

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re:

Case No. 6:08-bk-11230-ABB
Chapter 7

BRIAN JACOB GROSS and
KELLY K. GROSS,

Debtors.

ORDER

This matter came before the Court on the unopposed Motion to Confirm Termination of the Automatic Stay (Doc. No. 12) ("Motion") filed by Chrysler Financial Services Americas, LLC, f/k/a DaimlerChrysler Financial Services Americas, LLC ("Movant"). Brian Jacob Gross and Kelly K. Gross, the Debtors herein, filed this Chapter 7 bankruptcy case on November 25, 2008 ("Petition Date"). Movant holds a security interest in the Debtors' 2007 Dodge Charger VIN 2B3KA43G07H699496 ("Vehicle") pursuant to a Retail Installment Contract executed by the Debtors and Movant on December 9, 2006.

The Debtors' Statement of Intention sets forth the Debtors intend to reaffirm the Vehicle debt (Doc. No. 1). The Debtors' Section 341 meeting of creditors was held and concluded on January 2, 2009. 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. 12) 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."