

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

In re:

Sam Parker Coats,
Frances Elaine Coats,

Debtors.

Bankruptcy Case No. 3:21-bk-2641-JAB
Adversary Case No. 3:21-ap-0105-JAB
Adversary Case No. 3:22-ap-0002-JAB

SAM PARKER COATS and
SAM P. COATS, surviving entities owner,

Appellants,

v.

Case No. 3:22-cv-1284-TJC

AARON R. COHEN, as Trustee,
SUGAR MILL PLANTATION
HOMEOWNERS' ASSOCIATION, INC.,

Appellees.

ORDER

This bankruptcy appeal is before the Court following the timely appeal by appellants Sam Parker Coats and Sam P. Coats, surviving entities owner,¹ of the United States Bankruptcy Court's September 20, 2022 Amended Findings

¹ The Court granted appellants' motion to substitute Sam P. Coats, surviving entities owner, for Frances Elaine Coats after she passed away. See Docs. 15, 16, 20, 23.

of Fact and Conclusions of Law (BK Doc. 206); September 20, 2022 Order Sustaining Objection to Debtors' Claim of Exemptions Filed by Sugar Mill Plantation Homeowners' Association, Inc. (BK Doc. 209); September 20, 2022 Order Sustaining in Part and Overruling in Part Trustee's Objection to Debtors' Claim of Exemptions (BK Doc. 207); September 20, 2022 Final Judgment as to Counts I and II of the Amended Complaint and as to Defendants' First Counterclaim and Second Counterclaim (Adv. Pro. Case No. 3:21-ap-00105, Doc. 30); September 20, 2022 Final Judgment as to Count I of the Complaint (Adv. Pro. Case No. 3:22-ap-0002, Doc. 18); and October 31, 2022 Order Denying Debtors' Motion for New Trial (BK Doc. 223). The parties filed the relevant portions of the record (Docs. 1-1, 4, 7-11, 17, 19) and briefs (Docs. 6, 18, 22) in support of their respective positions.

The Court is sitting in an appellate capacity. It therefore reviews the bankruptcy court's legal conclusions de novo and its factual findings for clear error. See, e.g., In re Yerian, 927 F.3d 122, 1227 (11th Cir. 2019) (citation and quotation omitted). Applying these standards, and upon careful consideration of the briefs and record on appeal, the Court concludes that the bankruptcy court committed no errors of law and made no clearly erroneous factual findings.

The Court is not unsympathetic to the predicament in which this may leave Mr. Coats. Judge Brown likewise described his position in making this

determination as “unenviable.” See BK Doc. 206 at 26. Indeed, as Northern District of Florida Chief Bankruptcy Judge Karen Specie has stated, “[o]ne of the most difficult decisions bankruptcy judges face is whether to permit debtors to keep certain property they claim as homestead.” In re Wiley, 570 B.R. 661, 673 (N.D. Fla. 2016). Nonetheless, where the law has been faithfully applied and no factual findings are clearly erroneous, sympathy cannot dictate a contrary outcome; the Court must affirm.

Accordingly, it is hereby

ORDERED:

The United States Bankruptcy Court’s September 20, 2022 Amended Findings of Fact and Conclusions of Law (BK Doc. 206); September 20, 2022 Order Sustaining Objection to Debtors’ Claim of Exemptions Filed by Sugar Mill Plantation Homeowners’ Association, Inc. (BK Doc. 209); September 20, 2022 Order Sustaining in Part and Overruling in Part Trustee’s Objection to Debtors’ Claim of Exemptions (BK Doc. 207); September 20, 2022 Final Judgment as to Counts I and II of the Amended Complaint and as to Defendants’ First Counterclaim and Second Counterclaim (Adv. Pro. Case No. 3:21-ap-00105, Doc. 30); September 20, 2022 Final Judgment as to Count I of the Complaint (Adv. Pro. Case No. 3:22-ap-0002, Doc. 18); October 31, 2022 Order Denying Debtors’ Motion for New Trial (BK Doc. 223) are **AFFIRMED**. The Clerk shall close the file.

DONE AND ORDERED in Jacksonville, Florida this 28th day of
December, 2023.



Timothy J. Corrigan
TIMOTHY J. CORRIGAN
United States District Judge

s.

Copies:

Honorable Jacob A. Brown
United States Bankruptcy Judge

Counsel of record