

ENTERED

November 16, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

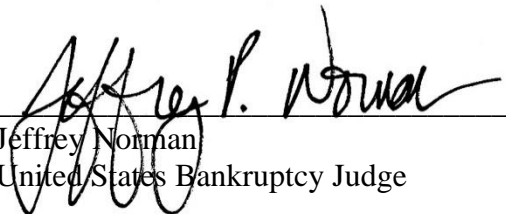
IN RE: §
§ **CASE NO: 23-80179**
JUSTIN ALLEN HICKS, §
§
Debtor. §
§ **CHAPTER 7**

ORDER DENYING MOTION TO RECONSIDER

This matter is before the Court on the Motion to Reconsider Order Granting Relief from Automatic Stay (ECF No. 29) filed by the debtor. The debtor is requesting the Court reconsider its prior order granting Credit Human Federal Credit Union (“Credit Human”)’s Motion for Relief from Stay (ECF No. 27). The debtor failed to respond to Credit Human’s motion, and the Court granted it by default. The debtor argues that he did not receive notice of Credit Human’s motion. Credit Human’s motion contains a certification that service was made by first class mail, and debtor’s correct address is listed on the exhibit to the certificate of service.¹ It appears that service was proper. In addition, the Court notes that the debtor has not shown that his motion was served on Credit Human or its attorney of record. The Court cannot consider the debtor’s motion when the creditor has not been given proper notice.

THEREFORE, IT IS ORDERED that the Motion to Reconsider is denied without prejudice.

SIGNED 11/15/2023



Jeffrey Norman
United States Bankruptcy Judge

¹ ECF No. 25-1.