

UNITED STATES BANKRUPTCY COURT
For the Southern District of Iowa

In the Matter of

SALLY MARY HUNTOON,

Debtor.

Case No. 88-471-CH
Chapter 7

ORDER--MOTION FOR RELIEF FROM STAY

On April 21, 1988, a hearing was held on motion for relief from stay. W. Michael Murray appeared on behalf of the creditor, Larry D. Peters, and James F. Fowler appeared on behalf of the Debtor.

This is a core proceeding pursuant to 28 U.S.C. §157(b)
(2) (G)

Section 362(c) (2) provides that the automatic stay continues until the earliest of:

- (A) the time the case is closed;
- (B) the time the case is dismissed; or
- (C) if the case is a case under chapter 7 of this title concerning an individual or a case under chapter 9, 11, 12, or 13 of this title the time at discharge is granted or denied.

11 U.S.C. §362(c)(2) (emphasis added).

In the case at bar, an Order discharging Debtor was entered on June 9, 1988. The case has not been dismissed or closed. Thus, the discharge was the "earliest event" under section 362(c)(2). Since the discharge has been granted, the stay is no longer in effect as to creditor's state court suit against debtor. Therefore, creditor's motion to lift stay is now moot.

IT IS ACCORDINGLY ORDERED that creditor's motion for relief from stay is overruled as being moot.

Dated this **21st** day of June, 1988.

RUSSELL J. HILL
U.S. BANKRUPTCY JUDGE