

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
_____ DIVISION

IN RE: _____)
)
DEBTOR(S), _____) Case Number ___ - _____
Debtor(s). _____) Chapter 7
_____)

ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY

This matter comes before the Court on the Motion for Relief from Stay (the “Motion”) filed by _____ (“_____”) pursuant to 11 U.S.C. § 362 et seq., for relief from stay regarding real property known and designated as _____ (the “Real Property”) [and/or personal property] (the “Personal Property”). The Court, having considered the Motion and the record in this case, finds and concludes as follows:

1. _____ filed the Motion on [filing date].
2. The Clerk of the Bankruptcy Court mailed a notice to interested parties on [mailing date] (the “Notice”), requiring that any objection to the Motion be filed by [objection date] and stating that if no objections were timely filed, the Court would consider the Motion without a hearing.
3. No objection to the Motion was filed by any interested party, and the objection deadline as stated in the Notice has expired.
4. Cause exists for modification of the automatic stay afforded by Section 362 of the Bankruptcy Code.

NOW, THEREFORE, it is hereby ORDERED, ADJUDGED, AND DECREED that the Motion is GRANTED and the stay modified to allow _____ to exercise its rights with respect to the Real Property [and/or Personal Property]; and, it is further

ORDERED that upon disposition of the Real Property [and/or Personal Property], _____

must provide an explanation of any surplus to the Trustee, the Debtor(s)' attorney, and the Debtor(s) within 14 days and send payment of such surplus to the Trustee within 60 days, pending further order of the Court regarding its distribution; and, it is further

ORDERED that the 14-day waiting period imposed by Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure is waived, and the automatic stay is immediately modified.

END OF DOCUMENT

PARTIES TO BE SERVED