

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

In re:

Case No. 6:08-bk-08916-ABB  
Chapter 7

KAREN LOUISE WHITNEY,

Debtor.

**ORDER**

This matter came before the Court on the unopposed Motion to Confirm Termination of the Automatic Stay (Doc. No. 19) ("Motion") filed by DaimlerChrysler Financial Services Americas, LLC ("Movant"). Karen Louise Whitney, the Debtor herein, filed this Chapter 7 bankruptcy case on September 30, 2008 ("Petition Date"). Movant holds a security interest in the Debtor's 2008 Dodge Caliber VIN 1B3HB48B58D507136 ("Vehicle") pursuant to a Retail Installment Contract executed by the Debtor and Movant on April 30, 2008.

The Debtor's Statement of Intention does not set forth the Debtor's intention regarding the Vehicle debt (Doc. No. 1). The Debtor's Section 341 meeting of creditors was held and concluded on November 26, 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>

<sup>1</sup> Section 362(j) provides: "On request of a party in interest, the court shall issue an order under subsection

Accordingly, it is

**ORDERED, ADJUDGED and DECREED** that the Movant's Motion (Doc. No. 19) 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 March, 2009.

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

(c) confirming that the automatic stay has been terminated."