

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

In re:

Case No. 6:08-bk-10670-ABB
Chapter 7

ABRAHAO MECLER and
DILQUE FERRACIOLI MECLER,

Debtors.

ORDER

This matter came before the Court on the unopposed Request for Order Confirming No Automatic Stay is in Effect (Doc. No. 30) ("Motion") filed by Bank of America, N.A. ("Movant"). Abrahao Mecler and Dilque Ferracioli Mecler, the Debtors herein, filed this Chapter 7 bankruptcy case on November 12, 2008 ("Petition Date"). Movant holds a security interest in a 2003 Mitsubishi Outlander VIN JA4LX41G03U059701 ("Vehicle") pursuant to a Contract No. 63010002043854 executed by Abrahao Mecler and Movant on or about September 25, 2004.

The Debtors' Statement of Intention sets forth the Debtors intend to surrender the Vehicle (Doc. No. 1). The Debtors' Section 341 meeting of creditors was held and concluded on December 17, 2008. The Debtors did not enter into a reaffirmation agreement with Movant within thirty days of the Section 341 meeting pursuant to 11 U.S.C. Section 521(a)(2)(B) or redeem the Vehicle within forty-five days of the Section 341 meeting pursuant to 11 U.S.C. Section 521(a)(6).

The automatic stay of 11 U.S.C. Section 362(a) immediately arose on the Petition Date. Section 362(c)(1) of the Bankruptcy Code provides the automatic stay continues against property of the estate "until such property is no longer property of the estate." The Vehicle is no longer property of the estate and the automatic stay has terminated pursuant to 11 U.S.C. Sections 521(a)(6), 362(c)(1), and 362(h)(1). This Order is being issued pursuant to Section

362(j) confirming the automatic stay has terminated.¹

Accordingly, it is

ORDERED, ADJUDGED and DECREED that the Movant's Motion (Doc. No. 30) is hereby **GRANTED** and, pursuant to 11 U.S.C. Sections 521(a)(6), 362(c)(1), and 362(h)(1), the Vehicle is no longer property of the estate, and the automatic stay of 11 U.S.C. Section 362(a) has terminated.

Dated this 9th day of March, 2009.

/s/Arthur B. Briskman
ARTHUR B. BRISKMAN
United States Bankruptcy Judge

¹ Section 362(j) provides: "On request of a party in interest, the court shall issue an order under subsection (c) confirming that the automatic stay has been terminated."