

**UNITED STATES BANKRUPTCY COURT  
FOR THE  
WESTERN DISTRICT OF KENTUCKY**

IN RE: )  
 )  
CHALLIS FAYE DAVIDSON ) CASE NO.: 06-10180  
 )  
 )  
\_\_\_\_\_Debtor )

**MEMORANDUM-OPINION-ORDER**

This matter came before the Court on the Objection to Confirmation of Debtor’s Chapter 13 Plan by Creditor US Bank Consumer Finance (“US Bank”) on the basis that the Chapter 13 Plan did not provide for the Creditor’s claim as secured. Debtor, Challis Faye Davidson (“Debtor”), contended that creditor’s lien on a 2003 Ford Explorer was not set forth on the Certificate of Title to the vehicle. US Bank tendered evidence that it timely submitted a title lien statement with the appropriate information and required fees to the Barren County Clerk’s Office. However, the title to the vehicle was issued without US Bank’s lien. KRS 186.A.195(5) provides that a security interest noted on a certificate of title shall be deemed perfected at the time the security interest attaches if the secured party tenders the required fees and submits a properly completed title lien statement. Here, US Bank complied with the statute and the lien attached on May 6, 2005, pre-petition. US Bank could have done nothing further to perfect its lien.

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the Objection to Confirmation of Debtor’s Chapter 13 Plan of US Bank Consumer Finance, be and hereby is, **SUSTAINED.**

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Debtor, Challis Faye Davidson must file an amended Chapter 13 Plan providing for US Bank Consumer Finance’s

secured claim within fourteen (14) days of the date of this Order. Failure to file the amended claim in a timely fashion will result in dismissal of the case without further notice.