

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Whitney Rimel  
Bankruptcy Judge  
Fresno, California

1. Matters resolved without oral argument:

If the moving party has received a response or is aware of any reason, such as a settlement, that a timely opposition may not have been filed, the moving party must contact Marlene Medina, the Calendar Clerk, at (559) 499-5825 by 4:00 p.m. the day before the scheduled hearing.

Following the hearing (not before), moving party shall submit an appropriate form of order. When the debtor's discharge has been entered, proposed orders for relief from stay should reflect that the motion is dismissed as to the debtor and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.

2. If a matter is denied without prejudice, the moving party may file a new motion or objection to claim with a new docket control number. It may not simply re-notice the original motion.

3. If no disposition is set forth below, the hearing will take place as scheduled.

January 15, 2009

9:00 a.m.

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1. [08-17919](#)-A-13 ST. JOHN WALKER HEARING - ORDER TO SHOW CAUSE  
FOR FAILURE TO FILE CHAPTER 13  
PETITION FILED 12/4/08 PLAN [[16](#)]

PRO SE

2. [08-17820](#)-A-13 TAMMI ANN FRYER HEARING - MOTION FOR RELIEF  
WGM #1 FROM STAY [[13](#)]  
PETITION FILED 12/1/08

CARRINGTON MORTGAGE SERVICES,  
LLC, VS.

WILLIAM MALCOLM/Atty. for mv.

3. [08-17324](#)-A-13 IRENE SUAREZ CHAVOYA HEARING - MOTION FOR RELIEF

DMG #1  
PETITION FILED 11/13/08

FROM STAY [[13](#)]

CITIFINANCIAL AUTO CORP., VS.

NON-OPPOSITION BY DEBTOR

DAVID GOODRICH/Atty. for mv.  
PETER BUNTING/Atty. for dbt.

4. [08-17931](#)-A-13 SAMUEL ALAN HALEY

PETITION FILED 12/4/08

HEARING - AMENDED ORDER TO SHOW  
CAUSE FOR FAILURE TO FILE  
CHAPTER 13 PLAN; MEANS TEST  
FORM 22C; SCHEDULES A-J;  
STATEMENT OF FINANCIAL AFFAIRS;  
STATISTICAL SUMMARY; SUMMARY OF  
SCHEDULES [[14](#)]

PRO SE

5. [08-15038](#)-A-13 JAMES & HOLLE MARTIN

SAH #2  
CONVERTED 11/24/08

HEARING - DEBTORS' MOTION  
TO VALUE COLLATERAL OF OCWEN  
LOAN SERVICING, LLC [[49](#)]

SUSAN HEMB/Atty. for dbt.

**The matter is resolved without oral argument. The court's records indicate that no timely written opposition has been filed. The motion is granted. Notice fails to comply with LBR 9014-1(d)(1) and (2). Future such deficiencies may result in denial of a motion without prejudice. No appearance is necessary.**

6. [08-15038](#)-A-13 JAMES & HOLLE MARTIN

SAH #3  
CONVERTED 11/24/08

HEARING - DEBTORS' MOTION  
TO VALUE COLLATERAL OF AMERICAN  
GENERAL FINANCE [[53](#)]

SUSAN HEMB/Atty. for dbt.

**The matter is resolved without oral argument. The court's records indicate that no timely written opposition has been filed. The motion is granted. Notice fails to comply with LBR 9014-1(d)(1) and (2). Future such deficiencies may result in denial of a motion without prejudice. No appearance is necessary.**

7. [08-15038](#)-A-13 JAMES & HOLLE MARTIN

HEARING - DEBTORS' MOTION

SAH #4  
CONVERTED 11/24/08

TO VALUE COLLATERAL OF HSBC  
POLARIS [[57](#)]

SUSAN HEMB/Atty. for dbt.

**The matter is resolved without oral argument. The court's records indicate that no timely written opposition has been filed. The motion is granted. Notice fails to comply with LBR 9014-1(d)(1) and (2). Future such deficiencies may result in denial of a motion without prejudice. No appearance is necessary.**

8. [08-17942](#)-A-13 ROSA ALMA MARTINEZ PERALTA HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO FILE CHAPTER 13 PLAN; EXHIBIT D W/CERTIFICATE; MEANS TEST FORM 22C; SCHEDULES A-J; STATEMENT OF FINANCIAL AFFAIRS; STATISTICAL SUMMARY; SUMMARY OF SCHEDULES [[11](#)]  
PETITION FILED 12/5/08  
PRO SE

9. [08-18249](#)-A-13 SAMUEL & ANABEL DELGADO HEARING - DEBTORS' MOTION FOR VALUATION OF COLLATERAL AND FIXING OF SECURED CLAIM OF HOUSEHOLD FINANCE CORP. OF CALIFORNIA [[12](#)]  
GMA #1  
PETITION FILED 12/17/08

GEOFFREY ADALIAN/Atty. for dbt.

**Notice fails to comply with LBR 9014-1(f)(1). Therefore, the motion is denied without prejudice. No appearance is necessary.**

10. [08-17778](#)-A-13 JEREMY & SARAH HARTMAN HEARING - MOTION FOR RELIEF FROM STAY [[27](#)]  
PD #1  
PETITION FILED 11/26/08  
NON-OPPOSITION BY DEBTORS  
WELLS FARGO HOME MORTGAGE, INC., VS.

CHRISTOPHER MCDERMOTT/Atty. for mv.  
ADRIAN S. WILLIAMS/Atty. for dbt.

11. [08-17992](#)-A-13 GABRIEL ANIBAN TORRES HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO FILE A MASTER ADDRESS LIST [[6](#)]  
PETITION FILED 12/8/08

PRO SE

12. [08-17992](#)-A-13 GABRIEL ANIBAN TORRES  
PETITION FILED 12/8/08  
  
EXPEDITED NOTICE  
PRO SE
- HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO FILE CHAPTER 13 PLAN; EXHIBIT D W/CERTIFICATE; MEANS TEST FORM 22C; SCHEDULES A-J; STATEMENT OF FINANCIAL AFFAIRS; STATISTICAL SUMMARY; SUMMARY OF SCHEDULES [[11](#)]

13. [08-17296](#)-A-13 GILBERT & JOYCE SOLENO  
GMA #1  
PETITION FILED 11/12/08
- HEARING - DEBTORS' MOTION FOR VALUATION OF COLLATERAL AND FIXING OF SECURED CLAIM OF FCI LENDER SERVICES  
[[23](#)]

GEOFFREY ADALIAN/Atty. for dbt.

14. [08-17896](#)-A-13 MARTHA ACOSTA  
PETITION FILED 12/3/08  
  
PRO SE
- HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO FILE CHAPTER 13 PLAN; EXHIBIT D W/CERTIFICATE; MEANS TEST FORM 22C; SCHEDULES A-J; STATEMENT OF FINANCIAL AFFAIRS; STATISTICAL SUMMARY; SUMMARY OF SCHEDULES [[13](#)]

**9:03 a.m.**

1. [08-15705](#)-A-13 JACK BERRY, JR.  
DRJ #2 AND VICTORIA BERRY  
PETITION FILED 9/15/08
- HEARING - DEBTORS' MOTION TO CONFIRM FIRST MODIFIED CHAPTER 13 PLAN [[18](#)]
- NON-OPPOSITION BY TRUSTEE

DAVID JENKINS/Atty. for dbt.  
M. NELSON ENMARK, TRUSTEE

The motion is resolved without oral argument. Notice of the motion to confirm the modified plan was adequate. No timely written opposition has been filed. The plan satisfies the requirements of 11 U.S.C. § 1325. The motion is granted. No appearance is necessary.

2. [08-15705](#)-A-13 JACK BERRY, JR. HEARING - DEBTORS' MOTION  
DRJ #3 AND VICTORIA BERRY FOR ORDER AVOIDING NON-  
PETITION FILED 9/15/08 POSSESSORY NON-PURCHASE MONEY  
LIEN OF AMERICAN GENERAL IN  
HOUSEHOLD GOODS AND FURNISHINGS  
[[15](#)]

DAVID JENKINS/Atty. for dbt.

The motion is resolved without oral argument. Notice was adequate pursuant to LBR 9014-1(f)(1). No timely opposition has been filed. The lien in question impairs an exemption to which the debtor(s) is(are) entitled. The motion is granted. No appearance is necessary.

3. [08-14206](#)-A-13 DOYLE & AURORA REDFEARN HEARING - MOTION FOR RELIEF  
KMR #1 FROM STAY [[19](#)]  
PETITION FILED 7/17/08  
CASE DISMISSED 1/9/09  
AMERICAN HOME MORTGAGE SERVICES,  
INC., VS.

KELLY RAFTERY/Atty. for mv.

The case having been dismissed, the matter is moot. No appearance is necessary.

4. [08-16511](#)-A-13 SEVERO & SALLY ANGULO HEARING - MOTION FOR  
GMA #1 CONFIRMATION OF CHAPTER 13 PLAN  
PETITION FILED 10/15/08 [[16](#)]

GEOFFREY ADALIAN/Atty. for dbt.

The motion is resolved without oral argument. Notice of the motion to confirm the modified plan was adequate. No timely written opposition has been filed. The plan satisfies the requirements of 11 U.S.C. § 1325. The motion is granted. No appearance is necessary.

5. [08-15249](#)-A-13 RALPH & ELVA AGUERO CONT'D HEARING - TRUSTEE'S  
MNE #1 OBJECTION TO CONFIRMATION OF  
PETITION FILED 8/27/08 CHAPTER 13 PLAN AND MOTION TO  
DISMISS [[20](#)]

M. NELSON ENMARK, TRUSTEE

6. [08-15249](#)-A-13 RALPH & ELVA AGUERO  
MNE #2  
PETITION FILED 8/27/08

CONT'D HEARING - TRUSTEE'S  
MOTION TO DISMISS PRE-CONFIRMED  
CASE [[41](#)]

M. NELSON ENMARK, TRUSTEE

7. [08-15249](#)-A-13 RALPH & ELVA AGUERO  
OKC #3  
PETITION FILED 8/27/08

HEARING - DEBTORS' MOTION TO  
CONFIRM FIRST MODIFIED PLAN  
[[59](#)]

NON-OPPOSITION BY TRUSTEE

KEVIN O'CASEY/Atty. for dbt.  
M. NELSON ENMARK, TRUSTEE

**9:05 a.m.**

1. [05-19542](#)-A-13 KENT & DANIELLE SCHMIDT  
MNE #5  
PETITION FILED 10/12/05

CONT'D HEARING - TRUSTEE'S  
MOTION TO DISMISS [[63](#)]

M. NELSON ENMARK, TRUSTEE

**11:00 a.m.**

1. [08-17111](#)-A-7 MARIA VALLEJO

HEARING - APPROVAL OF  
REAFFIRMATION AGREEMENT WITH  
PATELCO CREDIT UNION  
[[21](#)]

PRO SE

2. [08-16235](#)-A-7 ROBERT BARTRAM  
BMS #1

HEARING - APPROVAL OF  
REAFFIRMATION AGREEMENT WITH  
CAB WEST, LLC [[18](#)]

BETH STRATTON/Atty. for mv.

**As the agreement has been signed by debtor's attorney and there is no presumption of undue hardship, the court abstains. No appearance is necessary.**

3. [08-15848](#)-A-7 RYAN & CARLY ROYBAL

HEARING - APPROVAL OF  
REAFFIRMATION AGREEMENT WITH  
DAIMLERCHRYSLER FINANCIAL  
SERVICES AMERICAS, LLC  
[[23](#)]

GARY HUSS/Atty. for dbt.

4. [08-16684](#)-A-7 RENE & NORENA CANTU  
BMS #1

HEARING - APPROVAL OF  
REAFFIRMATION AGREEMENT WITH  
FORD MOTOR CREDIT COMPANY, LLC  
[[35](#)]

BETH STRATTON/Atty. for mv.

5. [08-16889](#)-A-7 ERIC & SHAUNA TOVANATTI

HEARING - APPROVAL OF  
REAFFIRMATION AGREEMENT WITH  
TUCOEMAS FEDERAL CREDIT UNION  
[[16](#)]

MARK ZIMMERMAN/Atty. for dbt.