

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

Honorable Christopher D. Jaime  
Robert T. Matsui U.S. Courthouse  
501 I Street, Sixth Floor  
Sacramento, California

**PRE-HEARING DISPOSITIONS COVER SHEET**

**DAY: TUESDAY**

**DATE: January 16, 2024**

**CALENDAR: 1:00 P.M. CHAPTER 13**

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.

**UNITED STATES BANKRUPTCY COURT**

Eastern District of California

Honorable Christopher D. Jaime  
Bankruptcy Judge  
Sacramento, California

**January 16, 2024 at 1:00 p.m.**

---

1.    [19-26922](#)-B-13    MARIAMA SANE    MOTION TO REFINANCE  
      [JCK](#)-5            Gregory J. Smith    12-12-23 [[72](#)]

DEBTOR DISMISSED: 12/21/23

**Final Ruling**

The matter having been dismissed on December 21, 2023, the motion to refinance is denied as moot.

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

The court will issue an order.

**January 16, 2024 at 1:00 p.m.**

2.     [23-22562](#)-B-13   KENNETH/SOPHIA MOORE                   MOTION TO CONFIRM PLAN  
          [LBF](#)-3               Lauren Franzella                   11-28-23 [[57](#)]

WITHDRAWN BY M.P.

**Final Ruling**

The Chapter 13 Debtors having filed a notice of withdrawal of its motion, the motion 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.

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

The court will issue an order.

3. [23-23602](#)-B-13 CAMILLA HENDERSON CONTINUED OBJECTION TO  
[LGT](#)-1 Timothy J. Walsh CONFIRMATION OF PLAN BY TRUSTEE  
LILIAN G. TSANG  
12-4-23 [[15](#)]

**Final Ruling**

This matter was continued from January 9, 2024, to allow any party in interest to file a response by 5:00 p.m. Friday, January 12, 2024. Nothing was filed. Therefore, the court's conditional ruling at dkt. 20, sustaining the objection, shall become the court's final decision. The continued hearing on January 16, 2024, at 1:00 p.m. is vacated.

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

The court will issue an order.

4. [23-23808](#)-B-13 KATHY KENOLY  
[LGT](#)-1 Pro Se

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY LILIAN  
G. TSANG, CHAPTER 13 TRUSTEE  
12-18-23 [[19](#)]

**Final Ruling**

This matter was continued from January 9, 2024, to allow any party in interest to file a response by 5:00 p.m. Friday, January 12, 2024. Nothing was filed. Therefore, the court's conditional ruling at dkt. 25, sustaining the objection, shall become the court's final decision. The continued hearing on January 16, 2024, at 1:00 p.m. is vacated.

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

The court will issue an order.

5. [23-23732](#)-B-13 RICHARD/GRACIE BORBA CONTINUED OBJECTION TO  
[LGT](#)-1 Charles G. Hemming CONFIRMATION OF PLAN BY LILIAN  
G. TSANG  
12-15-23 [[18](#)]

**Final Ruling**

This matter was continued from January 9, 2024, to allow any party in interest to file a response by 5:00 p.m. Friday, January 12, 2024. The Debtors filed a timely response stating that the issues raised by the Chapter 13 Trustee have been resolved through amendments including a first amended plan filed January 4, 2024. The Debtors also request the court to confirm the first amended plan as a result.

The court cannot confirm a plan that has not 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). It is also the duty of the Debtors and their attorney to set a confirmation hearing date, not the court. Therefore, the first amended plan is not confirmable at this time.

Since the initial plan filed October 20, 2023, is not confirmable because the Debtors filed an amended plan, the Chapter 13 Trustee's 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.

6. [23-23733](#)-B-13 OLIVER/DINAH JARATA CONTINUED OBJECTION TO  
[LGT-1](#) Drew Henwood CONFIRMATION OF PLAN BY LILIAN  
**Thru #7** G. TSANG  
12-15-23 [[28](#)]

**Final Ruling**

This matter was continued from January 9, 2024, to allow any party in interest to file a response by 5:00 p.m. Friday, January 12, 2024. Nothing was filed. Therefore, the court's conditional ruling at dkt. 33, sustaining the objection, shall become the court's final decision. The continued hearing on January 16, 2024, at 1:00 p.m. is vacated.

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

The court will issue an order.

7. [23-23733](#)-B-13 OLIVER/DINAH JARATA CONTINUED OBJECTION TO  
[AP-1](#) Drew Henwood CONFIRMATION OF PLAN BY U.S.  
BANK NATIONAL ASSOCIATION  
11-29-23 [[25](#)]

**Final Ruling**

This matter was continued from January 9, 2024, to allow any party in interest to file a response by 5:00 p.m. Friday, January 12, 2024. Nothing was filed. Therefore, the court's conditional ruling at dkt. 32, sustaining the objection, shall become the court's final decision. The continued hearing on January 16, 2024, at 1:00 p.m. is vacated.

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

The court will issue an order.