: 07A2859.*"

The court set the matter for hearing on July 15, 2008. The Debtor, who represents himself, appeared and agreed to look for further papers related to the debt which could help identify the nature of the lien which he seeks to avoid. The matter was continued to August 26, 2008, and again to September 9, 2008. The Debtor did not appear at the further hearings.

The court does not have sufficient information to determine whether a lien has been asserted against the Debtor's assets by Barclays Bank Delaware or by HSBC Bank of Nevada or by Attorney Michael Kohn. According to the records of this case, the Debtor does not own any real property and there is no indication that the Debtor owns personal property subject to any liens or that there is personal property for which the Debtor has claimed an exemption without objection thereto.

Based on the foregoing, it appears that any debt liquidated by the default judgment referenced in the Motion to Avoid Lien created an unsecured obligation which is subject to any discharge entered in this case. However, the Debtor received a discharge in a prior Chapter 7 case filed on 5/21/01. The present case was filed within 8 years of the commencement of that case. Therefore, the Debtor is not entitled to a discharge in this case.

Based on the foregoing, the Debtor's motion should be denied either for failure to prosecute or because no relief on this matter can be granted in this case.

DATED:

KATHLEEN THOMPSON
U.S. Bankruptcy Court


CERTIFICATE OF MAILING

I hereby certify that copies of the MEMORANDUM ON MOTION TO AVOID LIEN were mailed to the following parties in interest:

DATED: _____

SEP 11 2008

JON D. CERETTO
CLERK OF COURT

By: 
Deputy Clerk

Van Hung Landrum
8320 Lindley Ave., Apt. #5
Northridge, CA 91325

David Seror
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United States Trustee
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