

Publications

Supreme Court Rules that a Bankruptcy Court's Order Adjudicating A Motion for Relief From the Automatic Stay Constitutes a Final, Immediately Appealable Order

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Article

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Generally, in civil litigation, a court's decision is considered "final" for purposes of appeal when the litigation ends so that there is nothing else for the court to adjudicate—in other words, when an entire case is concluded. The regime in bankruptcy, however, is different. A bankruptcy case, unlike other civil cases, is an aggregation of multiple individual controversies. The Supreme Court previously held in *Bullard v. Blue Hills Bank*, 575 U.S. 496, 501 (2015) that orders in bankruptcy cases qualify as "final" when they definitively dispose of discrete disputes within the overarching bankruptcy case. With the *Bullard* decision as a guide, the Supreme Court in *Ritzen Group, Inc. v. Jackson Masonry, LLC*, 140 S. Ct. 582 (2020) recently addressed the issue of whether a dispositive ruling on a creditor's motion for relief from the automatic stay is a final, appealable order and unanimously held that a bankruptcy court order unreservedly granting or denying relief from the automatic stay is a final, immediately appealable order.

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