

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

In re:

Case No. 6:08-bk-07744-ABB  
Chapter 7

JAMES P. McDOWELL,

Debtor.

**ORDER**

This matter came before the Court on the unopposed Motion to Confirm Termination of the Automatic Stay (Doc. No. 22) ("Motion") filed by DaimlerChrysler Financial Services Americas, LLC ("Movant"). James P. McDowell, the Debtor herein, filed this Chapter 7 bankruptcy case on August 30, 2008 ("Petition Date"). Movant holds a security interest in the Debtor's 2007 Dodge Caliber VIN 1B3HB48B67D509363 ("Vehicle") pursuant to a Retail Installment Contract executed by the Debtor on March 28, 2006.

The Debtor's Amended Statement of Intentions and Second Amended Statement of Intentions set forth he intends to reaffirm the Vehicle debt (Doc. Nos. 14, 28). The Debtor's Section 341 meeting of creditors was held and concluded on October 9, 2008. The Debtor 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.<sup>1</sup>

Accordingly, it is

**ORDERED, ADJUDGED and DECREED** that the Movant's Motion (Doc. No. 22) 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 9<sup>th</sup> day of February, 2009.

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

<sup>1</sup> 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."