

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:14-cv-00250-MR-DLH**

**BRONCO CONSTRUCTION, INC.,** )  
 )  
 **Plaintiff,** )  
 )  
 **vs.** )  
 )  
 **SCHOTTEN FENSTER, LLC,** )  
 **VINNY CURRAN, HOLLIS** )  
 **ARCHITECTURAL PRODUCTS, LLC,** )  
 **and FRAZIER HOLLIS,** )  
 )  
 **Defendants.** )  
 \_\_\_\_\_ )

**ORDER**

**THIS MATTER** is before the Court on the Defendant’s Notice of Bankruptcy Filing [Doc. 24].

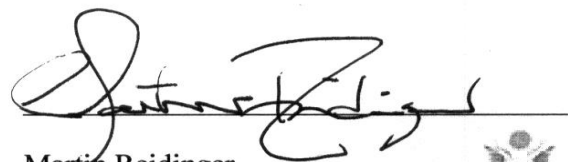
The Defendant Vinny Curran has filed a notice with the Court indicating that he filed a voluntary bankruptcy petition under Chapter 7 of the United States Bankruptcy Code on January 16, 2015. It is well-settled that “[w]hen litigation is pending against the debtor at the time a bankruptcy case is commenced, the litigation is stayed automatically.” 3 Collier on Bankruptcy ¶ 362.03[3] (16<sup>th</sup> ed. 2014); 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 as to the Defendant Vinny Curran only.

Accordingly, **IT IS, THEREFORE, ORDERED** that this action is hereby **STAYED** as to the Defendant Vinny Curran only until further Order of the Court. All other claims pending in this action remain unaffected by this stay.

**IT IS SO ORDERED.**

Signed: February 11, 2015

  
Martin Reidinger  
United States District Judge

