

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA

FILED
U.S. Bankruptcy Court
Western District of NC

In Re:)
)
MOTIONS PURSUANT TO 11 U.S.C.)
§§ 362(c)(3)(B) and 362(j))
_____)

MAR 08 2006

David E. Welch, Clerk
Charlotte Division
ASW

JUDGMENT ENTERED ON MAR 08 2006

**ADMINISTRATIVE ORDER REGARDING MOTIONS FOR CONTINUATION OF THE
AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362(c)(3)(B) AND
REQUESTS FOR CONFIRMATION THAT THE AUTOMATIC STAY HAS BEEN
TERMINATED PURSUANT TO 11 U.S.C. § 362(j)**

Pursuant to 11 U.S.C. §§ 362(c)(3)(B) and 362(j), the court's Local Rule 9013-1(e) is amended to allow motions for continuation of the automatic stay and requests for confirmation that the automatic stay has been terminated to be noticed using "no protest" notices, and determined by the court without a hearing unless a timely response is filed and a hearing is specifically requested. The notice of opportunity for hearing should allow at least ten (10) days from the date of service for affected parties to file a response (inclusive of the 3 days for service by mail under Fed. R. Bankr. P. 9006(f)). In addition, the notice of opportunity for hearing for § 362(c)(3)(B) motions should include a prospective hearing date that falls on one of the court's regular motion days within thirty (30) days from the date of the filing of the petition. Motions for continuation of the automatic stay should be served case wide, and requests for confirmation that the automatic stay has been terminated must be served on affected parties. Finally, the court will serve the order on the §§ 362(c)(3)(B) and 362(j) motions case wide.



J. Craig Whitley
Chief United States Bankruptcy Judge



George R. Hodges
United States Bankruptcy Judge



Marvin R. Wooten
United States Bankruptcy Judge