

SO ORDERED.

SIGNED this 2nd day of March, 2021.



Catharine R Aron

UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

IN RE:)	
)	
Wendy Bivens)	Bankruptcy Case No. 14-80841
)	Chapter 13
Debtor.)	
_____)	
)	
Wendy Bivens,)	
)	AP No. 20-09018
Plaintiff,)	
)	
v.)	
)	
NewRez LLC f/k/a New Penn)	
Financial, LLC and d/b/a)	
Shellpoint Mortgage Servicing)	
and CitiMortgage, Inc.,)	
)	
Defendants.)	
_____)	

**ORDER DENYING MOTION
TO DETERMINE THAT THE BANKRUPTCY COURT MAY NOT ENTER
A FINAL JUDGMENT**

This adversary proceeding came before the Court on February 25, 2021, to consider the Motion to Determine that the Bankruptcy Court May Not Enter a Final Judgement [Doc. #16] (the “Motion”) filed by Defendant CitiMortgage, Inc. (the “Defendant”) on December 8, 2020.

At the hearing, Jason Purser and Andrew Vining appeared on behalf of the Defendant, Koury Hicks and Craig Shapiro appeared on behalf of Wendy Bivens (the “Plaintiff”), and William Miller appeared as the United States Bankruptcy Administrator. After considering the Motion, the Brief in Support of the Motion [Doc. #17], the Brief in Opposition to the Motion [Doc. # 31], the arguments of counsel, and the record in this proceeding, the Court finds that the Motion should be denied.

On September 11, 2020, Plaintiff filed this Adversary Proceeding for contempt and sanctions pursuant to 11 U.S.C. §§ 105, 524, and 362 as well as Bankruptcy Rule 3002.1(i) for violation of the discharge injunction, violation of the automatic stay, and violation of Bankruptcy Rules 3002.1(c) and (g). This matter is core proceeding pursuant to 28 U.S.C. §157(b)(2)(A), which the Court has authority to hear and determine pursuant to 11 U.S.C. § 157(b)(1).

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Motion is DENIED.

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Parties to be served:

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