

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

ELIZABETH H. MCKINNY, )  
 )  
 Appellant, )  
 )  
 v. )  
 )  
 DAVID R. ALLISON, )  
 )  
 Appellee. )  
 )  
 IN RE: )  
 DAVID R. ALLISON, )  
 )  
 Debtor. )  
 Case No. 11-0472808-SWH )

**JUDGMENT**  
No. 5:13-CV-176-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of appeal from an order of the United States Bankruptcy Court entered August 29, 2012.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court’s order entered October 29, 2013, that the bankruptcy court’s decision denying appellant’s motion for summary judgment is **AFFIRMED**. This matter is **REMANDED** to the bankruptcy court for further proceedings in accordance with the court’s order.

**This Judgment Filed and Entered on October 29, 2013, and Copies To:**

Jason A. Miller (via CM/ECF Notice of Electronic Filing)  
Jeffrey Michael Cook (via CM/ECF Notice of Electronic Filing)

October 29, 2013

JULIE A. RICHARDS, CLERK  
/s/ Christa N. Baker  
(By) Christa N. Baker, Deputy Clerk