

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Ronald H. Sargis
Chief Bankruptcy Judge
Modesto, California

September 27, 2018 at 10:00 a.m.

1. [18-90556-E-7](#) **MADEANA CARRIZALES** **MOTION FOR RELIEF FROM**
[JCW-1](#) **Thomas P. Hogan** **AUTOMATIC STAY**
 8-27-18 [21]

**SELECT PORTFOLIO SERVICING,
INC. VS.**

Final Ruling: No appearance at the September 27, 2018, hearing is required.

The Motion For Relief From Automatic Stay is dismissed without prejudice.

Select Portfolio Servicing, Inc., servicing agent for Deutsche Bank National Trust Company, as Trustee for Long Beach Mortgage Loan Trust 2004-4 (“Creditor”) having filed a “Withdrawal of Motion,” which the court construes to be an Ex Parte Motion to Dismiss the pending Motion For Relief From Automatic Stay on September 18, 2018. Dckt. 34; no prejudice to the responding party appearing by the dismissal of the Motion; Creditor having the right to request dismissal of the motion pursuant to Federal Rule of Civil Procedure 41(a)(2) and Federal Rules of Bankruptcy Procedure 9014 and 7041; and the dismissal being consistent with the opposition filed by Madeana Christina Carrizales (“Debtor”); the Ex Parte Motion is granted, Creditor’s Motion is dismissed without prejudice, and the court removes this Motion from the calendar.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion for Relief from Automatic Stay filed by Select Portfolio Servicing, Inc., servicing agent for Deutsche Bank National Trust Company, as Trustee for Long Beach Mortgage Loan Trust 2004-4 (“Creditor”) having been presented to the court, Creditor having requested that the Motion itself be dismissed pursuant to Federal Rule of Civil Procedure 41(a)(2) and Federal Rules of Bankruptcy Procedure 9014 and 7041, Dckt. , and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is dismissed without prejudice.