

July 14, 2016

In re Sheri Speer, Nos. 3:16-cv-286, 287 and 289 (RNC)

ORDER dismissing appeals

In each of these three appeals, bankruptcy debtor Sheri Speer, proceeding pro se, seeks review of orders granting Norwich Public Utilities ("NPU") relief from the automatic stay for the purpose of pursuing foreclosure actions against the following properties in Norwich: 32 Hickory Street (16-cv-286), 72 Baltic Street (16-cv-287) and 106 Summit Street (16-cv-289).

In each of the appeals, NPU has filed an objection stating that "[t]he secured portion of the debt relating to the . . . propert[y] . . . ha[s] been paid, and the underlying foreclosure matter[] ha[s] been withdrawn from the Superior Court docket. Accordingly, the issue is moot and/or no practical relief can be afforded the Debtor by this Court." (ECF No. 9) at 1. In response, Ms. Speer has argued that the mootness issue is not properly before the Court because NPU has failed to file a motion to dismiss. In addition, she argues that NPU's statements are unsupported and thus fail to provide a sufficient basis for dismissal.

Review of the publicly available dockets in the three foreclosure actions confirms that all three actions have been withdrawn. The withdrawals render each of the appeals moot because there is no longer any action to be stayed. The withdrawals are a proper subject of judicial notice, so there is no need for NPU to file a motion to dismiss.

Accordingly, each of the three appeals listed above is hereby dismissed.

So ordered.

/s/ RNC
Robert N. Chatigny
United States District Judge