



UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable Jennifer E. Niemann
Hearing Date: Wednesday, February 11, 2026
Department A - Courtroom #11
Fresno, California

Unless otherwise ordered, all matters before the Honorable Jennifer E. Niemann shall be simultaneously: (1) **In Person** at, Courtroom #11, (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/CourtAppearances>. 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 media 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.

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, and all parties will need to appear at the hearing unless otherwise ordered.** 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. 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 14 days of the final hearing on the matter.

THE COURT ENDEAVORS TO PUBLISH ITS RULINGS AS SOON AS POSSIBLE. HOWEVER, CALENDAR PREPARATION IS ONGOING AND THESE RULINGS MAY BE REVISED OR UPDATED AT ANY TIME PRIOR TO 4:00 P.M. THE DAY BEFORE THE SCHEDULED HEARINGS. PLEASE CHECK AT THAT TIME FOR POSSIBLE UPDATES.

1. [25-13801](#)-A-11 **IN RE: US SIKH TRANSPORT
CAE-1**

CONTINUED STATUS CONFERENCE RE: CHAPTER 11 SUBCHAPTER V VOLUNTARY PETITION
11-11-2025 [1]

ARASTO FARSAD/ATTY. FOR DBT.

NO RULING.

2. [20-10945](#)-A-12 **IN RE: AJITPAL SINGH AND JATINDERJEET SIHOTA
YW-7**

MOTION FOR ENTRY OF DISCHARGE AND/OR MOTION FOR ORDER CLOSING CASE
1-13-2026 [478]

JATINDERJEET SIHOTA/MV
LEONARD WELSH/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted in part; the court will not enter a final decree or an order the closing of the case.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after the hearing.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Therefore, the defaults of the above-mentioned parties in interest are entered. Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movants have done in part.

Ajitpal Singh and Jatinderjeet Kaur Sihota (collectively, "Debtors"), the debtors in this chapter 12 case, move this court for an order authorizing the entry of discharge. Motion, Doc. #478.

Section 1228 of the Bankruptcy Code contains the discharge provision applicable to chapter 12 cases. Section 1228 provides that a discharge of all debts provided for in the plan shall be granted as soon as practicable after completion by the debtor of all payments under the plan. 11 U.S.C. § 1228(a); In re Grimes, 117 B.R. 531, 533 (B.A.P. 9th Cir. 1990).

The court finds no reasonable cause to believe that § 522(q)(1) may be applicable to Debtors. There is no reasonable cause to believe that there is pending any proceeding in which Debtors may be found guilty of a felony of the kind described in § 522(a)(1)(A) or liable for a debt of the kind described in § 522(q)(1)(B). Decl. of Jatinderjeet Kaur Sihota, Doc. #481.

The court finds that Debtors have made all payments under the confirmed chapter 12 plan and notes that no opposition has been filed. Sihota Decl., Doc. #481. Pursuant to § 1228(a), Debtors' discharge shall be entered.

Debtors also ask the court to enter a final decree and an order closing this chapter 12 case. While this is an appropriate request in a chapter 11 case pursuant to Federal Rule of Bankruptcy Procedure 3022, Debtors have provided no legal authority - and this court knows of no legal basis - for granting such relief in a chapter 12 case. This relief is denied.

Accordingly, this motion is GRANTED IN PART. Debtors' discharge shall be entered. The remaining relief requested in the motion is denied for insufficient legal authority.

3. [25-14292](#)-A-11 **IN RE: FRANCISCO RODRIGUEZ**
[CAE-1](#)

STATUS CONFERENCE RE: CHAPTER 11 VOLUNTARY PETITION
12-29-2025 [[1](#)]

NO RULING.

4. [26-10469](#)-A-12 **IN RE: MCCALL'S NURSERIES, INC.**
[WJH-2](#)

MOTION TO USE CASH COLLATERAL
2-4-2026 [[12](#)]

MCCALL'S NURSERIES, INC./MV
RILEY WALTER/ATTY. FOR DBT.
OST 2/4/26

NO RULING.

5. [26-10469](#)-A-12 **IN RE: MCCALL'S NURSERIES, INC.**
[WJH-3](#)

MOTION TO PAY
2-4-2026 [[18](#)]

MCCALL'S NURSERIES, INC./MV
RILEY WALTER/ATTY. FOR DBT.
OST 2/4/26

NO RULING.

1. [24-11258](#)-A-7 **IN RE: ORA HOWARD**
[JRL-6](#)

MOTION TO AVOID LIEN OF WINDSOR NORTH OWNERS ASSOCIATION
1-12-2026 [\[60\]](#)

ORA HOWARD/MV
JERRY LOWE/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Ora Mae Howard ("Debtor"), the debtor in this chapter 7 case, moves pursuant to 11 U.S.C. § 522(f) and Federal Rules of Bankruptcy Procedure 4003(d) and 9014 to avoid the judicial lien of Windsor North Owners Association ("Creditor") on the residential real property commonly referred to as 1903 W. Santa Ana, Fresno, California 93705 (the "Property"). Doc. #60; Am. Schedule C, Doc. #15; Am. Schedule D, Doc. #15.

In order to avoid a lien under 11 U.S.C. § 522(f)(1), the movant must establish four elements: (1) there must be an exemption to which the debtor would be entitled under § 522(b); (2) the property must be listed on the debtor's schedules as exempt; (3) the lien must impair the exemption; and (4) the lien must be either a judicial lien or a non-possessory, non-purchase money security interest in personal property listed in § 522(f)(1)(B). 11 U.S.C. § 522(f)(1); Goswami v. MTC Distrib. (In re Goswami), 304 B.R. 386, 390-91 (B.A.P. 9th Cir. 2003) (quoting In re Mohring, 142 B.R. 389, 392 (Bankr. E.D. Cal. 1992)).

Where the movant seeks to avoid multiple liens as impairing the debtor's exemption, the liens must be avoided in the reverse order of their priority. Bank of Am. Nat'l Tr. & Sav. Ass'n v. Hanger (In re Hanger), 217 B.R. 592, 595 (B.A.P. 9th Cir. 1997). Liens already avoided are excluded from the exemption-impairment calculation with respect to other liens. Id.; 11 U.S.C. § 522(f)(2)(B). The court "must approach lien avoidance from the back of the line, or at least some point far enough back in line that there is no nonexempt equity in sight." All Points Cap. Corp. v. Meyer (In re Meyer), 373 B.R. 84, 88

(B.A.P. 9th Cir. 2007). “[J]udicial liens are avoided in reverse order until the marginal lien, i.e., the junior lien supported in part by equity, is reached.” Id.

Debtor filed her bankruptcy petition on May 8, 2024. Doc. #1. A judgment was entered against Debtor in the amount of \$24,932.45 in favor of Creditor on January 6, 2012. Ex. A, Doc. #62. The abstract of judgment was recorded pre-petition in Fresno County on August 16, 2013, as document number 2013-0117169. Ex. A, Doc. #62. The lien attached to Debtor’s interest in the Property located in Fresno County. Id. The Property also is encumbered by a lien in favor of Select Portfolio Servicing, Inc. in the amount \$103,517.00. Am. Schedule D, Doc. #15. Debtor claimed an exemption of \$456,483.00 in the Property under California Code of Civil Procedure § 704.730. Am. Schedule C, Doc. #15. Debtor asserts a market value for the Property as of the petition date at \$560,000.00. Am. Schedule A/B, Doc. #15. There appears to be one senior judicial lien on the Property. The senior judicial lien was recorded in Fresno County on October 31, 2008 with respect to a lien held by the State of California Employment Development Department entered on October 8, 2008 in the amount of \$1,529.25. Am. Schedule D, Doc. #15; Ex. A, Doc. #67.

Applying the statutory formula:

Amount of Creditor’s judicial lien		\$24,932.45
Total amount of all other liens on the Property (excluding junior judicial liens)	+	\$105,046.25
Amount of Debtor’s claim of exemption in the Property	+	\$456,483.00
		\$586,461.70
Value of Debtor’s interest in the Property absent liens	-	\$560,000.00
Amount Creditor’s lien impairs Debtor’s exemption		\$26,461.70

After application of the arithmetical formula required by § 522(f)(2)(A), the court finds there is insufficient equity to support Creditor’s judicial lien. Therefore, the fixing of this judicial lien impairs Debtor’s exemption in the Property and its fixing will be avoided.

Debtor has established the four elements necessary to avoid a lien under 11 U.S.C. § 522(f)(1). Accordingly, this motion is GRANTED. The proposed order shall state that Creditor’s judicial lien is avoided on the subject Property only and include a copy of the abstract of judgment as an exhibit.

2. [24-11258](#)-A-7 **IN RE: ORA HOWARD**
[JRL-7](#)

MOTION TO AVOID LIEN OF STATE OF CALIFORNIA, EMPLOYMENT DEVELOPMENT DEPARTMENT
 1-12-2026 [\[64\]](#)

ORA HOWARD/MV
 JERRY LOWE/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Ora Mae Howard ("Debtor"), the debtor in this chapter 7 case, moves pursuant to 11 U.S.C. § 522(f) and Federal Rules of Bankruptcy Procedure 4003(d) and 9014 to avoid the judicial lien of State of California, Employment Development Department ("Creditor") on the residential real property commonly referred to as 1903 W. Santa Ana, Fresno, California 93705 (the "Property"). Doc. #64; Am. Schedule C, Doc. #15; Am. Schedule D, Doc. #15.

In order to avoid a lien under 11 U.S.C. § 522(f)(1), the movant must establish four elements: (1) there must be an exemption to which the debtor would be entitled under § 522(b); (2) the property must be listed on the debtor's schedules as exempt; (3) the lien must impair the exemption; and (4) the lien must be either a judicial lien or a non-possessory, non-purchase money security interest in personal property listed in § 522(f)(1)(B). 11 U.S.C. § 522(f)(1); Goswami v. MTC Distrib. (In re Goswami), 304 B.R. 386, 390-91 (B.A.P. 9th Cir. 2003) (quoting In re Mohring, 142 B.R. 389, 392 (Bankr. E.D. Cal. 1992)). Where the movant seeks to avoid multiple liens as impairing the debtor's exemption, the liens must be avoided in the reverse order of their priority. Bank of Am. Nat'l Tr. & Sav. Ass'n v. Hanger (In re Hanger), 217 B.R. 592, 595 (B.A.P. 9th Cir. 1997). Liens already avoided are excluded from the exemption-impairment calculation with respect to other liens. Id.; 11 U.S.C. § 522(f)(2)(B). The court "must approach lien avoidance from the back of the line, or at least some point far enough back in line that there is no nonexempt equity in sight." All Points Cap. Corp. v. Meyer (In re Meyer), 373 B.R. 84, 88 (B.A.P. 9th Cir. 2007). "[J]udicial liens are avoided in reverse order until the marginal lien, i.e., the junior lien supported in part by equity, is reached." Id.

Debtor filed her bankruptcy petition on May 8, 2024. Doc. #1. A judgment was entered against Debtor in the amount of \$1,529.25 in favor of Creditor on October 8, 2008. Ex. A, Doc. #67. The abstract of judgment was recorded pre-petition in Fresno County on October 31, 2008, as document number 2008-0153762. Ex. A, Doc. #67. The lien attached to Debtor's interest in the Property located in Fresno County. Id. The Property also is encumbered by a lien in favor of Select Portfolio Servicing, Inc. in the amount \$103,517.00. Am. Schedule D, Doc. #15. Debtor claimed an exemption of \$456,483.00 in the Property under California Code of Civil Procedure § 704.730. Am. Schedule C, Doc. #15. Debtor asserts a market value for the Property as of the petition date at \$560,000.00. Am. Schedule A/B, Doc. #15. Debtor has also set for hearing a motion to avoid a junior judicial lien on the Property that is being granted (see calendar matter #1 above).

Applying the statutory formula:

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Amount of Creditor's judicial lien		\$1,529.25
Total amount of all other liens on the Property (excluding junior judicial liens)	+	\$103,517.00
Amount of Debtor's claim of exemption in the Property	+	\$456,483.00
		\$561,529.25
Value of Debtor's interest in the Property absent liens	-	\$560,000.00
Amount Creditor's lien impairs Debtor's exemption		\$1,529.25

After application of the arithmetical formula required by § 522(f)(2)(A), the court finds there is insufficient equity to support Creditor's judicial lien. Therefore, the fixing of this judicial lien impairs Debtor's exemption in the Property and its fixing will be avoided.

Debtor has established the four elements necessary to avoid a lien under 11 U.S.C. § 522(f)(1). Accordingly, this motion is GRANTED. The proposed order shall state that Creditor's judicial lien is avoided on the subject Property only and include a copy of the abstract of judgment as an exhibit.

3. [24-12360](#)-A-7 **IN RE: GLENDA HARE**
[JES-2](#)

MOTION FOR COMPENSATION FOR JAMES E. SALVEN, ACCOUNTANT(S)
1-12-2026 [47]

JAMES SALVEN/MV
JUSTIN HARRIS/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtor, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

James E. Salven ("Movant"), certified public accountant for chapter 7 trustee Peter L. Fear ("Trustee"), requests allowance of final compensation and reimbursement for expenses for services rendered from December 20, 2025 through January 8, 2026. Order, Doc. #46; Ex. A, Doc. #50. Movant provided accounting services valued at \$1,500.00, and requests compensation for that amount. Doc. #47. Movant requests reimbursement for expenses in the amount of \$146.32. Doc. #47. This is Movant's first and final fee application.

Section 330(a)(1) of the Bankruptcy Code authorizes "reasonable compensation for actual, necessary services rendered" and "reimbursement for actual, necessary expenses" to a "professional person." 11 U.S.C. § 330(a)(1). In determining the amount of reasonable compensation to be awarded to a professional person, the court shall consider the nature, extent, and value of such services, taking into account all relevant factors. 11 U.S.C. § 330(a)(3).

Movant's services included, without limitation: (1) conflict review and prepare employment application; (2) review documents to estimate capital gain on portfolio; (3) input data and process returns; (4) prepare prompt determination and transmittal letters; and (5) prepare, file and serve fee application. Decl. of James E. Salven, Doc. #51; Ex. A, Doc. #50. The court finds the compensation and reimbursement sought are reasonable, actual, and necessary.

This motion is GRANTED on a final basis. The court allows final compensation in the amount of \$1,500.00 and reimbursement for expenses in the amount of \$146.32. Trustee is authorized to make a combined payment of \$1,646.32, representing compensation and reimbursement, to Movant. Trustee is authorized to pay the amount allowed by this order from available funds only if the estate is administratively solvent and such payment is consistent with the priorities of the Bankruptcy Code.

4. [22-11268](#)-A-7 **IN RE: IVAN MENDOZA AND YADIRA MADRIGAL**
[FW-4](#)

MOTION TO PAY
1-12-2026 [[69](#)]

PETER FEAR/MV
T. O'TOOLE/ATTY. FOR DBT.
PETER SAUER/ATTY. FOR MV.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidental, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Peter L. Fear ("Trustee"), the chapter 7 trustee of the bankruptcy estate of Ivan Omar Mendoza and Yadira Madrigal (together, "Debtors"), moves the court for an order authorizing the payment of \$1,560.00 to federal and state taxes as

an administrative expense and for authorization to pay any additional fees or penalties, if accessed, without further court approval. Doc. #69.

Section 503(b)(1)(B) of the Bankruptcy Code states that, after notice and a hearing, administrative expenses shall be allowed for "any tax [] incurred by the estate, whether secured or unsecured, including property taxes . . . except a tax of a kind specified in section 507(a)(8) of this title[.]" "Pursuant to this subsection of § 503, a claim is entitled to allowance as an administrative expense if two requirements are satisfied: the tax must be incurred by the estate and the tax must not be a tax of a kind specified in § 507[(a)(8)]." Towers for Pacific-Atlantic Trading Co. v. United States (In re Pacific-Atlantic Trading Co.), 64 F.3d 1292, 1298 (9th Cir. 1995). Here, Trustee has shown that the tax was incurred by the estate, and the tax is not a tax of the kind specified in § 507(a)(8). Decl. of Peter L. Fear, Doc. #71.

Accordingly, this motion is GRANTED. Trustee is authorized to pay as an administrative expense \$1,560.00 for federal and state taxes as well as any additional fees or penalties, if accessed, so long as the taxes to be paid are not for a tax of a kind specified in § 507(a)(8).

5. [22-11268](#)-A-7 **IN RE: IVAN MENDOZA AND YADIRA MADRIGAL**
[JES-2](#)

MOTION FOR COMPENSATION FOR JAMES E. SALVEN, ACCOUNTANT(S)
1-12-2026 [[73](#)]

JAMES SALVEN/MV
T. O'TOOLE/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

James E. Salven ("Movant"), certified public accountant for chapter 7 trustee Peter L. Fear ("Trustee"), requests allowance of final compensation and reimbursement for expenses for services rendered from December 15, 2025 through January 8, 2026. Order, Doc. #68; Ex. A, Doc. #77. Movant provided accounting services valued at \$1,824.00, and requests compensation for that amount.

Doc. #73. Movant requests reimbursement for expenses in the amount of \$255.21.
Doc. #73. This is Movant's first and final fee application.

Section 330(a)(1) of the Bankruptcy Code authorizes "reasonable compensation for actual, necessary services rendered" and "reimbursement for actual, necessary expenses" to a "professional person." 11 U.S.C. § 330(a)(1). In determining the amount of reasonable compensation to be awarded to a professional person, the court shall consider the nature, extent, and value of such services, taking into account all relevant factors. 11 U.S.C. § 330(a)(3).

Movant's services included, without limitation: (1) conflict review and prepare employment application; (2) review documents regarding taxation of settlement; (3) compile tax data; (4) input data to system and process returns; (5) prepare prompt determination and transmittal letters; and (6) prepare, file and serve fee application. Decl. of James E. Salven, Doc. #75; Ex. A, Doc. #77. The court finds the compensation and reimbursement sought are reasonable, actual, and necessary.

This motion is GRANTED on a final basis. The court allows final compensation in the amount of \$1,824.00 and reimbursement for expenses in the amount of \$255.21. Trustee is authorized to make a combined payment of \$2,079.21, representing compensation and reimbursement, to Movant. Trustee is authorized to pay the amount allowed by this order from available funds only if the estate is administratively solvent and such payment is consistent with the priorities of the Bankruptcy Code.

6. [25-13769](#)-A-7 **IN RE: SHAHRAM MEHRTASH**
[SKI-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
1-7-2026 [[25](#)]

TD BANK, N.A./MV
MARK ZIMMERMAN/ATTY. FOR DBT.
SHERYL ITH/ATTY. FOR MV.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtor, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a movant make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

The movant, TD Bank, N.A. ("Movant"), seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) and (d)(2) with respect to a 2025 Audi Q7, VIN: WA1LVBF74SD009997 ("Vehicle"). Doc. #25.

11 U.S.C. § 362(d)(1) allows the court to grant relief from the stay for cause, including the lack of adequate protection. "Because there is no clear definition of what constitutes 'cause,' discretionary relief from the stay must be determined on a case by case basis." In re Mac Donald, 755 F.2d 715, 717 (9th Cir. 1985).

11 U.S.C. § 362(d)(2) allows the court to grant relief from the stay if the debtor does not have any equity in such property and such property is not necessary to an effective reorganization.

After review of the included evidence, the court finds that "cause" exists to lift the stay because the debtor has failed to make at least two (2) complete post-petition payments. Movant has produced evidence that the debtor is delinquent by at least \$2,763.54. Decl. of David Tagliaferri, Doc. #29.

The court also finds that the debtor does not have any equity in the Vehicle and the Vehicle is not necessary to an effective reorganization because the debtor is in chapter 7. The Vehicle is valued at \$55,675.00. Decl. of John Eng, Doc. #28. The debtor owes \$71,332.83. Tagliaferri Decl., Doc. #29.

Accordingly, the motion will be granted pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) to permit Movant to dispose of its collateral pursuant to applicable law and to use the proceeds from its disposition to satisfy its claim. No other relief is awarded.

The 14-day stay of Fed. R. Bankr. P. 4001(a)(4) will be ordered waived because the debtor has failed to make at least two post-petition payments to Movant and the Vehicle is a depreciating asset.

7. [25-13070](#)-A-7 **IN RE: TIFFANY RADCLIFF**
[SLL-2](#)

MOTION TO COMPEL ABANDONMENT
1-8-2026 [\[40\]](#)

TIFFANY RADCLIFF/MV
STEPHEN LABIAK/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the trustee, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-

mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Systems, Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a movant make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Tiffany Michelle Radcliff ("Debtor"), the chapter 7 debtor in this case, moves the court to compel the chapter 7 trustee to abandon the estate's interest in Uphold, a crypto-currency account (the "Property"). Doc. #40. Debtor asserts that she has no non-exempt equity in the Property and the Property therefore has no value to the bankruptcy estate. Doc. #40. No opposition has been filed in response to this motion.

11 U.S.C. § 554(b) permits the court, on request of a party in interest and after notice and a hearing, to order the trustee to abandon property that is burdensome to the estate or of inconsequential value and benefit to the estate. Vu v. Kendall (In re Vu), 245 B.R. 644, 647 (B.A.P. 9th Cir. 2000). To grant a motion to abandon property, the bankruptcy court must find either that the property is (1) burdensome to the estate or (2) of inconsequential value and inconsequential benefit to the estate. Id. (citing Morgan v. K.C. Mach. & Tool Co. (In re K.C. Mach. & Tool Co.), 816 F.2d 238, 245 (6th Cir. 1987)). However, "an order compelling abandonment [under § 554(b)] is the exception, not the rule. Abandonment should only be compelled in order to help the creditors by assuring some benefit in the administration of each asset. . . . Absent an attempt by the trustee to churn property worthless to the estate just to increase fees, abandonment should rarely be ordered." Id. (quoting K.C. Mach. & Tool Co., 816 F.2d at 246).

Here, Debtor does not allege that the Property is burdensome to the estate. Doc. #40. Therefore, Debtor must establish that the Property is of inconsequential value and benefit to the estate. 11 U.S.C. § 554(b); Vu, 245 B.R. at 647. Debtor valued the Property at \$20,423.44 as of the petition date, and the value of the Property has decreased since the filing of the petition. Am. Schedule A/B, Doc. #31; Decl. of Tiffany Michelle Radcliff, Doc. #42. Under California Civil Procedure Code § 703.140(b)(5), Debtor claimed a \$20,423.44 exemption in the Property. Schedule C, Doc. #1; Radcliff Decl., Doc. #42. The court finds that Debtor has met her burden of establishing by a preponderance of the evidence that the Property is of inconsequential value and benefit to the estate.

Accordingly, this motion is GRANTED. The order shall specifically identify the property abandoned.

8. [25-12076](#)-A-7 **IN RE: 25 HILL PROPERTIES INC.**
[BSW-2](#)

CONTINUED OPPOSITION/OBJECTION TO CHAPTER 7 TRUSTEE'S REPORT OF NO
DISTRIBUTION
9-29-2025 [[24](#)]

D. GARDNER/ATTY. FOR DBT.
BRANDON WALKER/ATTY. FOR MV.
WITHDRAWN

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED.

Movant withdrew the objection on February 10, 2026. Doc. #38.

9. [25-13688](#)-A-7 **IN RE: MICHELLE HOLGUIN**
[MAZ-1](#)

MOTION TO COMPEL ABANDONMENT
1-5-2026 [[13](#)]

MICHELLE HOLGUIN/MV
MARK ZIMMERMAN/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance
with the ruling below.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the trustee, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Systems, Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a movant make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Michelle Holguin ("Debtor"), the chapter 7 debtor in this case, moves the court to compel the chapter 7 trustee to abandon the business checking/savings account belonging to Michelle Holguin LMFT LPCC (the "Property"). Doc. #13. Debtor asserts that there is minimal non-exempt equity in the Property and the Property therefore has no value to the bankruptcy estate. Id. No opposition has been filed in response to this motion.

11 U.S.C. § 554(b) permits the court, on request of a party in interest and after notice and a hearing, to order the trustee to abandon property that is burdensome to the estate or of inconsequential value and benefit to the estate. Vu v. Kendall (In re Vu), 245 B.R. 644, 647 (B.A.P. 9th Cir. 2000). To grant a motion to abandon property, the bankruptcy court must find either that the property is (1) burdensome to the estate or (2) of inconsequential value and inconsequential benefit to the estate. Id. (citing Morgan v. K.C. Mach. & Tool Co. (In re K.C. Mach. & Tool Co.), 816 F.2d 238, 245 (6th Cir. 1987)). However, "an order compelling abandonment [under § 554(b)] is the exception, not the rule. Abandonment should only be compelled in order to help the creditors by assuring some benefit in the administration of each asset. . . . Absent an attempt by the trustee to churn property worthless to the estate just to increase fees, abandonment should rarely be ordered." Id. (quoting K.C. Mach. & Tool Co., 816 F.2d at 246).

Here, Debtor does not allege that the Property is burdensome to the estate. Doc. #13. Therefore, Debtor must establish that the Property is of inconsequential value and benefit to the estate. 11 U.S.C. § 554(b); Vu, 245 B.R. at 647. The Property is the business checking/savings account valued at \$1,838.12 and is not encumbered by any lien. Schedule A/B, Doc. #1; Schedule D, Doc. #1. Under California Civil Procedure Code § 704.070, Debtor claims a \$1,378.59 exemption¹ in the business checking/savings account. Schedule C, Doc. #1. The court finds that Debtor has met her burden of establishing by a preponderance of the evidence that the Property is of inconsequential value and benefit to the estate.

Accordingly, this motion is GRANTED. The order shall specifically identify the property abandoned.

10. [25-10190](#)-A-7 **IN RE: NOE/MARIA NOYOLA**
[KMM-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
1-9-2026 [[32](#)]

AMERICAN HONDA FINANCE CORPORATION/MV
MARK ZIMMERMAN/ATTY. FOR DBT.
KIRSTEN MARTINEZ/ATTY. FOR MV.
DISCHARGED 04/29/2025

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted in part and denied as moot in part.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995).

¹Debtor's motion and supporting declaration include a claimed exemption for the business checking/savings account in the amount of \$1,838.12. Doc. #13, 15. However, Debtor listed the claimed exemption on her Schedule C in the amount of \$1,378.59. Schedule C, Doc. #1. The court will use the actual claimed exemption as set forth in Debtor's Schedule C in analyzing the motion. Id.
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Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Systems, Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a movant make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

The motion will be GRANTED IN PART as to the trustee's interest and DENIED AS MOOT IN PART as to the debtors' interest pursuant to 11 U.S.C. § 362(c)(2)(C). The debtors' discharge was entered on April 29, 2025. Doc. #24. The motion will be GRANTED IN PART for cause shown as to the chapter 7 trustee.

The movant, American Honda Finance Corporation ("Movant"), seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) with respect to a 2019 Honda Accord, VIN: 1HGCV1F3XKA171858 ("Vehicle"). Doc. #32

11 U.S.C. § 362(d)(1) allows the court to grant relief from the stay for cause, including the lack of adequate protection. "Because there is no clear definition of what constitutes 'cause,' discretionary relief from the stay must be determined on a case by case basis." In re Mac Donald, 755 F.2d 715, 717 (9th Cir. 1985).

After review of the included evidence, the court finds that "cause" exists to lift the stay because the debtors' loan matured on October 11, 2025 with an outstanding balance of \$4,817.54. Decl. of Shimeka Forte, Doc. #34.

Accordingly, the motion will be granted pursuant to 11 U.S.C. § 362(d)(1) to permit Movant to dispose of its collateral pursuant to applicable law and to use the proceeds from its disposition to satisfy its claim. No other relief is awarded.

The 14-day stay of Fed. R. Bankr. P. 4001(a)(4) will be ordered waived because the debtors' loan matured on October 11, 2025 with an outstanding balance and the Vehicle is a depreciating asset.

11. [25-11691](#)-A-7 **IN RE: ROBERT/APRIL LARA**
[EAT-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY, MOTION/APPLICATION TO COMPEL
ABANDONMENT
1-12-2026 [[17](#)]

MIDFIRST BANK/MV
LAYNE HAYDEN/ATTY. FOR DBT.
CASSANDRA RICHEY/ATTY. FOR MV.
DISCHARGED 09/08/2025

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted in part and denied as moot in part.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Systems, Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a movant make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Secured creditor Midfirst Bank ("Movant") seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) and (d)(2) with respect to real property located at 1924 Arden Drive West, Fresno, California 93703 (the "Property") and/or moves the court to compel the chapter 7 trustee of the bankruptcy estate of Robert Lara and April Lara (together, "Debtors") to abandon the estate's interest in the Property. Doc. #17. Movant asserts Debtors have no non-exempt equity in the Property, and the Property therefore has no value to the bankruptcy estate. Id.

Motion for Relief from the Automatic Stay

The motion will proceed as to the trustee's interest in the Property and be DENIED AS MOOT IN PART as to Debtors' interest in the Property pursuant to 11 U.S.C. § 362(c)(2)(C). Debtors' discharge was entered on September 8, 2025. Doc. #15.

11 U.S.C. § 362(d)(1) allows the court to grant relief from the stay for cause, including the lack of adequate protection. "Because there is no clear definition of what constitutes 'cause,' discretionary relief from the stay must be determined on a case by case basis." In re Mac Donald, 755 F.2d 715, 717 (9th Cir. 1985).

After review of the included evidence, the court finds that "cause" exists to life the stay because Debtors have failed to make at least five (5) complete post-petition payments and Debtors are delinquent by at least \$5,468.27. Decl. of Madison Graspó, Doc. #19.

11 U.S.C. § 362(d)(2) allows the court to grant relief from the stay if the debtor does not have any equity in such property and such property is not necessary to an effective reorganization.

The court also finds that the Property is not necessary to an effective reorganization because Debtors are in chapter 7. However, it appears that there is equity for the debtors because the Property is valued at \$230,000.00 and Movant is only owed \$153,253.55. Graspó Decl., Doc. #19. Thus, Movant has not shown that there is no equity in the Property for Debtors.

Accordingly, relief from the automatic stay as to the trustee's interest in the Property will be granted pursuant to 11 U.S.C. § 362(d)(1) to permit Movant to dispose of its collateral pursuant to applicable law and to use the proceeds from its disposition to satisfy its claim. No other relief is awarded pursuant to 11 U.S.C. § 362(d)(1). Relief from the automatic stay pursuant to 11 U.S.C. § 362(d)(2) is denied.

The order shall also provide that the bankruptcy proceeding has been finalized for purposes of California Civil Code § 2923.5.

Motion to Compel Abandonment

11 U.S.C. § 554(b) permits the court, on request of a party in interest and after notice and a hearing, to order the trustee to abandon property that is burdensome to the estate or of inconsequential value and benefit to the estate. Vu v. Kendall (In re Vu), 245 B.R. 644, 647 (B.A.P. 9th Cir. 2000). To grant a motion to abandon property, the bankruptcy court must find either that the property is (1) burdensome to the estate or (2) of inconsequential value and inconsequential benefit to the estate. Id. (citing Morgan v. K.C. Mach. & Tool Co. (In re K.C. Mach. & Tool Co.), 816 F.2d 238, 245 (6th Cir. 1987)). However, "an order compelling abandonment [under § 554(b)] is the exception, not the rule. Abandonment should only be compelled in order to help the creditors by assuring some benefit in the administration of each asset. . . . Absent an attempt by the trustee to churn property worthless to the estate just to increase fees, abandonment should rarely be ordered." Id. (quoting K.C. Mach. & Tool Co., 816 F.2d at 246).

Here, Movant does not allege that the Property is burdensome to the estate. Motion, Doc. #17. Therefore, Movant must establish that the Property is of inconsequential value and benefit to the estate. 11 U.S.C. § 554(b); Vu, 245 B.R. at 647. Debtors valued the Property at \$230,000.00 in their bankruptcy schedules filed on May 23, 2025. Schedule D, Doc. #1. The Property is encumbered by a lien held by Movant in the amount of \$153,253.55, and Debtors claimed an exemption in the Property in the amount of \$78,603.00. Schedule C, Doc. #1. Grasp Decl., Doc. #19. Moreover, no opposition has been filed to oppose the court granting Movant's request to compel abandonment of the Property.

The court finds that Movant has met its burden of establishing by a preponderance of the evidence that the Property is of inconsequential value and benefit to the estate. "Upon abandonment, the property reverts to the party holding a possessory interest therein (e.g., the debtor or a creditor) and is treated as if no bankruptcy petition was filed. I.e., the property interest is restored nunc pro tunc as of the filing of the bankruptcy petition." 2 March and Shapiro, Cal. Prac. Guide: Bankruptcy, ¶ 6:415 at 6-52 (The Rutter Group 2025). Because Movant has not commenced foreclosure proceedings, the Property reverts to Debtors upon abandonment.

Conclusion

Accordingly, this motion for relief from the automatic stay is DENIED AS MOOT as to Debtors' interest in the Property and granted pursuant to 11 U.S.C. § 362(d)(1) as to the trustee's interest in the Property. The motion to compel abandonment of the Property is GRANTED. The order shall specifically identify the property abandoned.

The 14-day stay of Fed. R. Bankr. P. 4001(a)(4) will be ordered waived because the Property has been abandoned to Debtors.

12. [18-10398](#)-A-7 **IN RE: ALIPIO SANTIAGO**
[JES-3](#)

MOTION FOR COMPENSATION FOR JAMES E. SALVEN, CHAPTER 7 TRUSTEE(S)
1-8-2026 [\[137\]](#)

JAMES SALVEN/MV
ERIC ESCAMILLA/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtor, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

James E. Salven ("Trustee"), the chapter 7 trustee, requests allowance of final compensation and reimbursement for expenses for services rendered as trustee in this case. Doc. #137. Movant provided trustee services valued at \$12,481.13, and requests compensation for that amount. Id. Movant requests reimbursement for expenses in the amount of \$193.97. Id. Since being appointed to this case on December 26, 2018, Trustee administered the estate, employed counsel and accountants, disposed of estate property, reviewed and reconciled financial records, and prepared final filings. Doc. #42; Exs. A, B, & C, Doc. #140.

Section 330(a)(1) of the Bankruptcy Code authorizes "reasonable compensation for actual, necessary services rendered" and "reimbursement for actual, necessary expenses" to a chapter 7 trustee. 11 U.S.C. § 330(a)(1). In determining the amount of reasonable compensation to be awarded a chapter 7 trustee, the court shall treat such compensation as a commission, based on § 326 of the Bankruptcy Code. 11 U.S.C. § 330(a)(7). Here, Trustee demonstrates reasonable compensation in accordance with the statutory framework of § 326. Ex. B, Doc. #140. Further, the court finds Trustee's services and requested expenses were actual and necessary to the administration of this estate.

This motion is GRANTED. The court allows statutory compensation in the amount of \$12,481.13 and reimbursement for expenses in the amount of \$193.97.