

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CHRISTINE GUARINO,
Debtor/Appellant,

v.

HAVERHILL BANK,
Appellee,

CIVIL ACTION
No. 17-11757-TSH

Bankruptcy Chapter 13
Case No. 17-41487-EDK

**ORDER ON APPELLANT’S EMERGENCY MOTION TO STAY FORECLOSURE
ACTION**

October 3, 2017

HILLMAN, D.J.

Christine Guarino (“Appellant” or “Debtor”) filed a Notice of Appeal from the following decisions of the Bankruptcy Court issued on September 7, 2017: (1) the Bankruptcy Court’s order confirming that that the automatic stay was not in effect as to, Appellee, Haverhill Bank as a result of its June 29, 2016 Order granting Haverhill Bank *in Rem* relief from the automatic stay in a prior bankruptcy case filed by the Appellant (Bankruptcy Case No. 16-40770); and (2) the Bankruptcy Court’s order granting, in part, a motion by Haverhill Bank that sought an expedited

ruling on its motion to confirm that it is not subject to the automatic stay and requesting that Debtor be prohibited from filing any further bankruptcy petitions for two years.¹

Appellant has filed an emergency motion to stay foreclosure on her home, which is currently scheduled for October 5, 2017. *See* Docket No. 6. However, this Appeal was dismissed on September 28, 2017, as the result of Appellant's failure to pay the filing fee. *See Bankruptcy Court Docket No. 17-41487-EDK*, Docket No.33.

There being no case before this Court, the Court is without jurisdiction to address the Appellant[‘s] Emergency Motion To Stay Auction [Of] Her Home (Docket No. 6), which is therefore, **denied**.

/s/ Timothy S. Hillman
TIMOTHY S. HILLMAN
DISTRICT JUDGE

¹ It is not clear what aspect of this ruling the Appellant sought to appeal. The Bankruptcy Court's only substantive ruling in this case was in her favor: The court denied Haverhill Bank's motion to prohibit her from filing any additional bankruptcy petitions for two years because the court's June 26, 2016 Order in bankruptcy case No. 16-40770 adequately protects Haverhill Bank.