



**UNITED STATES BANKRUPTCY COURT**  
Eastern District of California

**Honorable Christopher D. Jaime**  
**Chief Bankruptcy Judge**  
Department B, Courtroom 32  
501 I Street, 6<sup>th</sup> Floor  
Sacramento, California

**January 6, 2026 at 1:00 p.m.**

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Unless otherwise ordered, all matters before the Honorable Chief **Christopher Jaime** shall be simultaneously: (1) **In Person** at, **Sacramento Courtroom No. 32, 6<sup>th</sup> Floor** (2) via **ZoomGov Video**, (3) via **ZoomGov Telephone**, and (4) via **CourtCall**.

You may choose any of these options unless otherwise ordered or stated below.

All parties who wish to appear at a hearing remotely ***must sign up by 4:00 p.m. one business day*** prior to the hearing. Information regarding how to sign up can be found on the **Remote Appearances** page of our website at <https://www.caeb.uscourts.gov/Calendar/RemoteAppearances>. Each party who has signed up will receive a Zoom link or phone number, meeting I.D., and password via e-mail.

If the deadline to sign up has passed, parties who wish to appear remotely must contact the Courtroom Deputy for the Department holding the hearing.

Please also note the following:

- Parties in interest may connect to the video or audio feed free of charge and should select which method they will use to appear when signing up.
- Members of the public and the press appearing by ZoomGov may only listen in to the hearing using the zoom telephone number. Video appearances are not permitted.
- Members of the public and the press may not listen in to trials or evidentiary hearings, though they may appear in person in most instances.

To appear remotely for law and motion or status conference proceedings, you must comply with the following guidelines and procedures:

1. Review the [Pre-Hearing Dispositions](#) prior to appearing at the hearing.
2. Parties appearing via CourtCall are encouraged to review the [CourtCall Appearance Information](#).

If you are appearing by ZoomGov phone or video, please join at least 10 minutes prior to the start of the calendar and wait with your microphone muted until the matter is called.

**Unauthorized Recording is Prohibited:** Any recording of a court proceeding held by video or teleconference, including "screen shots" or other audio or visual copying of a hearing is prohibited. Violation may result in sanctions, including removal of court-issued medical credentials, denial of entry to future hearings, or any other sanctions deemed necessary by the court. For more information on photographing, recording, or broadcasting Judicial Proceedings, please refer to Local Rule 173(a) of the United States District Court for the Eastern District of California.

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### INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

Each matter on this calendar will have one of three possible designations: No Ruling, Tentative Ruling, or Final Ruling. These instructions apply to those designations.

**No Ruling:** All parties will need to appear at the hearing unless otherwise ordered.

**Tentative Ruling:** If a matter has been designated as a tentative ruling it will be called. The court may continue the hearing on the matter, set a briefing schedule, or enter other orders appropriate for efficient and proper resolution of the matter. The original moving or objecting party shall give notice of the continued hearing date and the deadlines. The minutes of the hearing will be the court's findings and conclusions.

**Final Ruling:** Unless otherwise ordered, there will be no hearing on these matters and no appearance is necessary. The final disposition of the matter is set forth in the ruling and it will appear in the minutes. The final ruling may or may not finally adjudicate the matter. If it is finally adjudicated, the minutes constitute the court's findings and conclusions.

**Orders:** Unless the court specifies in the tentative or final ruling that it will issue an order, the prevailing party shall lodge an order within seven (7) days of the final hearing on the matter.

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**UNITED STATES BANKRUPTCY COURT**

Eastern District of California

Honorable Christopher D. Jaime

**Chief Bankruptcy Judge**

Sacramento, California

**January 6, 2026 at 1:00 p.m.**

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1. [25-24702](#)-B-13 GUILLERMO CERVANTES CONTINUED OBJECTION TO  
[LGT](#)-1 Robert W. Fong CONFIRMATION OF PLAN BY LILIAN  
G. TSANG  
10-8-25 [[13](#)]

**Final Ruling**

The initial Chapter 13 Plan filed August 29, 2025, is not confirmable and the objection is not one that may be resolved in the confirmation order. Nevertheless, because this is the initial Chapter 13 Plan, the procedure in Local Bankr. R. 3015-1(c)(4) applies.

The court's decision is to continue the hearing to January 13, 2026 at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan.

The plan provides for payments to creditors for a period longer than 5 years. 11 U.S.C. § 1322(d). Due to an unscheduled priority claim filed by California Department of Tax and Fee Administration, the current plan payment proposal causes the plan to take 152.95 months to fund. Claim no. 4-1. Calculations indicate that Debtor's plan payment will need to be at least \$1,223.59 per month for the plan term of 60 months in order for Debtors' plan to be feasible. This increased plan payment is not feasible per Schedule J.

The plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The objection is sustained and the plan is not confirmed.

**Conditional Nature of this Ruling**

Because the objection has been filed, set, and served under Local Bankruptcy Rules 3015-1(c)(4) and 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on January 9, 2026, to file and serve a response to the objection(s). See Local Bankr. R. 3015-1(c)(4), 9014-1(f)(2)(C). Any response shall be served on the Chapter 13 Trustee, the Debtor, the Debtor's attorney, and/or the attorney for the objecting party by facsimile or email.

If no response is timely filed and served, the objection will be deemed sustained for the reasons stated hereinabove, this ruling will no longer be conditional and will become the court's final decision, and the continued hearing on January 13, 2026, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on January 13, 2026, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY SUSTAINED and CONTINUED to January 13, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

2. [24-24504](#)-B-13 ENRIQUE GARCIA  
[PGM](#)-1 Peter G. Macaluso

OBJECTION TO CLAIM OF U.S. BANK  
TRUST NATIONAL ASSOCIATION,  
CLAIM NUMBER 3 AND/OR MOTION  
FOR COMPENSATION FOR PETER G.  
MACALUSO, DEBTORS ATTORNEY(S)  
10-28-25 [[36](#)]

### **Final Ruling**

The objection to claim was filed pursuant to Local Bankruptcy Rule 3007-1(b)(1). Opposition was filed by creditor U.S. Bank Trust National Association. A response was also filed by debtor Enrique Garcia ("Debtor") but there is no certificate of service indicating the response was served. See Local Bankr. R. 9014-1(e).

Rather than overrule the objection, Debtor shall have until 5:00 p.m. on January 7, 2026, to properly serve interested parties and file with the court a certificate of service.

The objection is continued to January 13, 2026, at 1:00 p.m.

The objection and motion is ORDERED CONTINUED to January 13, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

3. [24-23608](#)-B-13 KRISTINA FRASIER AND BO MOTION TO MODIFY PLAN  
[MRL](#)-2 MCBRAYER 11-10-25 [[71](#)]  
Mikalah Liviakis

### **Final Ruling**

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rules 3015-1(d)(2), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 3015(g). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Opposition was filed.

The court has determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f). This matter will therefore be decided on the papers.

The court's decision is to not permit the requested modification and not confirm the modified plan.

Feasibility of the plan cannot be determined and the plan may not comply with 11 U.S.C. §1325(a)(1) or (6). The plan proposes payments of \$5,368.18 per month for 11 months, \$4,900.00 per month for 15 months, and \$7,500.00 per month for 34 months. However, Debtor Kristina Frasier is currently unemployed and collecting unemployment benefits based on amended Schedule I. It is unclear whether she will be gainfully re-employed so that Debtors can afford the \$7,500.00 step-up payments.

The modified plan does not comply with 11 U.S.C. §§ 1322 and 1325(a) and is not confirmed.

The motion is ORDERED DENIED for reasons stated in the minutes.

The court will issue an order.

4. [25-24715](#)-B-13 LEVENT AGDAS  
[LTF](#)-1 Lars Fuller

MOTION TO CONFIRM PLAN  
11-20-25 [[22](#)]

### **Final Ruling**

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to confirm the amended plan.

11 U.S.C. § 1323 permits a debtor to amend a plan any time before confirmation. The Debtor has provided evidence in support of confirmation. No opposition to the motion has been filed by the Chapter 13 Trustee or creditors. The amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

5.     25-25516-B-13   AMMAR/LORETTA HASSAN                   OBJECTION TO CONFIRMATION OF  
          LGT-1           Douglas A. Crowder                   PLAN BY LILIAN G. TSANG  
  11-21-25 [15]

CONTINUED TO 1/27/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS SET FOR 1/15/26.

**Final Ruling**

No appearance at the January 6, 2026, hearing is required. The court will issue an order.

The objection is ORDERED CONTINUED to January 27, 2026 at 1:00 p.m. for reasons stated in the minutes.



6. [25-24917](#)-B-13 MITCHELL MILES  
[DAB](#)-3 David A. Boone

MOTION TO CONFIRM PLAN  
11-25-25 [[27](#)]

### **Final Ruling**

The motion been set for hearing on the 35-days notice required by Local Bankruptcy Rules 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). The court determines that the resolution of this matter does not require oral argument. See Local Bankr. R. 9014-1(h).

The court's decision is to deny the motion to confirm as moot and overrule the objection as moot.

Subsequent to the filing of the Trustee's objection, an amended plan was filed on December 16, 2025. The confirmation hearing for the amended plan is scheduled for February 3, 2026. The earlier plan filed September 11, 2025, is not confirmed.

The motion is ORDERED DENIED AS MOOT and the objection ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will issue an order.

7. [25-25619](#)-B-13 SHAUN DEITZEL  
[LGT](#)-1 Peter G. Macaluso

OBJECTION TO CONFIRMATION OF  
PLAN BY LILIAN G. TSANG  
11-19-25 [[14](#)]

WITHDRAWN BY M.P.

### **Final Ruling**

The Chapter 13 Trustee having filed a notice of withdrawal of its objection, the objection is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(I) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar.

There being no other objection to confirmation, the plan filed October 14, 2025, will be confirmed.

The objection is ORDERED DISMISSED WITHOUT PREJUDICE for reasons stated in the minutes.

IT IS FURTHER ORDERED that the plan is CONFIRMED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

8. [25-25721](#)-B-13 BARRETT TUCKER  
[LGT](#)-1 Brian S. Haddix

OBJECTION TO CONFIRMATION OF  
PLAN BY LILIAN G. TSANG  
12-4-25 [[25](#)]

### **Final Ruling**

Debtor Barrett Tucker having filed a non-opposition to the Chapter 13 Trustee's objection to confirmation of plan, the objection is ordered sustained.

The plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The objection is sustained and the plan is not confirmed.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.

### **Final Ruling**

Before the court is a Motion to Extend Stay filed by Chapter 13 debtor Michael Mariano ("Debtor"). Debtor filed this Chapter 13 case on November 25, 2025. Dkt. 1. Debtor filed the motion to extend the automatic stay on December 10, 2025. Dkt. 15. Debtor set the motion for hearing on January 6, 2026. Dkt. 16.

This is Debtor's second bankruptcy case pending in the past 12 months. Debtor's prior bankruptcy case was filed on October 8, 2025, and dismissed on October 27, 2025, for failure to timely file documents. See case no. 25-25542, dkt. 10. Therefore, pursuant to 11 U.S.C. § 362(c)(3)(A), the provisions of the automatic stay end in their entirety 30 days after filing of the petition. See e.g., *Reswick v. Reswick (In re Reswick)*, 446 B.R. 362 (9th Cir. BAP 2011) (stay terminates in its entirety); accord *Smith v. State of Maine Bureau of Revenue Services (In re Smith)*, 910 F.3d 576 (1st Cir. 2018).

The court can extend the automatic stay beyond the 30-day period. See 11 U.S.C. § 362(c)(3). However, a hearing on a motion to extend the automatic stay must be "completed before the expiration of the 30-day period[.]" 11 U.S.C. § 362(c)(3)(B) (emphasis added).

Thirty days from the petition date of this case is December 25, 2025. Because that day was a federal holiday, and because the court was closed the following day on December 26, 2025, the 30-day period was extended to and expired on December 29, 2025. The court is therefore no longer able to complete a hearing on Debtor's motion within the applicable 30-day period because the 30-day period-and thence the automatic stay in its entirety-have already expired.

The motion is ORDERED DENIED for the reasons stated in the minutes.

The court will issue an order.

10. [25-25422](#)-B-13 TOMMY GARCIA OBJECTION TO CONFIRMATION OF  
[JCW](#)-1 Peter G. Macaluso PLAN BY ALLY BANK  
Thru #12 11-10-25 [[17](#)]

**Final Ruling**

The objection to confirmation was filed pursuant to Local Bankr. R. 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). A reply was filed by debtor Tommy Garcia ("Debtor") but there is no certificate of service indicating the response was served. See Local Bankr. R. 9014-1(e).

Nonetheless, the court takes judicial notice that Debtor's reply acknowledges that the plan is not confirmable and that the objection should be sustained.

Therefore, the court's decision is to sustain the objection and deny confirmation of the plan.

The objection is ORDERED SUSTAINED for reasons stated in the minutes

The court will issue an order.

11. [25-25422](#)-B-13 TOMMY GARCIA OBJECTION TO CONFIRMATION OF  
[LGT](#)-1 Peter G. Macaluso PLAN BY LILIAN G. TSANG  
11-25-25 [[21](#)]

**Final Ruling**

The objection to confirmation was filed pursuant to Local Bankr. R. 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). A reply was filed by debtor Tommy Garcia ("Debtor") but there is no certificate of service indicating the response was served. See Local Bankr. R. 9014-1(e).

Nonetheless, the court takes judicial notice that Debtor's reply acknowledges that the plan is not confirmable and that the objection should be sustained.

Therefore, the court's decision is to sustain the objection and deny confirmation of the plan.

The objection is ORDERED SUSTAINED for reasons stated in the minutes

The court will issue an order.

12. [25-25422](#)-B-13 TOMMY GARCIA MOTION TO VALUE COLLATERAL OF  
[PGM](#)-1 Peter G. Macaluso RC WILLEY  
11-28-25 [[24](#)]

**Final Ruling**

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral

argument. No appearance at the hearing is required.

The court's decision is to value the secured claim of RC Willey at \$100.00.

Debtor moves to value the secured claim of RC Willey ("Creditor"). Debtor is the owner of a washer and dryer ("Personal Property"). Debtor seeks to value the Personal Property at a replacement value of \$100.00 as of the petition filing date. As the owner, Debtor's opinion of value is evidence of the asset's value. See Fed. R. Evid. 701; see also *Enewally v. Wash. Mut. Bank (In re Enewally)*, 368 F.3d 1165, 1173 (9th Cir. 2004).

No opposition was filed by RC Willey.

#### Proof of Claim Filed

The court has reviewed the Claims Registry for this bankruptcy case. Claim No. 16-1 filed by RC Willey is the claim which may be the subject of the present motion.

#### Discussion

In the Chapter 13 context, the replacement value of personal property used by a debtor for personal, household, or family purposes is "the price a retail merchant would charge for property of that kind considering the age and condition of the property at the time value is determined." See 11 U.S.C. § 506(a)(2). The time limitation to offer the fair market value of personal property, including furniture, appliances, and boats, is more than one year prior to the filing of the petition. See 11 U.S.C. § 1325(a).

The total dollar amount of the obligation to RC Willey is \$1,871.97 as stated in Claim No. 16-1. Debtor asserts that the Personal Property has been used regularly since purchasing in December 2023 and that they are in poor condition. Debtor contends that the price a retail merchant would charge for the Personal Property is \$100.00. Therefore, the Creditor's claim secured by a lien on the asset's title is under-collateralized. The Creditor's secured claim is determined to be in the amount of \$100.00. See 11 U.S.C. § 506(a). The valuation motion pursuant to Fed. R. Civ. P. 3012 and 11 U.S.C. § 506(a) is granted.

The motion is ORDERED GRANTED for reasons stated in the minutes.

The court will issue an order.

13. [24-25024](#)-B-13 MAUREEN SHARMA  
[PGM](#)-4 Peter G. Macaluso

MOTION TO CONFIRM PLAN  
11-24-25 [[105](#)]

### **Final Ruling**

The motion to confirm was filed pursuant to Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). Opposition was filed by the Chapter 13 Trustee and creditor Wells Fargo Bank, N.A. A response was also filed by debtor Maureen Sharma ("Debtor") but there is no certificate of service indicating the response and supporting documents were served. See Local Bankr. R. 9014-1(e).

Rather than deny the motion to confirm, Debtor shall have until 5:00 p.m. on January 7, 2026, to properly serve interested parties and file with the court a certificate of service.

The motion is continued to January 13, 2026, at 1:00 p.m.

The motion is ORDERED CONTINUED to January 13, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

14. [25-25826](#)-B-13 ABUBACARR SAHO  
[LGT](#)-1 Cindy Lee Hill  
Thru #15

OBJECTION TO CONFIRMATION OF  
PLAN BY LILIAN G. TSANG  
12-8-25 [[24](#)]

### **Final Ruling**

The objection to confirmation was properly filed at least 14 days prior to the hearing on the motion to confirm a plan. See Local Bankruptcy Rules 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). Nonetheless, the court determines that the resolution of this matter does not require oral argument. See Local Bankr. R. 9014-1(h).

The court's decision is to overrule the objection as moot.

Subsequent to the Chapter 13 Trustee filing its objection, Debtor filed an amended plan on December 22, 2025. The confirmation hearing for the amended plan is scheduled for February 3, 2026. The earlier plan filed October 22, 2025, is not confirmed.

The objection is ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will issue an order.

15. [25-25826](#)-B-13 ABUBACARR SAHO  
[RAS](#)-1 Cindy Lee Hill

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY  
DEUTSCHE BANK NATIONAL TRUST  
COMPANY  
11-3-25 [[19](#)]

### **Final Ruling**

The objection to confirmation was properly filed at least 14 days prior to the hearing on the motion to confirm a plan. See Local Bankruptcy Rules 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). Nonetheless, the court determines that the resolution of this matter does not require oral argument. See Local Bankr. R. 9014-1(h).

The court's decision is to overrule the objection as moot.

Subsequent to Deutsche Bank National Trust Company filing its objection, Debtor filed an amended plan on December 22, 2025. The confirmation hearing for the amended plan is scheduled for February 3, 2026. The earlier plan filed October 22, 2025, is not confirmed.

The objection is ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will issue an order.



16. [25-25926](#)-B-13 FREDDRIECK/CHRISTINA  
[LGT](#)-1 ANDERSON  
Thomas L. Amberg

OBJECTION TO CONFIRMATION OF  
PLAN BY LILIAN G. TSANG  
12-8-25 [[12](#)]

### **Final Ruling**

The objection was properly filed at least 14 days prior to the hearing on the motion to confirm a plan. See Local Bankr. R. 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). Parties in interest may, at least 7 days prior to the date of the hearing, serve and file with the court a written reply to any written opposition. Local Bankr. R. 9014-1(f)(1)(C). No written reply has been filed to the objection.

All objections have been resolved and the court has determined that oral argument is not necessary. See Local Bankr. R. 1001-1(f), 9014-1(h). This matter will be decided on the papers. No appearance at the hearing is necessary.

The court's decision is to overrule the objection and confirm the plan.

The Chapter 13 Trustee objected to confirmation of the plan on grounds that the meeting of creditors had not been concluded and was continued to December 18, 2025. The continued meeting of creditors was held and concluded, and no supplemental objection was filed. The objection is therefore resolved.

The plan filed October 26, 2025, does not comply with 11 U.S.C. §§ 1322 and 1325(a). The objection is sustained and the plan is not confirmed.

The plan complies with 11 U.S.C. §§ 1322 and 1325(a). The objection is overruled and the plan is confirmed.

The objection is ORDERED OVERRULED for reasons stated in the minutes.

IT IS FURTHER ORDERED that the plan is CONFIRMED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

17. [25-22928](#)-B-13 LITA BELLAMY  
Thru #18 Peter G. Macaluso

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY HRC  
ISLANDER LLC  
7-29-25 [[17](#)]

### **Final Ruling**

The objection to confirmation was filed pursuant to Local Bankr. R. 3015-1(c)(4) & (d)(1) and 9014-1(f)(2) and continued to be heard after the continued meeting of creditors set for December 18, 2025. A reply was filed by debtor Lita Bellamy ("Debtor") but there is no certificate of service indicating the response was served. See Local Bankr. R. 9014-1(e).

Nonetheless, the court takes judicial notice that Debtor's reply acknowledges that the plan is not confirmable and that the objection should be sustained. Dkt. 26.

Therefore, the court's decision is to sustain the objection and deny confirmation of the plan.

The objection is ORDERED SUSTAINED for reasons stated in the minutes

The court will issue an order.

18. [25-22928](#)-B-13 LITA BELLAMY  
[LGT](#)-1 Peter G. Macaluso

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY LILIAN  
G. TSANG  
7-30-25 [[21](#)]

### **Final Ruling**

The objection to confirmation was filed pursuant to Local Bankr. R. 3015-1(c)(4) & (d)(1) and 9014-1(f)(2) and continued to be heard after the continued meeting of creditors set for December 18, 2025. A reply was filed by debtor Lita Bellamy ("Debtor") but there is no certificate of service indicating the response was served. See Local Bankr. R. 9014-1(e).

Nonetheless, the court takes judicial notice that Debtor's reply acknowledges that the plan is not confirmable and that the objection should be sustained. Dkt. 26.

Therefore, the court's decision is to sustain the objection and deny confirmation of the plan.

The objection is ORDERED SUSTAINED for reasons stated in the minutes

The court will issue an order.

19. [25-25028](#)-B-13 RONNIE/TOWANA JOHNSON  
[BRL](#)-1 David C. Johnston

MOTION FOR RELIEF FROM  
AUTOMATIC STAY AND/OR MOTION  
FOR ADEQUATE PROTECTION  
12-12-25 [[46](#)]

VALERIE THOMPSON AND HELEN  
THOMPSON, TRUSTEES OF THE  
TRILOGY LIVING TRUST VS.

CONTINUED TO 1/27/26 AT 1:00 P.M. TO BE HEARD IN CONJUNCTION WITH THE MOTION TO  
DISMISS CASE.

**Final Ruling**

No appearance at the January 6, 2026, hearing is required. The court will  
issue an order.

The motion is ORDERED CONTINUED to January 27, 2026 at 1:00 p.m. for reasons  
stated in the minutes.

20. [25-25728](#)-B-13 CHANTHY MADRIGAL  
[LGT](#)-1 Seth L. Hanson

OBJECTION TO CONFIRMATION OF  
PLAN BY LILIAN G. TSANG  
12-8-25 [[14](#)]

WITHDRAWN BY M.P.

### **Final Ruling**

The Chapter 13 Trustee having filed a notice of withdrawal of its objection, the objection is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(I) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar.

There being no other objection to confirmation, the plan filed October 17, 2025, will be confirmed.

The objection is ORDERED DISMISSED WITHOUT PREJUDICE for reasons stated in the minutes.

IT IS FURTHER ORDERED that the plan is CONFIRMED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

21. [24-23429](#)-B-13 ASHLEY PERKINS  
[SKI](#)-1 Jasmin T. Nguyen

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
12-2-25 [[30](#)]

PERITUS PORTFOLIO SERVICES  
II, LLC VS.  
WITHDRAWN BY M.P.

### **Final Ruling**

Peritus Portfolio Services II, LLC as servicer for Wilshire Consumer Credit, having filed a notice of withdrawal of its motion, the motion for relief from automatic stay is dismissed without prejudice.

22. [25-23531](#)-B-13 KRISTOPHER COOPER  
[DCJ](#)-1 David C. Johnston  
DEBTOR DISMISSED: 11/20/25

MOTION TO CONFIRM PLAN  
11-11-25 [[36](#)]

**Final Ruling**

The case having been previously dismissed, the motion to confirm plan is denied as moot.

The motion is ORDERED DENIED AS MOOT for reasons stated in the minutes.

The court will issue an order.

23. [25-25931](#)-B-13 EUGENE JONES  
[LGT](#)-1 Pro Se  
Thru #24

OBJECTION TO CONFIRMATION OF  
PLAN BY LILIAN G. TSANG  
12-4-25 [[16](#)]

CONTINUED TO 1/27/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF  
CREDITORS SET FOR 1/14/26.

**Final Ruling**

No appearance at the January 6, 2026, hearing is required. The court will  
issue an order.

The objection is ORDERED CONTINUED to January 27, 2026 at 1:00 p.m. for reasons  
stated in the minutes.

24. [25-25931](#)-B-13 EUGENE JONES  
[RAS](#)-1 Pro Se

OBJECTION TO CONFIRMATION OF  
PLAN BY U.S. BANK TRUST  
NATIONAL ASSOCIATION  
12-10-25 [[20](#)]

CONTINUED TO 1/27/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF  
CREDITORS SET FOR 1/14/26.

**Final Ruling**

No appearance at the January 6, 2026, hearing is required. The court will  
issue an order.

The objection is ORDERED CONTINUED to January 27, 2026 at 1:00 p.m. for reasons  
stated in the minutes.

25. [25-25033](#)-B-13 JUAN VASQUEZ-RAMIREZ CONTINUED OBJECTION TO  
[LGT](#)-1 Lars Fuller CONFIRMATION OF PLAN BY LILIAN  
Thru #26 G. TSANG  
10-24-25 [[13](#)]

CONTINUED TO 2/10/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS SET FOR 1/28/26.

**Final Ruling**

No appearance at the January 6, 2026, hearing is required. The court will issue an order.

The objection is ORDERED CONTINUED to February 10, 2026 at 1:00 p.m. for reasons stated in the minutes.

26. [25-25033](#)-B-13 JUAN VASQUEZ-RAMIREZ CONTINUED OBJECTION TO  
[RAS](#)-1 Lars Fuller CONFIRMATION OF PLAN BY HSBC  
BANK USA, NATIONAL ASSOCIATION  
10-30-25 [[16](#)]

CONTINUED TO 2/10/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS SET FOR 1/28/26.

**Final Ruling**

No appearance at the January 6, 2026, hearing is required. The court will issue an order.

The objection is ORDERED CONTINUED to February 10, 2026 at 1:00 p.m. for reasons stated in the minutes.



27. [25-25834](#)-B-13 DAVID COSTA OBJECTION TO CONFIRMATION OF  
BJ-1 Peter G. Macaluso PLAN BY AMERICAN AGCREDIT, FLCA  
Thru #28 12-8-25 [[19](#)]

**Final Ruling**

The objection to confirmation was filed pursuant to Local Bankr. R. 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). A reply was filed by debtor David Costa ("Debtor") but there is no certificate of service indicating the response was served. See Local Bankr. R. 9014-1(e).

Nonetheless, the court takes judicial notice that Debtor's reply acknowledges that the plan is not confirmable and that the objection should be sustained. Dkt. 33.

Therefore, the court's decision is to sustain the objection and deny confirmation of the plan.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.

28. [25-25834](#)-B-13 DAVID COSTA OBJECTION TO CONFIRMATION OF  
[LGT](#)-1 Peter G. Macaluso PLAN BY LILIAN G. TSANG  
12-8-25 [[16](#)]

**Final Ruling**

The objection to confirmation was filed pursuant to Local Bankr. R. 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). A reply was filed by debtor David Costa ("Debtor") but there is no certificate of service indicating the response was served. See Local Bankr. R. 9014-1(e).

Nonetheless, the court takes judicial notice that Debtor's reply acknowledges that the plan is not confirmable and that the objection should be sustained. Dkt. 32.

Therefore, the court's decision is to sustain the objection and deny confirmation of the plan.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.

**Final Ruling**

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(2), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 3015(g). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Non-opposition was filed by the Chapter 13 Trustee. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to permit the requested modification and confirm the modified plan.

11 U.S.C. § 1329 permits a debtor to modify a plan after confirmation. The Debtor has filed evidence in support of confirmation. No opposition to the motion was filed by the Chapter 13 Trustee or creditors. The modified plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329, and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

30. [25-21538](#)-B-13 MATTHEW DEL REAL  
[DPC](#)-2 Pro Se

CONTINUED MOTION TO CONFIRM  
PLAN  
10-8-25 [[83](#)]

DEBTOR DISMISSED: 11/25/25

**Final Ruling**

The case having been previously dismissed, the motion to confirm plan is denied as moot.

The motion is ORDERED DENIED AS MOOT for reasons stated in the minutes.

The court will issue an order.

31. [25-24538](#)-B-13 LEEANN KRIER  
[NAR](#)-1 Peter G. Macaluso

CONTINUED MOTION FOR RELIEF  
FROM AUTOMATIC STAY  
10-17-25 [[20](#)]

CENTURY HOMES, LLC VS.  
DEBTOR DISMISSED: 12/18/25

### **Final Ruling**

The case having been previously dismissed, the motion for relief from automatic stay is denied as moot.

The motion is ORDERED DENIED AS MOOT for reasons stated in the minutes.

The court will issue an order.

32. [25-90039](#)-B-13 MICHAEL Inderbitzin MOTION TO EXTEND TIME  
[THN](#)-5 Teresa Thu Huong Hung-Nguyen 11-28-25 [[92](#)]

**Final Ruling**

The case having been dismissed on December 29, 2025, the motion to extend time to allow refinancing of Debtor's real property is denied as moot.

The motion is ORDERED DENIED AS MOOT for reasons stated in the minutes.

The court will issue an order.

33. [25-25644](#)-B-13 JAMES BRUMMELL  
[LGT](#)-1 Pro Se

OBJECTION TO CONFIRMATION OF  
PLAN BY LILIAN G. TSANG  
11-21-25 [[19](#)]

CONTINUED TO 2/10/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF  
CREDITORS SET FOR 1/28/26.

**Final Ruling**

No appearance at the January 6, 2026, hearing is required. The court will  
issue an order.

The objection is ORDERED CONTINUED to February 10, 2026 at 1:00 p.m. for  
reasons stated in the minutes.

34. [25-26144](#)-B-13 RENEJUN/MARIA RAMOS  
[CRG](#)-1 Carl R. Gustafson

MOTION TO VALUE COLLATERAL OF  
U.S. BANK  
11-6-25 [[10](#)]

### **Final Ruling**

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to value the secured claim of U.S. Bank at \$28,756.00.

Debtors move to value the secured claim of U.S. Bank ("Creditor"). Debtors are the owner of a 2022 Tesla Model Y ("Vehicle"). Debtors seek to value the Vehicle at a replacement value of \$28,756.00 as of the petition filing date. As the owner, Debtors' opinion of value is evidence of the asset's value. See Fed. R. Evid. 701; see also Enewally v. Wash. Mut. Bank (In re Enewally), 368 F.3d 1165, 1173 (9th Cir. 2004).

### **No Proof of Claim Filed**

The court has reviewed the Claims Registry for this bankruptcy case. No proof of claim has been filed by Creditor for the claim to be valued.

### **Discussion**

The lien on the Vehicle's title secures a purchase-money loan incurred in March 2022, which is more than 910 days prior to filing of the petition, to secure a debt owed to Creditor with a balance of approximately \$35,362.02. Therefore, the Creditor's claim secured by a lien on the asset's title is under-collateralized. The Creditor's secured claim is determined to be in the amount of \$28,756.00. See 11 U.S.C. § 506(a). The valuation motion pursuant to Fed. R. Civ. P. 3012 and 11 U.S.C. § 506(a) is granted.

The motion is ORDERED GRANTED for reasons stated in the minutes.

The court will issue an order.

### **Final Ruling**

The objection has been set for hearing on at least 44 days' notice to the claimant as required by Local Bankruptcy Rule 3007-1(b)(1). The failure of the claimant to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to sustain the objection to Claim No. 7-1 of US Bank Trust, N.A. and treat the claim of \$30,522.20 as unsecured.

Debtor Julius Faihtinger ("Debtor") requests that the court treat Claim No. 7-1 of US Bank Trust, N.A. ("Creditor") as unsecured rather than secured. Debtor contends that the claim erroneously identifies its collateral as real estate located at 5840 Basin Street, Stockton, California. Debtor states that he has not owned any interest in that property since 2019. Despite the request of Debtor's counsel, Creditor has not amended its claim, making this objection to claim necessary. Debtor does not object to the amount of the claim at \$30,522.20.

### **Discussion**

Section 502(a) provides that a claim supported by a proof of claim is allowed unless a party in interest objects. See 11 U.S.C. § 502(a). Once an objection has been filed, the court may determine the amount of the claim after a noticed hearing. See 11 U.S.C. § 502(b). The party objecting to a proof of claim has the burden of presenting substantial factual basis to overcome the prima facie validity of a proof of claim and the evidence must be of probative force equal to that of the creditor's proof of claim. Wright v. Holm (In re Holm), 931 F.2d 620, 623 (9th Cir. 1991); see also United Student Funds, Inc. v. Wylie (In re Wylie), 349 B.R. 204, 210 (B.A.P. 9th Cir. 2006). Moreover, "[a] mere assertion that the proof of claim is not valid or that the debt is not owed is not sufficient to overcome the presumptive validity of the proof of claim." Local Bankr. R. 3007-1(a).

The court finds that the Debtor has satisfied the burden of overcoming the presumptive validity of the claim. Based on the evidence before the court, the Creditor's claim shall be treated as unsecured rather than secured. The objection to the proof of claim is sustained.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.



36. [25-24547](#)-B-7 ANGELA CLEMENTS CONTINUED OBJECTION TO  
[LGT](#)-1 Simran Singh Hundal CONFIRMATION OF PLAN BY LILIAN  
Thru #38 G. TSANG  
10-9-25 [[22](#)]

**Final Ruling**

The case having been converted to a chapter 7 on December 16, 2025, the objection to confirmation is overruled as moot.

The objection is ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will issue an order.

37. [25-24547](#)-B-7 ANGELA CLEMENTS MOTION TO AVOID LIEN OF MINTAKA  
[SSH](#)-1 Simran Singh Hundal FINANCIAL, LLC  
11-21-25 [[38](#)]

**Final Ruling**

The case having been converted to a chapter 7 on December 16, 2025, the motion to avoid lien is denied as moot.

The motion is ORDERED DENIED AS MOOT for reasons stated in the minutes.

The court will issue an order.

38. [25-24547](#)-B-7 ANGELA CLEMENTS MOTION TO AVOID LIEN OF MINTAKA  
[SSH](#)-2 Simran Singh Hundal FINANCIAL, LLC  
11-21-25 [[43](#)]

**Final Ruling**

The case having been converted to a chapter 7 on December 16, 2025, the motion to avoid lien is denied as moot.

The motion is ORDERED DENIED AS MOOT for reasons stated in the minutes.

The court will issue an order.

39. [25-23849](#)-B-13 DAVID GRAHAM CONTINUED OBJECTION TO  
[LGT](#)-1 Steven A. Alpert CONFIRMATION OF PLAN BY LILIAN  
Thru #40 G. TSANG  
9-11-25 [[12](#)]

**Final Ruling**

The case having been dismissed at Item #40, LGT-2, the objection to confirmation is dismissed as moot.

The objection is ORDERED DISMISSED AS MOOT for reasons stated in the minutes.

The court will issue an order.

40. [25-23849](#)-B-13 DAVID GRAHAM CONTINUED MOTION TO DISMISS  
[LGT](#)-2 Steven A. Alpert CASE  
10-3-25 [[17](#)]

**Final Ruling**

This matter was continued from December 16, 2025, to be heard after the continued meeting of creditors set for December 18, 2025, and for the Chapter 13 Trustee to file a supplemental declaration by January 2, 2026, as to whether the issues for dismissal have been resolved.

The Trustee timely filed a declaration stating that debtor David Graham ("Debtor") is delinquent \$1,967.00 in plan payments as of December 30, 2025, despite Debtor's response filed November 12, 2025, stating that he will cure plan payments by Friday, November 14, 2025. Additionally, Debtor has not yet filed his 2024 tax returns, which Debtor acknowledges is true.

Given the aforementioned, cause exists to dismiss this case. The motion is granted and the case is dismissed.

The motion is ORDERED GRANTED for reasons stated in the minutes.

The court will issue an order.

41. [25-24450](#)-B-13 GUY MEYERS  
[GRI](#)-3 Eric L. Seyvertsen  
Thru #42

MOTION TO DISMISS CASE  
12-5-25 [[56](#)]

### **Final Ruling**

Creditor Tim Pickett ("Creditor"), a secured creditor pursuant to a note and deed of trust that encumbers real property located at 9040 and 9090 E. Highway 12, Lodi, California ("Property"), moves to dismiss this Chapter 13 case on grounds of unreasonable delay that is prejudicial to creditors and Debtor's failure to confirm a plan.

Confirmation of the initial Chapter 13 plan filed by debtor Guy Meyers ("Debtor") was denied based on the unresolved issues raised by the Chapter 13 Trustee. See dkt. 41. The court did not address on the merits the issues raised by Creditor. See dkt. 40.

Creditor states that Debtor has done nothing to continue to prosecute this case, such as failing to file an amended plan or attempt to sell the Property in order to pay Creditor in full. The court agrees.

Debtor will have until 5:00 p.m. on January 13, 2026, to file, set, and serve an amended plan and motion to confirm it. If Debtor fails to timely do so, this case may be dismissed on Creditor's ex parte application (submitted with a proposed order). Any amended plan that provides for the speculative sale of real property, i.e., a sale without a firm buyer under contract or an open and pending escrow, will be deemed to be not feasible and therefore not confirmable.

The motion is ordered CONDITIONALLY DENIED without prejudice for the reasons stated in the minutes.

The court will prepare an order.

42. [25-24450](#)-B-13 GUY MEYERS  
[GRI](#)-4 Eric L. Seyvertsen  
TIM PICKETT VS.

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
12-5-25 [[50](#)]

### **Final Ruling**

Secured creditor Tim Pickett ("Creditor") moves for relief from the automatic stay of 11 U.S.C § 362 regarding real property owned by Debtor Guy Meyers ("Debtor") located at 9040 and 9090 E Highway 12, Lodi, CA (the "Lodi Property"). This is Creditor's second motion for relief from the automatic stay with regard to the Property. Creditor's first motion was filed on September 18, 2025, dkt. 13, and denied without prejudice on October 13, 2025. Dkts. 28, 32. The second motion fails to address and resolve the issue that resulted in denial of the first motion. The second motion will therefore be denied without prejudice for the reasons previously stated in Docket 28.

The motion is ORDERED DENIED without prejudice for the reasons stated in the minutes.

The court will prepare an order.

43. [25-25960](#)-B-13 MAY LOR  
[LGT](#)-1 Nicholas Wajda

OBJECTION TO CONFIRMATION OF  
PLAN BY LILIAN G. TSANG  
12-8-25 [[18](#)]

### **Final Ruling**

The objection to confirmation was properly filed at least 14 days prior to the hearing on the motion to confirm a plan. See Local Bankruptcy Rules 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). Nonetheless, the court determines that the resolution of this matter does not require oral argument. See Local Bankr. R. 9014-1(h).

The court's decision is to overrule the objection as moot.

Subsequent to the Chapter 13 Trustee filing its objection, Debtor filed an amended plan on December 22, 2025. The confirmation hearing for the amended plan is scheduled for February 3, 2026. The earlier plan filed October 27, 2025, is not confirmed.

The objection is ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will issue an order.

44. [25-25662](#)-B-13 RODOLFO BENAVIDES  
[FW-1](#) Pro Se  
Thru #46

OBJECTION TO CONFIRMATION OF  
PLAN BY ROCKET MORTGAGE, LLC  
12-4-25 [[29](#)]

### **Final Ruling**

The initial Chapter 13 Plan filed October 28, 2025, is not confirmable and the objection is not one that may be resolved in the confirmation order. Nevertheless, because this is the initial Chapter 13 Plan, the procedure in Local Bankr. R. 3015-1(c)(4) applies.

The court's decision is to continue the hearing to January 13, 2026, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan.

Objecting creditor Rocket Mortgage, LLC holds a deed of trust secured by Debtor's residence. The creditor has filed a timely proof of claim in which it asserts \$13,263.98 in pre-petition arrearages. The plan does not propose to cure these arrearages. Because the plan does not provide for the surrender of the collateral for this claim, the plan must provide for full payment of the arrearage and maintenance of the ongoing note installments. See 11 U.S.C. §§ 1322(b)(2), (b)(5) and 1325(a)(5)(B). Because it fails to provide for the full payment of arrearages, the plan cannot be confirmed.

The plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The objection is sustained and the plan is not confirmed.

### **Conditional Nature of this Ruling**

Because the objection has been filed, set, and served under Local Bankruptcy Rules 3015-1(c)(4) and 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on January 9, 2026, to file and serve a response to the objection(s). See Local Bankr. R. 3015-1(c)(4), 9014-1(f)(2)(C). Any response shall be served on the Chapter 13 Trustee, the Debtor, the Debtor's attorney, and/or the attorney for the objecting party by facsimile or email.

If no response is timely filed and served, the objection will be deemed sustained for the reasons stated hereinabove, this ruling will no longer be conditional and will become the court's final decision, and the continued hearing on January 13, 2026, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on January 13, 2026, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY SUSTAINED and CONTINUED to January 13, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

45. [25-25662](#)-B-13 RODOLFO BENAVIDES  
[JCW-1](#) Pro Se

OBJECTION TO CONFIRMATION OF  
PLAN BY CONNEXUS CREDIT UNION  
12-4-25 [[22](#)]

### **Final Ruling**

The initial Chapter 13 Plan filed October 28, 2025, is not confirmable and the objection is not one that may be resolved in the confirmation order.

Nevertheless, because this is the initial Chapter 13 Plan, the procedure in Local Bankr. R. 3015-1(c)(4) applies.

The court's decision is to continue the hearing to January 13, 2026, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan.

Objecting creditor Connexus Credit Union is the lienholder of a 2018 Thor Majestic 28A ("Vehicle") and has filed a timely proof of claim. Feasibility of the plan depends on the granting of a motion to value collateral, which debtor Rodolfo Benavides ("Debtor") has not filed, set for hearing, or served.

The plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The objection is sustained and the plan is not confirmed.

#### Conditional Nature of this Ruling

Because the objection has been filed, set, and served under Local Bankruptcy Rules 3015-1(c)(4) and 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on January 9, 2026, to file and serve a response to the objection(s). See Local Bankr. R. 3015-1(c)(4), 9014-1(f)(2)(C). Any response shall be served on the Chapter 13 Trustee, the Debtor, the Debtor's attorney, and/or the attorney for the objecting party by facsimile or email.

If no response is timely filed and served, the objection will be deemed sustained for the reasons stated hereinabove, this ruling will no longer be conditional and will become the court's final decision, and the continued hearing on January 13, 2026, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on January 13, 2026, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY SUSTAINED and CONTINUED to January 13, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

46.	<a href="#">25-25662</a> -B-13 <a href="#">LGT</a> -1	RODOLFO BENAVIDES Pro Se	OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG 12-4-25 [ <a href="#">23</a> ]
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#### Final Ruling

The initial Chapter 13 Plan filed October 28, 2025, is not confirmable and the objection is not one that may be resolved in the confirmation order. Nevertheless, because this is the initial Chapter 13 Plan, the procedure in Local Bankr. R. 3015-1(c)(4) applies.

The court's decision is to continue the hearing to January 13, 2026, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan.

The Chapter 13 Trustee objects to confirmation of the plan on grounds that the monthly payments to secured creditors plus the Trustee's compensation and expense is greater than that proposed in the plan. The Debtor will not be able to make all payments under the plan and comply with the plan. 11 U.S.C. § 1325(a)(6).

The continued meeting of creditors was held on December 19, 2025, and concluded. This issue is therefore resolved.

The plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The objection is sustained and the plan is not confirmed.

#### Conditional Nature of this Ruling

Because the objection has been filed, set, and served under Local Bankruptcy Rules 3015-1(c)(4) and 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on January 9, 2026, to file and serve a response to the objection(s). See Local Bankr. R. 3015-1(c)(4), 9014-1(f)(2)(C). Any response shall be served on the Chapter 13 Trustee, the Debtor, the Debtor's attorney, and/or the attorney for the objecting party by facsimile or email.

If no response is timely filed and served, the objection will be deemed sustained for the reasons stated hereinabove, this ruling will no longer be conditional and will become the court's final decision, and the continued hearing on January 13, 2026, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on January 13, 2026, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY SUSTAINED and CONTINUED to January 13, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

47. [25-25667](#)-B-13 SEAN GAGE AND DAWN OBJECTION TO CONFIRMATION OF  
[LGT](#)-1 FIELDS-GAGE PLAN BY LILIAN G. TSANG  
Mohammad M. Mokarram 12-8-25 [[17](#)]

### **Final Ruling**

The Chapter 13 Trustee having filed a notice of withdrawal of its objection, the objection is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar.

There being no other objection to confirmation, the plan filed October 15, 2025, will be confirmed.

The objection is ORDERED DISMISSED WITHOUT PREJUDICE for reasons stated in the minutes.

IT IS FURTHER ORDERED that the plan is CONFIRMED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.



48. [25-23474](#)-B-13 GENOLA SCOTT  
[PGM](#)-1 Peter G. Macaluso

MOTION TO CONFIRM PLAN  
11-20-25 [[28](#)]

**Final Ruling**

The motion to confirm was filed pursuant to Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). Opposition was filed by the Chapter 13 Trustee. A response was also filed by debtor Genola Scott ("Debtor") but there is no certificate of service indicating the response and supporting documents were served. See Local Bankr. R. 9014-1(e).

Rather than deny the motion to confirm, Debtor shall have until 5:00 p.m. January 7, 2026, to properly serve interested parties and file with the court a certificate of service.

The motion is continued to January 13, 2026, at 1:00 p.m.

The motion is ORDERED CONTINUED to January 13, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

49. [25-25874](#)-B-13 CHRISTOPHER/KIMBERLY OBJECTION TO CONFIRMATION OF  
[LGT](#)-1 CHAVEZ PLAN BY LILIAN G. TSANG  
Seth L. Hanson 12-8-25 [[14](#)]

### **Final Ruling**

The objection to confirmation was properly filed at least 14 days prior to the hearing on the motion to confirm a plan. See Local Bankruptcy Rules 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). Nonetheless, the court determines that the resolution of this matter does not require oral argument. See Local Bankr. R. 9014-1(h).

The court's decision is to overrule the objection as moot.

Subsequent to the Chapter 13 Trustee filing its objection, Debtors filed an amended plan on December 17, 2025. The confirmation hearing for the amended plan is scheduled for February 3, 2026. The earlier plan filed October 24, 2025, is not confirmed.

The objection is ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will issue an order.

### **Final Ruling**

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to confirm the amended plan.

11 U.S.C. § 1323 permits a debtor to amend a plan any time before confirmation. The Debtors have provided evidence in support of confirmation. No opposition to the motion has been filed by the Chapter 13 Trustee or creditors. The amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

51. [25-23590](#)-B-13 ARISTON/BABY RUTH GAOAT MOTION TO CONFIRM PLAN  
[PGM](#)-1 Peter G. Macaluso 11-25-25 [[31](#)]

**Final Ruling**

The motion to confirm was filed pursuant to Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). Opposition was filed by the Chapter 13 Trustee. A response was also filed by debtors Ariston Gaoat and Baby Ruth Gaoat ("Debtors") but there is no certificate of service indicating the response and supporting documents were served. See Local Bankr. R. 9014-1(e).

Rather than deny the motion to confirm, Debtors shall have until 5:00 p.m. on January 7, 2026, to properly serve interested parties and file with the court a certificate of service.

The motion is continued to January 13, 2026, at 1:00 p.m.

The motion is ORDERED CONTINUED to January 13, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

### **Tentative Ruling**

The motion has been set for hearing on less than 28-days notice. Local Bankruptcy Rule 9014-1(f)(2). Parties in interest were not required to file a written response or opposition.

The court's decision is to grant the motion to extend automatic stay.

Debtors seek to have the automatic stay extended beyond 30 days pursuant to 11 U.S.C. § 362(c)(3). This is the Debtors' second bankruptcy petition pending in the past 12 months. The Debtor's prior bankruptcy case was dismissed on October 22, 2025, for failure to make plan payments (case no. 23-20686). Therefore, pursuant to 11 U.S.C. § 362(c)(3)(A), the provisions of the automatic stay end in their entirety 30 days after filing of the petition. See e.g., *Reswick v. Reswick* (In re Reswick), 446 B.R. 362 (9th Cir. BAP 2011) (stay terminates in its entirety); accord *Smith v. State of Maine Bureau of Revenue Services* (In re Smith), 910 F.3d 576 (1st Cir. 2018). This motion was set for hearing within 30 days of the filing of the instant case. 11 U.S.C. § 362(c)(3)(B).

### Discussion

Upon motion of a party in interest and after notice and hearing, the court may order the provisions extended beyond 30 days if the filing of the subsequent petition was in good faith. 11 U.S.C. § 362(c)(3)(B). The subsequently filed case is presumed to be filed in bad faith if there has not been a substantial change in the financial or personal affairs of the debtor since the dismissal of the next most previous case under chapter 7, 11, or 13. *Id.* at § 362(c)(3)(C)(i)(III). The presumption of bad faith may be rebutted by clear and convincing evidence. *Id.* at § 362(c)(3)(C).

In determining if good faith exists, the court considers the totality of the circumstances. *In re Elliot-Cook*, 357 B.R. 811, 814 (Bankr. N.D. Cal. 2006); see also Laura B. Bartell, *Staying the Serial Filer - Interpreting the New Exploding Stay Provisions of § 362(c)(3) of the Bankruptcy Code*, 82 Am. Bankr. L.J. 201, 209-210 (2008).

Debtors' last case was filed so they could bring their mortgage arrears current and repay the remaining creditors to the best of their ability. During the pendency of their prior case, Debtors had unanticipated costs associated with their 2017 Toyota Corolla. Due to these unanticipated repair expenses, Debtors were unable to make their plan payments. Debtors are no longer in possession of this vehicle as it was repossessed just prior to the filing of the instant case, therefore, Debtors do not anticipate having any exorbitant repair costs as they did in their prior case. Debtors and counsel had discussed a modified plan, but the increase in the plan payment would have been too high for the Debtors to afford.

The Debtors have sufficiently rebutted, by clear and convincing evidence, the presumption of bad faith under the facts of this case and the prior case for the court to extend the automatic stay.

The motion is granted and the automatic stay is extended for all purposes and parties, unless terminated by operation of law or further order of this court.

The motion is ORDERED GRANTED for reasons stated in the minutes.

The court will issue an order.

**Final Ruling**

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(2), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 3015(g). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. Cf. *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to permit the requested modification and confirm the modified plan.

11 U.S.C. § 1329 permits a debtor to modify a plan after confirmation. The Debtor has filed evidence in support of confirmation. No opposition to the motion was filed by the Chapter 13 Trustee or creditors. The modified plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329, and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

54. [24-25197](#)-B-13 DENISE REES  
[PGM](#)-3 Peter G. Macaluso

MOTION TO CONFIRM PLAN  
11-12-25 [[94](#)]

### **Final Ruling**

The motion to confirm was filed pursuant to Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). Opposition was filed by the Chapter 13 Trustee. A response was also filed by debtor Denise Rees ("Debtor") but there is no certificate of service indicating the response and supporting documents were served. See Local Bankr. R. 9014-1(e).

Rather than deny the motion to confirm, Debtor shall have until 5:00 p.m. on January 7, 2026, to properly serve interested parties and file with the court a certificate of service.

The motion is continued to January 13, 2026, at 1:00 p.m.

The motion is ORDERED CONTINUED to January 13, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.



55. [25-26799](#)-B-13 JILL BROOKS  
[ADR](#)-1 Pro Se

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
12-11-25 [[11](#)]

ROGER DUNCAN VS.

**Final Ruling**

The case having been dismissed on December 22, 2025, for failure to timely file documents, the motion for relief from automatic stay is dismissed as moot.

The motion is ORDERED DISMISSED AS MOOT for reasons stated in the minutes.

The court will issue an order.

### **Final Ruling**

The motion has been set for hearing on less than 28-days notice. Local Bankruptcy Rule 9014-1(f)(2). Parties in interest were not required to file a written response or opposition.

The court has determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f). This matter will therefore be decided on the papers.

The court's decision is to conditionally value the secured claim of Hyundai Motor Finance at \$12,500.00 and continue the matter to January 13, 2026, at 1:00 p.m.

Debtors move to value the secured claim of Hyundai Motor Finance ("Creditor"). Debtors are the owners of a 2023 Hyundai Nexa ("Vehicle"). Debtors seek to value the Vehicle at a replacement value of \$12,500.00 as of the petition filing date. As the owners, Debtors' opinion of value is evidence of the asset's value. See Fed. R. Evid. 701; see also *Enewally v. Wash. Mut. Bank (In re Enewally)*, 368 F.3d 1165, 1173 (9th Cir. 2004).

### **Proof of Claim Filed**

The court has reviewed the Claims Registry for this bankruptcy case. Claim No. 1-2 filed by Hyundai Capital America DBA Hyundai Motor Finance is the claim which may be the subject of the present motion.

### **Discussion**

The lien on the Vehicle's title secures a purchase-money loan incurred on May 5, 2023, which is more than 910 days prior to filing of the petition, to secure a debt owed to Creditor with a balance of approximately \$26,979.96 based on Claim No. 1-2. Therefore, the Creditor's claim secured by a lien on the asset's title is under-collateralized. The Creditor's secured claim is determined to be in the amount of \$12,500.00. See 11 U.S.C. § 506(a). The valuation motion pursuant to Fed. R. Civ. P. 3012 and 11 U.S.C. § 506(a) is granted.

### **Conditional Nature of this Ruling**

Because the motion has been filed, set, and served under Local Bankruptcy Rule 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on Friday, January 9, 2026, to file and serve an opposition or other response to the motion. See Local Bankr. R. 9014-1(f)(2)(C). Any opposition or response shall be served on the Chapter 13 Trustee and creditor by facsimile or email.

If no opposition or response is timely filed and served, the motion will be deemed granted for the reasons stated hereinabove, this ruling will no longer be conditional and will become the court's final decision, and the continued hearing on January 13, 2026, at 1:00 p.m. will be vacated.

If an opposition or response is timely filed and served, the court will hear the motion on January 13, 2026, at 1:00 p.m.

The motion is ORDERED CONDITIONALLY GRANTED and CONTINUED to January 13, 2026 at 1:00 p.m. for reasons stated in the minutes.

### **Tentative Ruling**

The motion has been set for hearing on less than 28-days notice. Local Bankruptcy Rule 9014-1(f)(2). Parties in interest were not required to file a written response or opposition.

The court's decision is to grant the motion to extend automatic stay.

Debtor seeks to have the automatic stay extended beyond 30 days pursuant to 11 U.S.C. § 362(c)(3). This is the Debtor's second bankruptcy petition pending in the past 12 months. The Debtor's prior bankruptcy case was dismissed on September 15, 2025, for failure to timely file documents (case no. 25-24602). Therefore, pursuant to 11 U.S.C. § 362(c)(3)(A), the provisions of the automatic stay end in their entirety 30 days after filing of the petition. See e.g., *Reswick v. Reswick* (In re Reswick), 446 B.R. 362 (9th Cir. BAP 2011) (stay terminates in its entirety); accord *Smith v. State of Maine Bureau of Revenue Services* (In re Smith), 910 F.3d 576 (1st Cir. 2018). This motion was set for hearing within 30 days of the filing of the instant case. 11 U.S.C. § 362(c)(3)(B).

### Discussion

Upon motion of a party in interest and after notice and hearing, the court may order the provisions extended beyond 30 days if the filing of the subsequent petition was in good faith. 11 U.S.C. § 362(c)(3)(B). The subsequently filed case is presumed to be filed in bad faith if there has not been a substantial change in the financial or personal affairs of the debtor since the dismissal of the next most previous case under chapter 7, 11, or 13. *Id.* at § 362(c)(3)(C)(i)(III). The presumption of bad faith may be rebutted by clear and convincing evidence. *Id.* at § 362(c)(3)(C).

In determining if good faith exists, the court considers the totality of the circumstances. In re Elliot-Cook, 357 B.R. 811, 814 (Bankr. N.D. Cal. 2006); see also Laura B. Bartell, *Staying the Serial Filer - Interpreting the New Exploding Stay Provisions of § 362(c)(3) of the Bankruptcy Code*, 82 Am. Bankr. L.J. 201, 209-210 (2008).

Debtor asserts that the prior case was filed in order to save her home from foreclosure after a loan modification had not been completed by Pro Elite Group, a third party that Debtor had hired for the loan modification process. Since dismissal of the prior case, Debtor has discovered that Pro Elite Group never submitted a loan modification application on her behalf and a modification offer on her mortgage loan was not going to happen. Debtor has decided not to pursue a loan modification any more at this time and that the best way to save her home is through a Chapter 13 plan. Debtor has hired an attorney to assist her in navigating the Chapter 13 process to ensure success in this case.

Debtor believes her present case will succeed because she has stopped paying Pro Elite Group \$800.00 per month, thus increasing her net household income to allow her to be able to make plan payments.

The Debtor has sufficiently rebutted, by clear and convincing evidence, the presumption of bad faith under the facts of this case and the prior case for the court to extend the automatic stay.

The motion is granted and the automatic stay is extended for all purposes and parties, unless terminated by operation of law or further order of this court.

The motion is ORDERED GRANTED for reasons stated in the minutes.

The court will issue an order.