

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 15-41533

CARRIE STANEK,

Chapter 13

Debtor.

Judge Thomas J. Tucker

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**ORDER DISMISSING CASE**

On February 6, 2015, the Debtor filed a voluntary petition for relief under Chapter 13, commencing this case. But the Debtor is not eligible to be a debtor in this case, under 11 U.S.C. § 109(g)(2), which states:

(g) Notwithstanding any other provision of this section, no individual or family farmer may be a debtor under this title who has been a debtor in a case pending under this title at any time in the preceding 180 days if—

...

(2) the debtor requested and obtained the voluntary dismissal of the case following the filing of a request for relief from the automatic stay provided by section 362 of this title.

11 U.S.C. § 109(g)(2).

The Debtor was a debtor (along with her husband) in a case pending within the preceding 180 days of filing this case: Case No. 14-57493. In that case, on December 1, 2014, Ford Motor Credit Company LLC filed a motion for relief from the automatic stay (Docket # 23 in Case No. 14-57493, the “Stay-Relief Motion”). On December 24, 2014, the Court entered an order granting the Stay-Relief Motion (Docket # 26). On January 13, 2015, the Debtor and her husband jointly filed a motion entitled “Motion for Dismissal of Chapter 13 Bankruptcy,” requesting the voluntary dismissal of the case (Docket # 31). The Court granted that motion and entered an order dismissing the case on January 14, 2015. (Docket # 32).

Thus, under § 109(g)(2), the Debtor is not eligible to be a debtor in the present case, or in any bankruptcy case that is filed within 180 days of the January 14, 2015 dismissal of Case No.14-57493.

Accordingly,

IT IS ORDERED that this bankruptcy case is dismissed.

**Signed on February 19, 2015**

/s/ Thomas J. Tucker  
**Thomas J. Tucker**  
**United States Bankruptcy Judge**