

STATE OF INDIANA)
)
) ss:
)
COUNTY OF LAKE)

IN THE LAKE SUPERIOR COURT
SITTING AT GARY, INDIANA

ANA ALICIA CORTES and MARTIN SILVA,)
)
) Plaintiffs)
)

v.)

CAUSE NO. 45D04-1209-PL-00089

JOSE NAVARETTE, d/b/a NAVA)
) CONSTRUCTION; NAVA)
) RESTORATION, INC.,)
) KEN GRISWOLD, d/b/a 3-G's)
) CONSTRUCTION, INC.;)
) 3-G's CONSTRUCTION, INC.,)
) KEN GRISWOLD, individually)
) MARK STRICKLAND, d/b/a)
) LORD AND MARCOS,)
) SYLVESTER KOZYRA, individually,)
) and ROBERT MAKA, individually,)
) Defendants.)

FILED IN OPEN COURT

JUL 03 2014

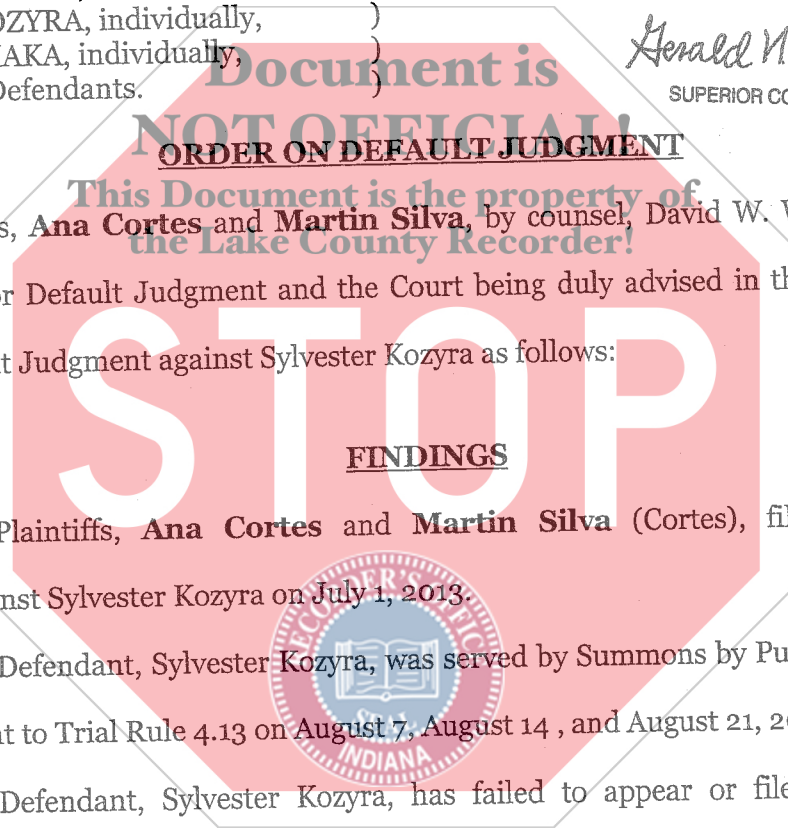
Herald Navarette
JUDGE
SUPERIOR COURT OF LAKE COUNTY

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ORDER ON DEFAULT JUDGMENT

Plaintiffs, **Ana Cortes** and **Martin Silva**, by counsel, David W. Weigle, having filed their Motion for Default Judgment and the Court being duly advised in the premises, hereby enters a Default Judgment against Sylvester Kozyra as follows:

FINDINGS

1. Plaintiffs, **Ana Cortes** and **Martin Silva** (Cortes), filed their Amended Complaint against Sylvester Kozyra on July 1, 2013.
2. Defendant, Sylvester Kozyra, was served by Summons by Publication and Notice of Suit pursuant to Trial Rule 4.13 on August 7, August 14, and August 21, 2013.
3. Defendant, Sylvester Kozyra, has failed to appear or file an Answer to the Plaintiffs' Amended Complaint.
4. Defendant, Sylvester Kozyra, is neither an infant nor incompetent, and is not protected by the Service Members Civil Relief Act.



STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORDING
MICHAEL B. BROWN
RECORDER
2014 DEC 19 AM 10:55

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5. The Mechanic's Lien filed by Sylvester Kozyra in the office of the Recorder of Lake County, Indiana on April 9, 2011 as Document #2011-024213 on the Plaintiffs' following property:

Parcel No. 36-102-18 and 36-1-2-19, Lots 14 and 15 in Block 3 in South Park Subdivision in the City of Hammond, as per plat thereof, recorded in Plat Book 11, Page 18, in the Office of the Recorder of Lake County, Indiana, commonly known as 2431 New York Avenue, Whiting, Indiana 46394-2145

was not timely enforced within one (1) year as required by I.C. 32-28-3-6(a)(b).

CONCLUSION OF LAW

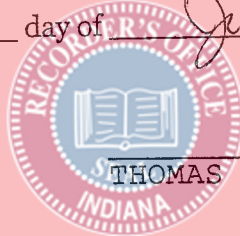
Pursuant to I.C. 32-28-3-6(a)(b), the lien of Defendant, Sylvester Kozyra, on the Plaintiffs' real estate should be ordered void because it was not foreclosed within one (1) year of filing as required by I.C. 32-28-3-6 (a)(b).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the lien of Defendant, Sylvester Kozyra on the real estate of the Plaintiffs legally described as:

Parcel No. 36-102-18 and 36-1-2-19, Lots 14 and 15 in Block 3 in South Park Subdivision in the City of Hammond, as per plat thereof, recorded in Plat Book 11, Page 18, in the Office of the Recorder of Lake County, Indiana, commonly known as 2431 New York Avenue, Whiting, Indiana 46394-2145

and recorded as document number 2011 024213 is hereby declared **VOID** and has no force and effect.

SO ORDERED this 3 day of July, 2014.

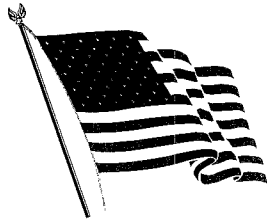


Thomas W. Webber, Sr.
THOMAS W. WEBBER, SR., SENIOR JUDGE

Distribution:

David W. Weigle -- David W. Weigle & Associates
Natasha A. Burkett -- Law Office of Jonathan Petersen

The United States of America

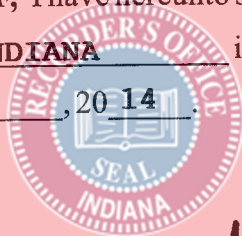


STATE OF INDIANA, COUNTY OF LAKE, ss:

I, the undersigned, Clerk of the Lake Circuit and Superior Courts of Lake County, Indiana, and the keeper of the records and files thereof, does hereby certify that the above and foregoing is a full, true, correct and complete copy of the Order of court dated the 3RRD day of JULY, 2014, in the case of ANA CORTES, ET AL
-VS- JOSE NAVARETTE, ET AL

in cause number 45 45D04-1209-PL-00089, as fully as the same appears of record in the office of the Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court at my office in GARY, INDIANA in the County of Lake this 20TH day of NOVEMBER, 2014.



[Handwritten Signature]

Clerk Lake CIRCUIT Court.

By *[Handwritten Signature]*
Deputy

United States of America

45D04-1209-PL-00089

State of Indiana, County of Lake, ss:

BRUCE D. PARENT, Judge of the SUPERIOR Court of Lake County, of the State of Indiana, and as such sole presiding Judge of SUPERIOR COURT of Lake County, in the State of Indiana, do hereby certify that MICHAEL A. BROWN, whose name is subscribed to the foregoing certificate of attestation, now is, and was at the time of signing and sealing the same, the Clerk of the SUPERIOR Court of Lake County aforesaid, and keeper of the records, files and seals thereof, duly elected and qualified to office; and that full faith and credit are, and of right ought to be, given to all his official acts as such, in all Courts of Record and elsewhere, and that his said attestation is in due form of law and by the proper officer.

Given under my hand and seal, at GARY, Indiana,

this 20TH day of NOVEMBER A.D. 2014

(Seal)

This Document is the property of the Lake County Recorder!

Presiding Judge of the SUPERIOR Court of Lake County, State of Indiana

Bruce D. Parent

State of Indiana, County of Lake, ss:

I, MICHAEL A. BROWN, Clerk of the SUPERIOR Court of Lake County, in the State of Indiana—said Court being a Court of Record—do hereby certify that the HON, BRUCE D. PARENT, whose name is subscribed to the annexed and foregoing certificate, was, at the time of the signing thereof, and now is, the sole presiding Judge of said LAKE SUPERIOR COURT duly elected, Commissioned and qualified, and that his said signature is genuine.

IN WITNESS WHEREOF, I have signed my name and affixed the seal of said Lake SUPERIOR Court, at

my office in GARY, INDIANA, in said Lake County,

this 20TH day of NOVEMBER A.D. 2014

[Signature] Clerk