

[31610A] [O/ Abating Motion for Relief from Stay]

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

Case No. 3:09-bk-07047-JAF
Chapter 11

Taylor, Bean & Whitaker Mortgage Corp.

Debtor(s) _____/

ORDER ABATING MOTION FOR RELIEF FROM STAY

Upon consideration of the Motion for Relief from Stay filed by The Bank of New York Mellon on June 2, 2011, the Court finds:

1. The subject motion is a contested matter governed by Fed. R. Bank. P. 9014.
2. Movant has failed to perform the item(s) checked below:
 - Pay the filing fee as required by 28 U.S.C. §1930(b).
 - Serve the motion in the manner provided by Federal Rule of Bankruptcy Procedure 7004 as required by Federal Rule of Bankruptcy Procedure 9014.
 - File the motion using the negative notice legend and/or procedure required by the Court in accordance with Local Rule 2002-4 as follows:

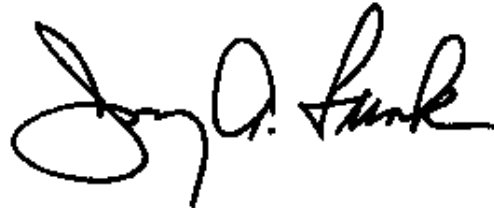
NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

Pursuant to Local Rule 2002-4, the Court will consider this motion without further notice or hearing unless a party in interest files an objection within fifteen (15) days from the date of service of this paper. If you object to the relief requested in this paper, you must file your objection with the Clerk of the Court at 300 N. Hogan Street, Suite 3-350, Jacksonville, FL 32202-4267 and serve a copy on the movant's attorney.

If you file and serve an appropriate objection within the time permitted, and the objection reveals factual or legal issues requiring a hearing, the Court will schedule a hearing and you will be notified. Otherwise, the Court will consider the motion and the responses on the papers without further notice or hearing. If you do not file an objection within the time permitted, the Court will consider that you do not oppose the granting of the relief requested in the paper, will proceed to consider the paper without further notice or hearing, and may grant the relief requested.

3. The Court abates the hearing of this motion until either the filing fee has been paid as required by 28 U.S.C. §1930(b), service has been made in accordance with Federal Rules of Bankruptcy Procedure 7004, or service containing negative notice has been made in accordance with Federal Rules of Bankruptcy Procedure 7004. The stay of 11 U.S.C. §362 will continue until further Order of the Court

Dated June 3, 2011.

A handwritten signature in black ink, appearing to read "Jerry A. Funk". The signature is written in a cursive style with a large initial "J" and "F".

Jerry A. Funk
United States Bankruptcy Judge

Copies to:
Debtor's Attorney
US Trustee
Movant