

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

PETER PAUL MITRANO,

Plaintiff,

v.

Case No: 6:24-mc-22-JSS

MARCIA M. MITRANO,

Defendant.

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ORDER

On August 28, 2024, Plaintiff, Peter Paul Mitrano, filed a Motion to Have any Ruling Heard by a District Court Judge (Withdraw Motion) in the United States Bankruptcy Court for the Middle District of Florida. *Mitrano v. Mitrano*, No. 6:24-ap-00054-TPG, Dkt. 23 (Bankr. M.D. Fla.). The Withdraw Motion was subsequently filed in this matter. (Dkt. 1.) Under 28 U.S.C. § 157(d), a “district court may withdraw, in whole or in part, any case or proceeding referred under this section, on its own motion or on timely motion of any party, for cause shown.” Plaintiff filed the Withdraw Motion more than 30 days after service of the initial pleading on Defendant, which occurred on June 4, 2024. Thus, the Withdraw Motion is untimely. *See Mitrano*, No. 6:24-ap-00054-TPG at Dkt. 4; Bankr. M.D. Fla. Loc. R. 5011-1(c) (“A motion for withdrawal of the reference of an adversary proceeding . . . must be filed with the Clerk no later than 30 days after service of the initial pleading . . .”). Additionally, Plaintiff has not provided good cause warranting withdrawal of the

reference. (See Dkt. 1); *In re Parklane/Atlanta Joint Venture*, 927 F.2d 532, 536 (11th Cir. 1991) (“Once a bankruptcy court has assumed jurisdiction . . . a district court may withdraw reference only ‘for cause shown.’”) (quoting 28 U.S.C. § 157(d)).

Accordingly, Plaintiff’s Motion to Have any Ruling Heard by a District Court Judge (Dkt. 1) is **DENIED**. The Clerk is **DIRECTED** to terminate any pending deadlines and to close this case.

ORDERED in Orlando, Florida, on November 18, 2024.



JULIE S. SNEED
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Unrepresented Parties
Bankruptcy Trustees