

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

IN RE: )  
 )  
ANDREW LEE LEWIS ) CASE NO. 05-60592 JPK  
 ) Chapter 13  
Debtor. )

ORDER DENYING MOTION FOR STAY RELIEF/ABANDONMENT

On June 23, 2005, General Motors Acceptance Corporation, by counsel, filed a Motion to Abandon Vehicle and for Relief From Stay With Co-Debtor. This motion violates the provisions of N.D.Ind.L.B.R. B-9013-1(a). The motion seeks to combine stay relief with respect to the debtor and property of the debtor's estate with stay relief concerning the co-debtor stay of 11 U.S.C. § 1301. Because the co-debtor stay may be sought to be lifted by means of "drop dead" notice pursuant to N.D.Ind.L.B.R. B-2002-2(a)(18), but relief from the stay/abandonment concerning the debtor and property of the debtor's estate cannot be done pursuant to that rule and requires a hearing, the separate forms of relief requested do not constitute "requests for alternative relief" within the meaning N.D.Ind.L.B.R. B-9013-1(c). The rules which have been enacted by this Court have been enacted for a reason, so that separate tracking can be done with respect to matters which require separate forms of procedural processing by the Court.

The Court finds that the above-designated motion should be denied due to non-compliance with N.D.Ind.L.B.R. B-9013-1(a).

IT IS ORDERED that the above-designated motion is DENIED, without prejudice to the filing of separate motions which seek the forms of relief requested by the creditor, in accordance with the procedures required by applicable law and rules.

Dated at Hammond, Indiana on August 3, 2005.

/s/ J. Philip Klingeberger  
J. Philip Klingeberger, Judge  
United States Bankruptcy Court

Distribution:  
Debtor, Attorney for Debtor  
Trustee, US Trustee  
Attorney for Creditor