

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ALASKA**

In re:

DEOLE ALLEN HILL and
KALLEAGH DAWN HILL,

Debtors.

Case No. J12-00156-DMD
Chapter 7

**Filed On
4/18/12**

MEMORANDUM ON MOTION FOR RELIEF FROM STAY

Pending before the court is Wells Fargo Bank, N.A.'s motion for relief from stay as to real property located at 2800 South Donna's Way, Wasilla, Alaska.¹ The motion cannot be granted at this time because it does not comply with the requirements of applicable Local Bankruptcy Rules. AK LBR 4001-1(c)(2)[B] requires that motions seeking relief from stay as to an act against property be served on "all entities who hold or claim an interest in the subject property[.]" Here, the debtors have scheduled both Wells Fargo Bank, N.A. and Wells Fargo Home Mortgage as having an interest in the property.² However, Wells Fargo Home Mortgage was not given notice of the motion.³

Because service of the motion fails to comply with AK LBR 4001-1(c)(2)[B], it will be denied, without prejudice, pending the filing of an amended notice of motion for relief from stay, and proper service of that notice, along with the motion for relief from stay, as required under the local rule. An order will be entered accordingly.

¹ Docket No. 18.

² See Schedule D - Creditors Holding Secured Claims, filed Mar. 8, 2012 (Docket No. 1).

³ See Certificate of Serv., filed Mar. 30, 2012 (Docket No. 20).

DATED: April 18, 2012

BY THE COURT

/s/ Donald MacDonald IV
DONALD MacDONALD IV
United States Bankruptcy Judge

Serve: M. Skolnick, Esq.
E. LeRoy, Esq.
L. Compton, Trustee
U. S. Trustee

04/18/12