

ENTERED

November 16, 2023

Nathan Ochsner, Clerk

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

IN RE:

JUSTIN ALLEN HICKS,

Debtor.

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CASE NO: 23-80179

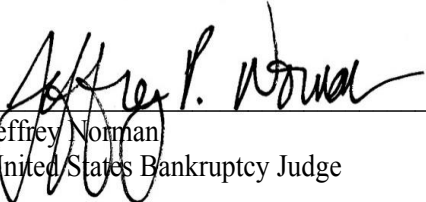
CHAPTER 7

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 Notman
United States Bankruptcy Judge

¹ ECF No. 25-1.

United States Bankruptcy Court
Southern District of Texas

In re:
Justin Allen Hicks
Debtor

Case No. 23-80179-jpn
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0541-3
Date Rcvd: Nov 16, 2023

User: ADIuser
Form ID: pdf002

Page 1 of 1
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 18, 2023:

Recip ID	Recipient Name and Address
db	+ Justin Allen Hicks, 2106 Cherry Hills Drive, League City, TX 77573-5874
cr	Credit Human Federal Credit Union, c/o Don J. Knabeschuh, Esq., PO Box 571587, Houston, TX 77257-1587

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 18, 2023 Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 16, 2023 at the address(es) listed below:

Name	Email Address
Don J. Knabeschuh	on behalf of Creditor Credit Human Federal Credit Union dknabecf@gmail.com texas.ecf@aislegaltrac.com
Janet S Casciato-Northrup	jln@hwa.com jsn@trustesolutions.net;jsnorthrup@hwa.com;dek@hwa.com
US Trustee	USTPRegion07.HU.ECF@USDOJ.GOV

TOTAL: 3