

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

CHASE MANHATTAN BANK,

Plaintiff,

v.

WILLIAM LANSDALE,

Defendant.

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CIVIL ACTION

No. 2001-210

No. 1993-93

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DISTRICT COURT
ST. THOMAS, VI.

MEMORANDUM AND ORDER

Currently pending before the Court is the Motion for Summary Judgment by Defendant William Lansdale (Docket No. 32), the Response and Cross Motion for Summary Judgment by Plaintiff Chase Manhattan Bank (Docket Nos. 43 and 44), Defendant's Reply Brief in Support of his Motion and Response in Opposition to Plaintiff's Motion (Docket No. 49), and Plaintiff's Reply Brief in Further Support of its Motion. (Docket No. 50). In reviewing the dockets in these pending matters, however, the Court noticed no mention of its Memorandum and Order dated May 21, 2008, denying Plaintiff's original Motion for Summary Judgment (which was also never officially placed on the docket). Nonetheless, as the Court had previously transmitted this Memorandum and Order to the parties, we rest assured that they are cognizant of the ruling.

As for the currently pending motions, this Court notes that, on November 22, 2009, William Lansdale filed a voluntary petition under Title 11 of the United States Code in the United States Bankruptcy Court for the Central District of California, Santa Ana Division. In connection with this bankruptcy case, an automatic injunction was issued pursuant to 11 U.S.C. § 362(a), staying all further proceedings against Debtor William Lansdale.

Given this automatic stay, the Court may not currently proceed any further in above-captioned matters. Accordingly, it is hereby **ORDERED** this 7th day of *December*, 2009, that the Cross-Motions for Summary Judgment are **DENIED WITHOUT PREJUDICE**. Upon the Bankruptcy Court's lifting of the automatic stay, the parties shall be permitted to re-file these Motions.

It is so **ORDERED**.

BY THE COURT:

s/ *Ronald L. Buckwalter*
RONALD L. BUCKWALTER, S.J.