

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

---

MAE JACKSON,

Plaintiff,

v.

CASE No. 06-2249

NOVASTAR MORTGAGE, INC.,

Defendant.

---

**ORDER ADMINISTRATIVELY CLOSING CASE**

---

It appears to the court that an involuntary bankruptcy was filed against Defendant Novastar Mortgage, Inc., in the United States Bankruptcy Court for the District of Delaware on September 12, 2008. Pursuant to 11 U.S.C. § 362(a), a filing of involuntary bankruptcy operates as a stay of “the commencement or continuation . . . of a judicial, administrative, or other action or proceeding against the debtor.” This court, therefore, will administratively close the above-captioned case pursuant to its inherent powers as it appears that no further case administration is permitted until Defendant’s involuntary bankruptcy is resolved.

It is expressly emphasized that an order administratively closing a case is purely an administrative device for the convenience of the court and in no way affects the substantive and/or procedural rights of the parties in interest to proceed before this court at a later date. To administratively close a case merely means to close a case for statistical purposes in the office of the District Court Clerk and the Administrative Office of the United States Courts.

It also is expressly emphasized that an administratively closed case can be easily reopened by a simple order of the court without the necessity of a reopening filing fee should the case require

further administration. Upon its reopening, the case then becomes, ipso facto, a statistically active case and resumes the same status it had before the administrative closing without prejudice to the rights of any party in interest. Accordingly,

IT IS ORDERED AND NOTICE IS HEREBY GIVEN THAT:

1. The Court Clerk is directed, consistent with the foregoing, to administratively close this case in his records without prejudice to the substantive and/or procedural rights of any party in interest to move at a later time to reopen the case for good cause, including the entry of any stipulation or order, or for any other purpose required to obtain a final determination of pending litigation.

2. In the event a party in interest files a motion at a later time seeking to reopen this administratively closed case, no reopening filing fee shall be required.

3. PARTIES ARE OBLIGATED TO MOVE TO REOPEN THIS CASE UPON DEFENDANT'S EMERGENCE FROM BANKRUPTCY.

**IT IS SO ORDERED** this 23<sup>rd</sup> day of December, 2008.

s/ Bernice B. Donald  
BERNICE B. DONALD  
UNITED STATES DISTRICT JUDGE