

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:11-CV-64-BO

SRS NORTH CAROLINA)
PROPERTY, LLC and)
STEPHEN R. SMITH,)
)
Plaintiffs,)
)
v.)
)
CROC, LLC,)
)
Defendant.)

ORDER

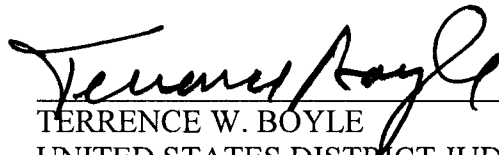
This matter is before the Court on notice that defendant CROC, LLC filed a chapter 11 bankruptcy proceeding in the Eastern District of North Carolina on August 15, 2013. Pursuant to 11 U.S.C. § 362 judicial proceedings against the debtor and the debtor's property will be automatically stayed during the pendency of the bankruptcy. As this matter has been automatically stayed following the filing of the bankruptcy proceeding, the Court finds that any currently pending motions shall be dismissed without prejudice for purposes of judicial efficiency. If those motions are still worthy of judicial consideration at the conclusion of the bankruptcy proceeding the parties are free to re-file the same.

CONCLUSION

For the foregoing reasons the defendant's motion for summary judgment [DE 41] is DISMISSED WITHOUT PREJUDICE and the plaintiff's motion for summary judgment [DE 39] is DISMISSED WITHOUT PREJUDICE.

SO ORDERED.

This the 22 day of August, 2013.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE