

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

ELNORA BOYKINS

Plaintiff

V.

DOVENMUEHLE MORTGAGE, INC.

Defendant

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

NO: 3:11CV0081 SWW

**ORDER**

On May 9, 2011, Plaintiff Elnora Boykins commenced this action pursuant to the Real Estate Settlement Procedures Act and the Truth in Lending Act. On July 21, 2011, Plaintiff filed a notice of bankruptcy, stating that she had filed a Chapter 13 bankruptcy petition.

Now before the Court is Plaintiff’s “motion to withdraw case.” Docket entry #7. Plaintiff asserts that this Court should “withdraw in whole from this case pursuant to 28 U.S.C. § 157(d).” Section 157(d) provides that a district court may withdraw a case that has been referred to a bankruptcy court. However, no such reference has occurred in this case, and it is clear that Plaintiff seeks a reference to the Bankruptcy Court, not the withdrawal of a referral.

Under 28 U.S.C. § 157(a), a “district court may provide that any or all cases under title 11 and any or all proceedings arising under title 11 or arising in or related to a case under title 11 shall be referred to the bankruptcy judges for the district.” 28 U.S.C. § 157(a). Under Local Rule 83.1(c) of this Court, all cases and proceedings arising under, arising in, or related to bankruptcy cases are referred to the bankruptcy judges for this district. The Court finds that this

matter should be referred to the United States Bankruptcy Court for the Eastern District of Arkansas on the ground that it appears to be related to *In re: Elnora Boykins*, No. 3:11-bk-14453 E (Bkrcty. E.D. Ark).

IT IS THEREFORE ORDERED that Plaintiff's motion (docket entry #7) is granted, and the Clerk of the Court is directed to refer this case to the United States Bankruptcy Court for the Eastern District of Arkansas.

IT IS SO ORDERED THIS 24<sup>th</sup> DAY OF FEBRUARY, 2012.

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE