

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Michael S. McManus
Bankruptcy Judge
Sacramento, California

February 13, 2017 at 2:00 p.m.

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| 1. | 16-26094-A-13 | WALTER/ALEXANDRA SILVA | MOTION TO |
| | JPJ-1 | | DISMISS CASE |
| | | | 12-30-16 [21] |

Tentative Ruling: The motion will be granted and the case dismissed.

This case was filed on September 13, 2016. The debtor proposed a plan within the time required by Fed. R. Bankr. P. 3015(b) but was unable to confirm it. The court sustained an objection to confirmation at a hearing on November 14. The debtor thereafter failed to promptly propose a modified plan and set it for a confirmation hearing. This fact suggests to the court that the debtor either does not intend to confirm a plan or does not have the ability to do so. This is cause for dismissal. See 11 U.S.C. § 1307(c)(1) & (c)(5).