

In re Jason Lubell ITZLER, Debtor

Brian Lasky and Marcy Lasky, Plaintiffs,

v.

Jason Lubell Itzler, Defendant

No. 97-16887-BKC-RAM

Adv. No. 97-1313-BKC-RAM-A

(Cite as: 247 B.R. 546)

State collateral estoppel law applies in determining the preclusive effect of a state-court judgment in a bankruptcy dischargeability action. Under Florida law, a pure default judgment, where there is no participation by the defendant, satisfies the “fully litigated” element of collateral estoppel. Under Florida law, collateral estoppel precluded Chapter 7 debtor from relitigating in bankruptcy court whether debt arising from prepetition, state-court default judgment against him arose from his fraudulent conduct, for nondischargeability purposes.