NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 25-3595

In re: CHRYSSOULA ARSENIS,
Appellant

On Appeal from the United States District Court
for the District of New Jersey
(D.C. Civil Action No. 3:25-cv-16054)
District Judge: Honorable Robert Kirsch

Submitted Pursuant to Third Circuit LAR 34.1(a)
August 21, 2026
Before: BIBAS, CHUNG, and BOVE, *Circuit Judges*

(Opinion filed: August 21, 2026)

OPINION*

PER CURIAM

Pro se Appellant Chryssoula Arsenis appeals the District Court's order denying her motions for an administrative stay, for a stay pending appeal, and for expedited consideration. For the reasons explained below, we will dismiss the appeal.

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

I.

Blue Foundry Bank ("the Bank") commenced a foreclosure action against Arsenis in the Superior Court of New Jersey. The Superior Court entered a final judgment of foreclosure in favor of the Bank, ordering a sheriff's sale of Arsenis's property.

Then, Arsenis filed for Chapter 11 bankruptcy. The Bank filed a motion for relief from the automatic stay so that it could complete the foreclosure. The United States Bankruptcy Court for the District of New Jersey, finding cause under 11 U.S.C. § 362(d), granted the bank relief from the automatic stay, permitting the Bank to proceed with a sheriff's sale of the property.

Arsenis filed a notice of appeal in the United States District Court for the District of New Jersey, challenging the Bankruptcy Court's order granting the Bank relief from the automatic stay. Arsenis also moved for an emergency administrative stay of the Bankruptcy Court's order, a stay of the order pending her appeal, and for expedited consideration of her motions. The District Court denied these motions, and Arsenis filed a notice of appeal.

After the parties submitted their briefs, the Bankruptcy Court converted Arsenis's bankruptcy from Chapter 11 to Chapter 7. The Chapter 7 Trustee informed the District Court that the Bankruptcy Court had reinstated the automatic stay as to Arsenis's property, directing that no action could be taken to affect the property without further authorization. In light of these developments, we directed the parties to brief whether this appeal is now moot.

II.

Our judicial power extends only to "cases" or "controversies," and "[i]f developments occur during the course of adjudication that . . . prevent a court from being able to grant the requested relief, the case must be dismissed as moot." *Blanciak v. Allegheny Ludlum Corp.*, 77 F.3d 690, 698–99 (3d Cir. 1996). "The central question of all mootness problems is whether changes in circumstances that prevailed at the beginning of the litigation have forestalled any occasion for meaningful relief." *In re Surrick*, 338 F.3d 224, 230 (3d Cir. 2003) (citation modified).

In this appeal, Arsenis asks us to reverse the District Court's order denying her request for a stay preventing the Bank from proceeding with the sheriff's sale pending her bankruptcy appeal. But after the District Court denied Arsenis's request for a stay pending appeal, the Bankruptcy Court reinstated the automatic bankruptcy stay, and thus the Bank can no longer proceed with the sheriff's sale of Arsenis's property without the Bankruptcy Court's further authorization. Our reversal of the District Court's decision would provide no more effective relief than what the Bankruptcy Court has already done. *See Surrick*, 338 F.3d at 230. This appeal is moot.

Arsenis argues that this appeal is not moot because the Bankruptcy Court's "order reinstating the automatic stay rests entirely on" the conversion to Chapter 7, which she is actively challenging in another proceeding, and not on the fact that the Bankruptcy Court erred by granting the Bank relief. Arsenis appears to suggest that this case is not moot because the Bankruptcy Court could sometime in the future grant the Bank relief from the reinstated bankruptcy stay. The mootness doctrine indeed has a narrow exception for cases that are capable of repetition but would evade judicial review. *See In re Price*, 370

F.3d 362, 365 (3d Cir. 2004); *Kingdomware Techs., Inc. v. United States*, 579 U.S. 162, 170 (2016). But even if this dispute were likely to recur, it need not escape review. Should the Bankruptcy Court later grant the Bank relief from the reinstated stay, Arsenis can appeal that decision and request a stay pending her appeal. *See United States v. Pelullo*, 178 F.3d 196, 200 (3d Cir. 1999); *In re Chateaugay Corp.*, 988 F.2d 322, 326 (2d Cir. 1993).

Arsenis additionally argues that this appeal is not moot because the Chapter 7 Trustee has commenced an action under 11 U.S.C. § 363(h) to sell her property. But the adversary proceeding between Arsenis and the Chapter 7 Trustee does not resuscitate the controversy between Arsenis and the Bank. *See Chong v. Dist. Dir., I.N.S.*, 264 F.3d 378, 384 (3d Cir. 2001) (explaining that a plaintiff "must show that she has suffered, or is threatened with, an actual injury traceable to the [defendant] that is likely to be redressed by a favorable decision"). *Compare* 11 U.S.C. § 362(d) (governing request by a *creditor* for relief from automatic stay so that it can proceed with, *e.g.*, a foreclosure), *with* 11 U.S.C. § 363(h) (governing *bankruptcy trustee's* authorization to sell the bankruptcy estate's interest).

III.

In accordance with our opinion, we will dismiss the appeal.