

NOT FOR PUBLICATION

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND

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In re: :

ESTELA M. MARCELINO : BK No. 03-10311  
Debtor : Chapter 13

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ORDER GRANTING RELIEF FROM STAY

Heard on Ameriquest Mortgage Company's Motion for Relief from Stay and the Debtor's Objection thereto. Upon consideration of the evidence and arguments presented, it is hereby ordered that:

- (1) The Motion for Relief from Stay is GRANTED;
- (2) The effect of this order is stayed until September 15, 2003;
- (3) The post-petition arrearage due Ameriquest is \$2,125.97, not including the August payment which is not in arrears yet. In arriving at this sum, I have taken the stated arrearage in Paragraph 11 of Ameriquest's Motion for Relief from Stay and I deducted the June 2003 payment which all parties agree was paid. I further deducted the sum of \$800 for attorneys fees charged to the Debtor because Ameriquest provided no evidence to support the reasonableness of that expense.
- (4) If the Debtor pays the arrearage of \$2,125.97 and the August payment, plus any applicable late fee, on or before September 15, 2003, this Order shall be vacated and Ameriquest's Motion for Relief from Stay will be denied.

Dated at Providence, Rhode Island, this 14<sup>th</sup> day of August, 2003.



Arthur N. Votolato  
U.S. Bankruptcy Judge