

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO

In re:)	Case No. 05-14304
)	
RUSSELL E. HUBBARD,)	Chapter 13
)	
Debtor.)	Judge Arthur I. Harris

ORDER IMPOSING 109(g) SANCTIONS AND MODIFYING AUTOMATIC
STAY WITH RESPECT TO ANY FUTURE CASES FILED BY THIS DEBTOR
INVOLVING REAL PROPERTY LOCATED AT 4516 SPRINGVALE DRIVE,
CLEVELAND, OHIO 44128

In an order dated August 22, 2005 (Docket #38), the Court dismissed the above-captioned Chapter 13 proceeding on the motion of Chase Home Finance, LLC (Docket #18), but reserved jurisdiction to consider possible sanctions under 11 U.S.C. § 109 and other appropriate relief. An evidentiary hearing on the issue of sanctions was scheduled for September 28, 2005, but the debtor failed to appear. For the reasons stated in open court,

1. The above-captioned Chapter 13 bankruptcy proceeding is dismissed with a 180-day filing bar from August 22, 2005, pursuant to 11 U.S.C. § 109(g). The automatic stay of 11 U.S.C. § 362(a) shall not apply to any bankruptcy case filed in violation of this order.

2. In any future bankruptcy petition filed by this debtor after expiration of the 180-day filing bar, the automatic stay shall not apply with respect to the real property located at 4516 Springvale Drive, Cleveland, Ohio 44128, pursuant to

11 U.S.C. §§ 105 and 362(d). The automatic stay shall not apply to the real property described above unless and until a party in interest moves to apply the stay and demonstrates that the secured interests of all entities in this real property would be adequately protected under 11 U.S.C. § 361.

IT IS SO ORDERED.

/s/ Arthur I. Harris 9/28/2005
Arthur I. Harris
United States Bankruptcy Judge