

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

IN RE

REMOVAL OF ACTIONS FROM STATE COURT

U. S. DISTRICT COURT
FILED AT ELKINS, WV

JUL 28 1988

NORTHERN DISTRICT OF WV
OFFICE OF THE CLERK

O R D E R

Title 28, United States Code, Section 157(a) provides:

Each district court may provide that any or all cases under title 11 and any or all proceedings arising under title 11 or arising in or related to a case under title 11 shall be referred to the bankruptcy judges for the district.

By Order entered August 20, 1984, nunc pro tunc June 27, 1984, this Court referred all such cases, matters, and proceedings to the United States Bankruptcy Court for the Northern District of West Virginia.

Further, 28 U.S.C. §1452 provides that:

(a) A party may remove any claim or cause of action in a civil action other than a proceeding before the United States Tax Court or a civil action by a governmental unit to enforce such governmental unit's police or regulatory power, to the district court for the district where such civil action is pending, if such district court has jurisdiction of such claim or cause of action under section 1334 of this title.

(b) The court to which such claim or cause of action is removed may remand such claim or cause of action on any equitable ground. An order entered under this subsection remanding a claim or cause of action, or a decision to not remand, is not reviewable by appeal or otherwise.

The Court notes that Rule 9027 of the Official Bankruptcy Rules permits actions to be removed from state court to the

bankruptcy court in the district where the action is pending.

As a consequence of this Court's general order of reference, and pursuant to 28 U.S.C. §§157, (1334), and 1452, and consistent with Rule 9027 of the Official Rules of Bankruptcy, it is hereby

ORDERED that all removal actions arising in or related to the bankruptcy case be referred to the United States Bankruptcy Court for the Northern District of West Virginia; process and procedure for removal actions shall be governed by Rule 9027 of the Official Rules.

ENTER: *July 28, 1988.*

Robert E. Maxwell
ROBERT E. MAXWELL, Chief Judge

William M. Kidd
WILLIAM M. KIDD, Judge

I hereby certify that the annexed instrument is a true and correct copy of the original filed in my office.

ATTEST: Dr. Wally Edgell
Clerk, U. S. District Court
Northern District of West Virginia

By: *Ellen Rose*
Deputy Clerk