

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

**FILED**

May 22, 2006

CLERK OF COURT  
UNITED STATES BANKRUPTCY COURT

In re

MOTIONS TO EXTEND AUTOMATIC  
STAY UNDER 11 U.S.C. SECTION 362(c)(3)

Administrative Order  
FTM-2006-3

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ADMINISTRATIVE ORDER ON MOTIONS FOR EXTENSIONS  
OF AUTOMATIC STAY UNDER 11 U.S.C. SECTION 362(c)(3)

Section 362 (c)(3) of the Bankruptcy Code\* provides that in certain cases the stay under section 362(a) “with respect to any action taken with respect to a debt or property securing such debt or with respect to any lease shall terminate with respect to the debtor on the 30th day after the filing” of the case. 11 U.S.C. §362(c)(3)(A). Under section 362(c)(3)(B), “on the motion of a party in interest for a continuation of the automatic stay and upon notice and a hearing, the Court may extend the stay in particular cases as to any or all creditors...after notice and a hearing *completed* before the expiration of the 30-day period...” if the required showing is made. 11 U.S.C. §362(c)(3)(B) (emphasis supplied). Inasmuch as the implementation of section 362(c)(3)(B) requires prompt action of the Court in order to be valid, requests under this subsection can generally only be accommodated upon timely request and proper service by the movant. Accordingly, it is

ORDERED as follows:

1. It is the general policy of this Court that persons seeking relief under section 362(c)(3) (B) must file an appropriate motion (“Motion”) on or before the 15th day following the date the petition in the case is filed.
2. The Motion must be served on holders of secured claims in compliance with Rule 7004, Federal Rules of Bankruptcy Procedure, as to all such holders as to which the movant seeks continued application of the full stay of section 362(a).
3. If the Court determines that the Motion should be set for hearing within the 30-day period, the hearing notice shall be served to the same persons and in the same manner as the Motion.

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\* All statutory references herein are to title 11 of the United States Code.

4. If the Motion or hearing notice does not comply with the requirements of this administrative order, the Motion may be denied, in whole or in part, without a hearing.

DONE AND ORDERED in Tampa, Florida, this 22nd day of May, 2006.



ALEXANDER L. PASKAY  
United States Bankruptcy Judge  
Middle District of Florida, Tampa Division