

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

WELLS FARGO BANK, N.A.

PLAINTIFF

v.

NO. 4:10CV01448 JLH

MARIO JOSE HODGSON

DEFENDANT

**ORDER OF DISMISSAL**

On April 12, 2011, the Court received the attached correspondence from counsel reflecting that defendant filed for Chapter 7 Bankruptcy on January 28, 2011, in the United States Bankruptcy Court in the Eastern District of Arkansas, thereby invoking the stay provisions of 11 U.S.C. § 362.

IT IS THEREFORE ORDERED that the Clerk is directed to terminate this case administratively. If any party wishes to have the Court reopen this action, a motion to that effect must be filed within 30 days after the stay imposed by virtue of defendant's bankruptcy petition is no longer in effect. If no party files a motion to reopen the case within 30 days after the stay is no longer in effect, this administrative termination will *ipso facto* become a dismissal with prejudice.

IT IS SO ORDERED this 12th day of April, 2011.

  
\_\_\_\_\_  
J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE



Re: Wells Fargo v. Hodgson; Case No. 4:10CV1448 JLH  
Josh Sanford  
to:  
Cory\_Wilkins@ared.uscourts.gov  
04/12/2011 09:11 AM  
Cc:  
"nicholslaw@windstream.net"  
Show Details

Defendant filed for relief under Chapter 7 of the US Bankruptcy code. I think the parties have assumed that the automatic stay precluded any activity in this case.

If I am mistaken, please advise.

Josh Sanford  
Attorney at Law

Sanford Law Firm, PLLC  
Offices in Little Rock and Russellville  
Email: [josh@sanfordlawfirm.com](mailto:josh@sanfordlawfirm.com)

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On Apr 12, 2011, at 8:54 AM, [Cory\\_Wilkins@ared.uscourts.gov](mailto:Cory_Wilkins@ared.uscourts.gov) wrote:

Pursuant to the Initial Scheduling Order entered on January 28, 2011, the parties' Rule 26(f) Report was due by April 1, 2011. At this time, it does not appear as though the report has been filed. Please let me know if I can be of further assistance.

Thank you.

Cory Wilkins  
Courtroom Deputy to  
U.S. District Judge J. Leon Holmes

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April 12, 2011

The Honorable J. Leon Holmes  
Chief Judge  
Attn: Cory Wilkins  
U.S. District Court  
Eastern District of Arkansas  
500 W. Capitol, Rm. D469  
Little Rock, AR 72201

Re: Wells Fargo Bank, N.A. v. Mario Jose Hodgson  
U.S. District Court, Eastern District of AR  
No. 4:10-cv-1448 JLH

Dear Mr. Wilkins:

In response to your inquiry regarding the Rule 26(f) Report which was due on April 1, 2011, I am attaching a copy of the Notice of Chapter 7 Bankruptcy which was filed by the Defendant on or about January 28, 2011. Plaintiff has taken no further action in the above mentioned matter pursuant to the Automatic Stay.

Plaintiff has entered its appearance in the Bankruptcy proceeding, and is currently awaiting the 341 meeting of creditors which is scheduled for April 19, 2011.

Thank you for your attention to this matter. Please let me know if you need anything further.

Sincerely,



H. Gregory Campbell

HGC/cm  
Enclosure

CC: Josh Sanford

**UNITED STATES BANKRUPTCY COURT**  
Eastern District of Arkansas

**Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines**

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 1/28/11.

You may be a creditor of the debtor. This notice lists important deadlines. You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

**See Reverse Side For Important Explanations**

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Mario Jose Hodgson [REDACTED] [REDACTED]	Mary Catherine Hodgson aka Cathy Hodgson [REDACTED]
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Case Number:  
4:11-bk-10536  
Judge: Audrey R. Evans

Social Security / Individual Taxpayer ID / Employer Tax ID / Other nos:  
[REDACTED]

Attorney for Debtor(s) (name and address):

Josh Sanford  
SANFORD LAW FIRM, PLLC  
303 West Main Street  
P.O. Box 39  
Russellville, AR 72811  
Telephone number: (479) 880-0088

Bankruptcy Trustee (name and address):

M. Randy Rice  
U.S. Bankruptcy Trustee  
523 S. Louisiana, Ste. 300  
Little Rock, AR 72201-5771  
Telephone number: (501) 374-1019

**Meeting of Creditors**

Important notice to individual debtors: Debtors must provide picture identification and proof of social security number to the trustee at the meeting of creditors.

Date: **March 15, 2011** Time: **08:30 AM**  
Location: **U.S. Trustee's Office, Bank of America Building, 200 W. Capitol, 12th Floor - Rm 1210, Little Rock, AR 72201**

**Presumption of Abuse under 11 U.S.C. §§ 707(b)**

*See "Presumption of Abuse" on reverse side.*

The presumption of abuse does not arise.

**Deadlines:**

Papers must be received by the bankruptcy clerk's office by the following deadlines:  
**Deadline to Object to Debtor's Discharge or to Challenge Dischargeability of Certain Debts: 5/16/11**

**Deadline to Object to Exemptions:**

Thirty (30) days after the conclusion of the meeting of creditors.

**Creditors May Not Take Certain Actions:**

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

**Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.**

**Creditor with a Foreign Address:**

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

Address of the Bankruptcy Clerk's Office:

U.S. Bankruptcy Court  
300 W. 2nd Street  
Little Rock, AR 72201  
Telephone: 501-918-5500

For the Court:

Clerk of the Bankruptcy Court:  
Jean Rolfs

Hours Open: Monday - Friday 8:00 AM - 5:00 PM

Date: 1/31/11