

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:11-cv-00186-MR-DLH**

<b>SYNOVUS BANK,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>RANDY J. GARVEY,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**THIS MATTER** is before the Court on the Defendant’s Suggestion of Bankruptcy [Doc. 42].

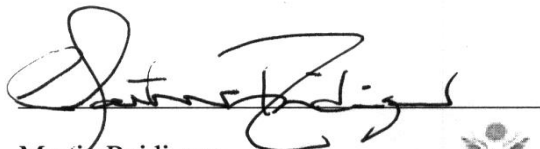
The Defendant has filed a notice with the Court that he filed a bankruptcy case under Chapter 7 of the United States Bankruptcy Code on July 29, 2013. It is well-settled that “[w]hen litigation is pending against the debtor at the time a bankruptcy case is commenced, the litigation is stayed automatically.” 3 Collier on Bankruptcy ¶ 362.03[3] (16<sup>th</sup> ed. 2011); see also 11 U.S.C. § 362(a)(1) (providing that a bankruptcy petition operates as an automatic stay of “the commencement or continuation . . . of a judicial, administrative, or other action or proceeding against the debtor”). Accordingly, the Court will consider this action stayed.

Accordingly, **IT IS, THEREFORE, ORDERED** that this action is hereby **STAYED** until further Order of the Court.

The Clerk of Court is respectfully directed to close this case administratively.

**IT IS SO ORDERED.**

Signed: August 15, 2013

  
Martin Reidinger  
United States District Judge

