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MICHAEL B. BROWN

STATE OF INDIANA) IN THE LAKE SUPERIOR COURT
COUNTY OF LAKE) SS: CIVIL ROOM 1
HAMMOND, INDIANA

CITY OF EAST CHICAGO, INDIANA,)

Plaintiff,)

v.)

DAVID S. SMITH, DAMARIS SMITH, U.S.)
BANK NATIONAL ASSOCIATION, AS)
TRUSTEE FOR CREDIT SUISSE FIRST)
BOSTON MBS HEAT 2004-1, NCO)
PORTFOLIO MANAGEMENT, Inc., DANIEL)
J. ALLEN, JAMES A. DESTEFANO,)
DEUTSCHE BANK NATIONAL TRUST)
COMPANY AS TRUSTEE OF)
AMERIQUEST MORTGAGE SECURITIES)
INC., CITY OF HAMMOND, INDIANA)
DEPARTMENT OF REVENUE, LAKE)
COUNTY TREASURER and ANY AND ALL)
UNKNOWN TENANTS,

CAUSE NO. 45D01-1609-PL-105

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Property No. 45-03-16-313-018.000-024
Property Address: 410 Lilac Street
East Chicago, Indiana

Filed in Open Court

MAR 23 2017

Defendants.



Michael Brown
CLERK LAKE SUPERIOR COURT

ORDER FOR SUMMARY JUDGMENT AGAINST DEFENDANT DESTEFANO AND TO QUIET TITLE TO REAL ESTATE

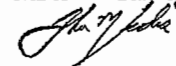
COMES NOW the Court, and after reviewing the written Motion for Summary Judgment, Designation and Memorandum filed by Plaintiff and holding a hearing on same on March 23, 2017, now finds as follows:

1. The above caption action commenced with a complaint to quiet title to real estate filed by Plaintiff on October 6, 2016 concerning property located at 410 Lilac, East Chicago, Indiana.
2. On October 25, 2016, pro se Defendant James A. DeStefano answered,

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- claiming a lien against one of the named Defendants to the action and requesting that said lien serve as a bar to the entry of a quiet title order.
3. Plaintiff City of East Chicago on January 10, 2017 filed a Motion for Summary Judgment, Memorandum in Support of Summary Judgment and Designation of Materials in Support of Summary Judgment as to the alleged claim against 410 Lilac made by Defendant DeStefano.
 4. James A. DeStefano did not file a response to the Motion for Summary Judgment filed by Plaintiff, nor submit any evidence in support of his claim to the property.
 5. The balance of the Defendants in the above captioned action either disclaimed or were defaulted by the Court's Order of January 30, 2017 and title was quieted as to those Defendants.
 6. The Court now finds that there is no genuine issue of material fact as to the matter raised in the October 25, 2016 Answer of Defendant DeStefano, in that the lien claimed by Defendant DeStefano was entered prior to the issuance of the Tax Deed to Plaintiff.
 7. Pursuant to I.C. 6-1.1-25-4 (e), the Order of Issuance of Tax Deed entered for 410 Lilac Street, under Cause Number 45C01-1308-MI-129, recorded on the property on November 14, 2014, vests in Plaintiff, City of East Chicago, an estate in fee simple absolute, free and clear of all liens and encumbrances created or suffered before the tax sale.
 8. Court now issues an Order quieting title as to Defendant DeStefano.

ALL OF WHICH IS ORDERED, ADJUDGED AND DECREED
THIS _____ DAY OF _____, 2017



MAR 23 2017

JOHN M. SEDIA

Judge
Lake Superior Court, Room One