

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF VERMONT

In re:

**MARJORIE P. PICKETT**  
**Debtor**

**Chapter 7 Case**  
**#02-11804**

**MARJORIE P. PICKETT,**  
**Plaintiff**

**v.**

**Adversary Proceeding**  
**# 04-1014**

**JOHN T. QUINN, as ADDISON**  
**COUNTY STATE'S ATTORNEY**  
**Defendant.**

**ORDER**  
**GRANTING SUMMARY JUDGMENT**


For the reasons set forth in the Memorandum of Decision of even date,

IT IS HEREBY ORDERED that the Defendant's Renewed Motion for Summary Judgment is GRANTED.

THE COURT FINDS that under the plain language of § 362 (b)(1) of the Bankruptcy Code, the Defendant's prosecution of the Plaintiff under 13 V.S.A. § 2002 is excepted from the automatic stay. Consequently, the Defendant is entitled to summary judgment as a matter of law on the Plaintiff's Complaint to enforce the automatic stay.

**SO ORDERED.**

January 25, 2005  
Rutland, Vermont

  
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Colleen A. Brown  
United States Bankruptcy Judge

