

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 12–cv–01267–KMT

KAREN HUGHES,

Plaintiff,

v.

FLAGSTAR BANK, FSB, a Federally Chartered Stock Savings Bank,
PUBLIC TRUSTEE ROUTT COUNTY, COLORADO, and
FRED HUGHES, individually,

Defendants.

ORDER

This matter is before the court *sua sponte* upon review of the docket and the status reports filed in the case.

On September 19, 2012, this court entered a Minute Order staying the case due to Plaintiff Karen Hughes’s Chapter 13 bankruptcy filing. (*See* Doc. No. 72.) In a Status Report filed October 7, 2014, Plaintiff advised the automatic bankruptcy stay remains in effect through the duration of Plaintiff’s Chapter 13 Plan, and possibly until at least May 2017, when a payout schedule in which all arrearages owed to Defendant Flagstar Bank are to be paid under the Chapter 13 Plan. (*See* Doc. No. 95.)

Under D.C.COLO.LCivR 41.2, “[a] . . . magistrate judge exercising consent may order the clerk to close a civil action administratively subject to reopening for good cause.” It is clear

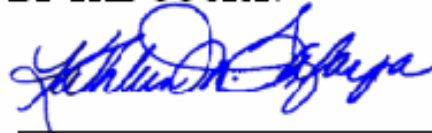
that this case cannot proceed until at least May 2017, unless Defendant files a motion for relief from the bankruptcy stay or Plaintiff becomes delinquent in her plan payments. (*See* Doc. No. 95.) Accordingly, it is

ORDERED that the Clerk of the Court shall administratively close this case. The case may be reopened for good cause shown, which shall include any further proceedings the parties deem necessary after the bankruptcy stay is lifted. It is further

ORDERED that the \$4,500 bond being held in the Registry of the Court, plus any interest accrued, will remain in the Registry of the Court until and unless the Court grants a joint motion to release the funds.

Dated this 8th day of October, 2014.

BY THE COURT:



Kathleen M. Tafoya
United States Magistrate Judge