

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 07-56055

RAYMOND JOHN SCHMITZ, III,

Chapter 13

Debtor.

Judge Thomas J. Tucker

---

**ORDER DENYING DEBTOR'S MOTION TO EXTEND  
THE AUTOMATIC STAY**

Debtor filed his voluntary petition for relief under Chapter 13 on August 15, 2007. On August 22, 2007, Debtor filed a "Motion To Extend Automatic Stay" (Docket # 9), but did not contact the Judge's courtroom deputy clerk to obtain a hearing date.

Under 11 U.S.C. § 362(c)(3)(B), in order for the court to extend the stay, a hearing on a motion to extend the automatic stay must be completed within 30 days after the filing of the case. Because of the statute's 30-day hearing deadline, L.B.R. 4001-6(a) (E.D.M.) requires that a motion to extend the stay be filed and served within 7 days after the bankruptcy petition is filed, and that:

Immediately after filing the motion [to extend the stay], the movant shall obtain a hearing date from the judge's courtroom deputy clerk, who will cause notice of the hearing to be served on parties in interest.

In this case, because Debtor did not contact the Judge's courtroom deputy clerk to obtain a hearing date, no hearing date was scheduled and the 30-day deadline expired on September 17, 2007. For this reason, the motion must be denied.

Accordingly,

IT IS ORDERED that Debtor's "Motion To Extend Automatic Stay" (Docket # 9), is  
DENIED.

**Signed on September 21, 2007**

**/s/ Thomas J. Tucker**

**Thomas J. Tucker**

**United States Bankruptcy Judge**