

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re:

Case No. 6:08-bk-10712-ABB
Chapter 7

EDWIN ALVAREZ and
KENIA VAZQUEZ,

Debtors.

ORDER

This matter came before the Court on the unopposed Motion to Confirm Termination of the Automatic Stay (Doc. No. 20) ("Motion") filed by Chrysler Financial Services Americas, LLC, f/k/a DaimlerChrysler Financial Services Americas, LLC ("Movant"). Edwin Alvarez, a/k/a Edwin Nieves, and Kenia Vazquez, the Debtors herein, filed this Chapter 7 bankruptcy case on November 13, 2008 ("Petition Date"). Movant holds a security interest in the Debtors' 2006 Dodge Magnum VIN 2D4FV47T46H508188 ("Vehicle") pursuant to a Retail Installment Contract executed by the Debtors and Movant on December 28, 2006.

The Debtors' Statement of Intentions does not set forth the Debtors' intention regarding the Vehicle debt (Doc. No. 1). The Debtors' Section 341 meeting of creditors was held and concluded on December 23, 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. 20) 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 2nd 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."