

**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: February 17, 2026

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
Chief Bankruptcy Judge
Sacramento, California

February 17, 2026 at 1:00 p.m.

1. [25-26803](#)-B-13 DAVID KELLER OBJECTION TO CONFIRMATION OF
[LGT](#)-1 David C. Johnston PLAN BY LILIAN G. TSANG
1-20-26 [[18](#)]

CASE CONVERTED: 02/10/26

Final Ruling

The case having been converted to one under chapter 7, 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.

2. [25-26905](#)-B-13 ELIZABETH SOLANO CAZAREZ OBJECTION TO CONFIRMATION OF
[LGT](#)-1 Muoi Chea PLAN BY LILIAN G. TSANG
1-20-26 [[19](#)]

WITHDRAWN BY M.P.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 December 22, 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.

3. [26-20108](#)-B-13 SALENA FERGUSON
[ALG-1](#) Pro Se

MOTION FOR RELIEF FROM
AUTOMATIC STAY AND/OR MOTION
FOR RELIEF FROM CO-DEBTOR STAY
1-26-26 [[12](#)]

DEBTOR DISMISSED: 01/27/26

W. HUNEFELD VS.

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 grant the motion for relief from automatic stay and continue the matter to February 24, 2026, at 1:00 p.m.**

W. Terry Hunefeld and Ann P. Dunham, Trustees of the Hunefeld Family Trust, Established June 21, 2002 ("Movant"), seeks relief from the automatic stay with respect to real property commonly known as 1141 Velasquez Lane, Tracy, California (the "Property"). Movant has provided the Declaration of Julie Taberdo to introduce into evidence the documents upon which it bases the claim and the obligation secured by the Property.

The Taberdo Declaration states that Debtor executed a promissory note made payable to Movant in the original principal amount of \$130,000. Thereafter, the terms of the loan were modified in November 2023 after an advance of \$20,880.79 was made on the loan. Repayment of the note was secured by a deed of trust executed by Debtor and recorded against the Property on August 10, 2022. The note matures on September 1, 2027.

Due to arrearages, a notice of default and election to sell under the deed of trust was recorded on June 10, 2025. A notice of trustee's sale was recorded on November 18, 2025, and the trustee's sale was scheduled for December 12, 2025. As of January 12, 2026, the total outstanding payoff balance on Movant's loan is approximately \$240,456.85, which consists of a principal balance of \$172,059.86, accrued interest of \$34,270.88, late charges of \$5,537.05, and fees, charges, costs and/or advances of \$28,439.05.

Separately, Debtor failed to make ongoing payments to senior lienholder Mr. Cooper. In August 2025, Movant advanced \$20,681.80 to reinstate the senior loan. At the time the senior loan was reinstated, Mr. Cooper advised that its balance was approximately \$280,000. Assuming no payments have been made on the senior loan since that time, Movant calculates that the current estimated balance of the senior loan is now approximately \$293,000.

From the evidence provided to the court, and only for purposes of this motion, the total debt secured by this Property is determined to be \$543,456.85 as stated in the Taberdo Declaration. The value of the Property is determined to be \$550,000.00 as stated in the Taberdo Declaration.

Discussion

Although this case was dismissed on January 27, 2026, Movant only requests relief under 11 U.S.C. § 362(d)(4). The court may grant prospective relief under § 362(d)(4) even when a case is dismissed. See *Benzeen, Inc. v. JP Morgan Chase Bank (In re Benzeen, Inc.)*, 2018 WL 6627275 at *4 (9th Cir. BAP Dec. 18, 2018) (noting that request for § 362(d)(4) relief survives dismissal and foreclosure); *Azkam v. U.S. Bank N.A.*, 2020 WL 1700028 at *3 (E.D. Cal. April 8, 2020) ("An order granting relief under [§ 362(d)(4)] may survive the dismissal of the bankruptcy in some cases."). An order entered under § 362(d)(4) is binding in any other bankruptcy case purporting to affect such real property filed not later than two years after the date of entry of the order.

February 17, 2026 at 1:00 p.m.

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To obtain relief under § 362(d)(4), Movant must show and the court must affirmatively find the following three elements: (1) the Debtor's bankruptcy filing must have been part of a scheme; (2) the object of the scheme must have been to delay, hinder, or defraud creditors, and (3) the scheme must have involved either the transfer of some interest in the real property without the secured creditor's consent or court approval, or multiple bankruptcy filings affecting the property. *First Yorkshire Holdings, Inc. v. Pacifica L 22, LLC (In re First Yorkshire Holdings, Inc.)*, 470 B.R. 864, 870 (B.A.P. 9th Cir. 2012).

A scheme is an intentional construct - it does not happen by misadventure or negligence. *In re Duncan & Forbes Dev., Inc.*, 368 B.R. 27, 32 (Bankr. C.D. Cal. 2007). A § 362(d)(4)(A) scheme is an "intentional artful plot or plan to delay, hinder or defraud creditors." *Id.* It is not common to have direct evidence of an artful plot or plan to deceive others; the court must infer the existence and contents of a scheme from circumstantial evidence. *Id.* Movant must present evidence sufficient for the trier of fact to infer the existence and content of the scheme. *Id.* See *Jimenez v. ARCPE 1, LLP (In re Jimenez)*, 613 B.R. 537, 545 (B.A.P. 9th Cir. 2020).

Section 362(d)(4) "does not require that it be the debtor who has created the scheme or carried it out, or even that the debtor be a party to the scheme at all." *Duncan & Forbes*, 368 B.R. at 32. "The language of § 362(d)(4) is likewise devoid of any requirement of a finding of bad faith by the Debtor." *In re Dorsey*, 476 B.R. 261, 267 (Bankr. C.D. Cal. 2012).

The Debtor has filed bankruptcy a total of three times and each of the prior bankruptcies were dismissed without discharge. Case number 23-23137 was dismissed by Debtor's motion on October 31, 2023, case number 25-26974 was dismissed for failure to timely file documents on December 30, 2025, and the present case, number 26-20108, was dismissed for failure to timely file documents. The court finds that the Debtor's multiple bankruptcy filings were part of a scheme to delay, hinder, or defraud creditors from exercising their rights against the Property.

The court shall issue an order terminating and vacating the automatic stay to allow Movant, and its agents, representatives and successors, and all other creditors having lien rights against the Property, to conduct a nonjudicial foreclosure sale pursuant to applicable nonbankruptcy law and their contractual rights, and for any purchaser, or successor to a purchaser, at the nonjudicial foreclosure sale to obtain possession of the Property.

This order shall be binding in any other case purporting to affect the Property filed not later than 2 years after the date of the entry of such order by the court, except that a debtor in a subsequent case under this title may move for relief from such order based upon changed circumstances or for good cause shown, after notice and a hearing.

The 14-day stay of enforcement under Rule 4001(a)(4) is waived.

No other or additional relief is granted by the court.

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, February 20, 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 the United States trustee 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 February 24, 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 February 24, 2026, at 1:00 p.m.

4. [25-20011](#)-B-13 NICOLE MERRITT-ARMAS
[WLG-4](#) Nicholas Wajda

MOTION TO MODIFY PLAN
1-7-26 [[87](#)]

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.

5. [26-20313](#)-B-13 JONATHAN GOBERT AND LUIS MOTION TO EXTEND AUTOMATIC STAY
[PGM-1](#) OTERO 2-2-26 [8]
Peter G. Macaluso

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 seeks 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 Debtors' prior bankruptcy case was dismissed on October 30, 2025, for failure to file an amended plan (case no. 2025-21059). 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). This court does not utilize the *Sarafoglou* factors as urged by the Debtor. See *In Re Sarafoglou*, 345 B.R. 19 (Bankr. D. Mass. 2006).

Debtors assert that their circumstances have changed because they have retained new counsel who has expressed confidence in his ability to represent Debtors and propose a solid chapter 13 plan. Debtors state that the attorney from their previous bankruptcy did not give their case the attention it required. Debtors contend that they have not acquired any new debt, are working overtime to pay back creditors, and seek bankruptcy relief in order to stop the repossession of a vehicle and repay taxes.

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.

6. [25-26720](#)-B-13 DANIEL/ASHLEY DELEON
[LGT-1](#) Peter G. Macaluso

OBJECTION TO CONFIRMATION OF
PLAN BY LILIAN G. TSANG
1-20-26 [[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). A 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 objects to confirmation of the plan on grounds that Debtors are delinquent \$200.00 due December 25, 2026. An additional plan payment of \$200.00 was due January 25, 2026. Debtors filed a response stating that they have set up TFS, made their payments, and are current under the plan.

Debtors appeared at the continued meeting of creditors held February 11, 2026. Therefore, this issue is resolved.

The plan complies with 11 U.S.C. §§ 1322 and 1325(a). The objection is overruled and the plan filed November 28, 2025, 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.

7. [25-26621](#)-B-13 MICHAEL MARIANO
[LGT](#)-1 Pro Se

OBJECTION TO CONFIRMATION OF
PLAN BY LILIAN G. TSANG
1-20-26 [[26](#)]

CONTINUED TO 3/10/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS
SET FOR 2/25/26.

Final Ruling

No appearance at the February 17, 2026, hearing is required. The court will issue an
order.

8. [25-26823](#)-B-13 PATRICIA BROWN
[LGT](#)-1 Matthew J. DeCaminada

OBJECTION TO CONFIRMATION OF
PLAN BY LILIAN G. TSANG
1-21-26 [[26](#)]

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 February 7, 2026. The confirmation hearing for the amended plan is scheduled for March 17, 2026. The earlier plan filed December 4, 2025, is not confirmed.

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

The court will issue an order.

9. [25-26326](#)-B-13 THOMAS/AMERICA REES
[MDA-2](#) Mary D. Anderson

MOTION TO CONFIRM PLAN
1-5-26 [[27](#)]

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.

10. [25-26926](#)-B-13 LUIS SANCHEZ AND VERONICA OBJECTION TO CONFIRMATION OF
[LGT](#)-1 ESPINOZA ROA PLAN BY LILIAN G. TSANG
Mark S. Nelson 1-20-26 [[15](#)]

Final Ruling

The *initial* Chapter 13 Plan filed December 9, 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 February 24, 2026 at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan.**

First, feasibility depends on a monthly \$1,500.00 contribution from Debtors' children. No declaration from the children has been provided. Without the monthly contribution, Debtors will not be able to make all payments under the plan and comply with the plan. 11 U.S.C. § 1325(a)(6).

Second, Debtors' plan provides a step up in plan payments in month 13 due to the payoff of a 401(k) loan. A 401(k) loan statement is needed to verify the payoff date and loan payment amount.

Debtors appear at the continued meeting of creditors held February 11, 2026. Therefore, this issue is resolved.

Due to the aforementioned two issues, 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 February 20, 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 Debtors, the Debtors' 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 February 24, 2026, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on February 24, 2026, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY 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 Rules 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). 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 confirm the first amended plan.

First, Debtor has not scheduled all debts required to be scheduled pursuant to 11 U.S.C. § 521(a). Specifically, the plan and Schedule D fail to list the debts owed to Lafayette Federal Credit Union, claim numbers 13-1 and 14-1.

Second, the plan does not provide for all of Debtor's projected disposable income to be applied to unsecured creditors under the plan. 11 U.S.C. § 1325(b)(1)(B). Debtor has not completed the Calculation of Your Disposable Income (Official Form 122C-2) and his plan does not provide for an increase in plan payments when his domestic support obligation ceases in one year.

Third, the plan elects to pay Debtor's counsel pursuant to the flat fee structure in Local Bankr. R. 2016-1(c). The plan proposes to pay a monthly dividend of \$250.00 per month toward attorney fees for the remaining balance of \$9,000.00. However, in order to comply with Local Bankr. R. 2016-1(c)(4)(C), the monthly dividend can be no more than \$150.00 per month.

Fourth, Section 7.02 of the plan provides for JP Morgan Chase Bank as a Class 1 claim with an ongoing mortgage payment of \$2,395.04 per month to be paid through the plan starting in month 7. Debtor is to provide evidence that he provided ongoing mortgage payment to JP Morgan Chase Bank in months 1 through 6 of the Plan.

The amended plan does not comply with 11 U.S.C. §§ 1322, 1323, and 1325(a) and is not confirmed.

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

The court will issue an order.

12. [25-26734](#)-B-13 CYNTHIA/SALVADOR OBJECTION TO CONFIRMATION OF
[JCW](#)-1 GAVILANEZ PLAN BY CAPITAL ONE AUTO
Flor De Maria A. Tataje FINANCE
12-23-25 [[14](#)]

Final Ruling

Creditor Capital One Auto Finance 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 November 30, 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.

13. [25-26735](#)-B-13 DIANA AVILA-TALASO'O AND OBJECTION TO CONFIRMATION OF
[LGT-1](#) DANNY TALASO'O PLAN BY LILIAN G. TSANG
Flor De Maria A. Tataje 1-20-26 [[15](#)]

Final Ruling

The *initial* Chapter 13 Plan filed November 30, 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 February 24, 2026, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan.**

First, feasibility depends on the filing and granting of a motion to value collateral for Safe Credit Union. This motion has not been filed by Debtors.

Debtors' plan fails to list a collateral description for Class 2(B) claim holder Safe Credit Union. An amended plan must be filed that provides the collateral description.

Other issues raised by the Chapter 13 Trustee appear to have been resolved, namely the filing of amended Schedules A/B, I, and J.

For the two reasons stated above, 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 February 20, 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 Debtors, the Debtors' 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 February 24, 2026, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on February 24, 2026, at 1:00 p.m.

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

The court will issue an order.

14. [25-26642](#)-B-13 NORA NIETO
[LGT](#)-1 David A. Boone

OBJECTION TO CONFIRMATION OF
PLAN BY LILIAN G. TSANG
1-20-26 [[12](#)]

CONTINUED TO 3/10/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS
SET FOR 2/26/26.

Final Ruling

No appearance at the February 17, 2026, hearing is required. The court will issue an
order.

15. [25-26144](#)-B-13 RENEJUN/MARIA RAMOS
[CRG-2](#) Carl R. Gustafson

MOTION TO CONFIRM PLAN
1-15-26 [[25](#)]

Final Ruling

The motion was not 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). Only 33 days' notice was provided. Therefore, the court's decision is to deny without prejudice the motion to confirm plan.

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

The court will issue an order.

16. [25-26345](#)-B-13 ERIC HICE
[FEC-1](#) Mary D. Anderson

MOTION FOR COMPENSATION FOR
MARY DIANE ANDERSON, DEBTORS
ATTORNEY(S)
1-12-26 [[19](#)]

DEBTOR DISMISSED: 12/02/25

Final Ruling

The Chapter 13 case filed by debtor Eric Hice ("Debtor") was dismissed less than a month after it was filed. Debtor's counsel Mary Anderson ("Counsel") acknowledges that she filed a skeletal petition on behalf of Debtor. Counsel states that she had an initial consultation with Debtor, prepared documents for a skeletal filing, advised him to take and complete a credit counseling course (which Debtor completed), drove to Debtor's place of business to pick up a questionnaire that Debtor had not completed, reviewed other information and learned that Debtor did not disclose many things at their initial interview, learned that Debtor's income was insufficient to cover his proposed chapter 13 plan payment, learned that Debtor had not filed his 2024 income taxes, and learned that he had a vehicle that would need to be paid through the plan.

Thereafter, Debtor informed Counsel that he would like the case dismissed since he could not make the proposed plan payments and because the foreclosure sale had been postponed. Counsel instructed her staff to prepare a motion to dismiss and to send it to Debtor to sign; he did not do so and failed to return several phone calls. Counsel states that she had no choice but to let the case dismiss without filing the remaining documents.

Counsel contends that she and her staff invested 10.3 hours in Debtor's case before it was dismissed. Counsel asserts she is "entitled to" \$3,747.50 in fees, but has only received \$3,000.00. The court disagrees.

As an initial matter, Counsel's hourly rate of \$400.00 is not a reasonable rate. A reasonable hourly rate of \$350.00 will be allowed. See *In re Lupekha*, 2024 WL 1146610 (Bankr. E.D. Cal., March 14, 2024).

The court will also reduce the 1.2 hour time entry on November 12, 2025, to .2. The court seriously doubts it took Counsel 1.2 hours to "Log onto pacer & obtain[]" filed petition emailed it to client to take to creditor." Dkt. 21 at 4. With that reduction, Counsel's time spent on services for Debtor is 7.9 hours x \$350.00 = \$2,765.00. Paralegal time spent on services for Debtor is 1.5 hours x \$125.00 = \$187.50. Counsel and paralegal compensation time totals \$2,952.50 (\$2,765.00 + \$187.50); however, further reduction is appropriate.

The Ninth Circuit has held that a court "can impose a small reduction, no greater than 10 percent – a 'haircut' – based on its exercise of discretion and without a more specific explanation." *Moreno v. City of Sacramento*, 534 F.3d 1106, 1112 (9th Cir. 2008). The court will impose this reduction here in exercise of its discretion. Doing so results in total allowed compensation of **\$2,657.25** (\$2,952.50 - \$295.25). Counsel shall return \$342.75 to Debtor and file proof of return by February 24, 2026.

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

The court will prepare an order.

17. [25-26648](#)-B-13 RAMON RAMIREZ
[LGT](#)-1 Jessica A. Dorn

OBJECTION TO CONFIRMATION OF
PLAN BY LILIAN G. TSANG
1-15-26 [[17](#)]

CONTINUED TO 3/10/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS
SET FOR 2/26/26.

Final Ruling

No appearance at the February 17, 2026, hearing is required. The court will issue an
order.

18. [25-26955](#)-B-13 SARVJEET SINGH
[HRH-1](#) David C. Johnston

MOTION FOR RELIEF FROM
AUTOMATIC STAY
2-2-26 [[22](#)]

PNC EQUIPMENT FINANCE, LLC
VS.

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 grant the motion for relief from automatic stay and continue the matter to February 24, 2026, at 1:00 p.m.**

PNC Equipment Finance, LLC ("Movant") seeks relief from the automatic stay with respect to an asset identified as one 2022 Volvo tractor truck ("Volvo") and two 2023 Wabash Dry Van Trailers ("Trailers"; collectively, the "Vehicles"). The moving party has provided the Declaration of Michael McGinley to introduce into evidence the documents upon which it bases the claim and the obligation owed by the Debtor.

The McGinley Declaration states that debtor Sarvjeet Singh ("Debtor") is not on title to the Volvo and is solely a guarantor of an underlying agreement between Movant and Five Star Carrier Xpress Inc. Five Star is in default in the total amount of \$81,748.44. Debtor listed Movant as an unsecured creditor in his Schedules, with the amount owing listed as "Unknown." Debtor does not provide for Movant or the Volvo in the plan. From the evidence provided to the court, and only for purposes of this motion, the debt secured by this asset is determined to be \$81,748.44 while the value of the Volvo is determined to be \$75,000.00 as stated in the McGinley Declaration.

Additionally, the McGinley Declaration states that Debtor is not on title to the Trailers and is solely a guarantor of an underlying agreement between Wabash National Financial Services, a fictitious business name of Movant, and Five Star Carrier Xpress Inc. Five Star is in default in the total amount of \$80,219.35. Debtor listed Movant as an unsecured creditor in his Schedules, with the amount owing listed as "Unknown." Debtor does not provide for Movant or the Trailers in the plan. From the evidence provided to the court, and only for purposes of this motion, the debt secured by this asset is determined to be \$80,219.35 while the value of the Trailers is determined to be \$35,000.00 as stated in the McGinley Declaration.

Discussion

Once a movant under 11 U.S.C. § 362(d)(2) establishes that a debtor or estate has no equity, it is the burden of the debtor or trustee to establish that the collateral at issue is necessary to an effective reorganization. *United Savings Ass'n of Texas v. Timbers of Inwood Forest Associates, Ltd.*, 484 U.S. 365, 375-76 (1988); 11 U.S.C. § 362(g)(2). Based upon the evidence submitted, the court determines that there is no equity in the Vehicles for either the Debtor or the Estate. 11 U.S.C. § 362(d)(2). And no opposition or showing having been made by the Debtor or the Trustee, the court determines that the Vehicles are not necessary for any effective reorganization in this Chapter 13 case.

The court shall issue an order terminating and vacating the automatic stay to allow creditor, its agents, representatives and successors, and all other creditors having lien rights against the Vehicles, to repossess, dispose of, or sell the asset pursuant to applicable nonbankruptcy law and their contractual rights, and for any purchaser, or successor to a purchaser, to obtain possession of the asset.

There also being no objections from any party, the 14-day stay of enforcement under

Rule 4001(a)(3) is waived.

No other or additional relief is granted by the court.

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 February 20, 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 February 24, 2026, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on February 24, 2026, at 1:00 p.m.

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

The court will issue an order.

19. [25-25662](#)-B-13 RODOLFO BENAVIDES
Pro Se

MOTION TO VALUE COLLATERAL OF
CONNEXUS CREDIT UNION
1-5-26 [[36](#)]

Final Ruling

The motion to value collateral was set for hearing on the notice required by Local Bankruptcy Rule 9014-1(f)(1). However, there appears to be insufficient service of process on Connexus Credit Union. In fact, no certificate of service accompanies the motion to value collateral. Additionally problematic is that a form from the U.S. Bankruptcy Court of the Central District of California was utilized. This form is not recognized in the U.S. Bankruptcy Court for the Eastern District of California.

Given the aforementioned, the court's decision is to deny without prejudice the motion to value collateral.

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

The court will issue an order.

20. [25-26962](#)-B-13 ANNA MORGAN OBJECTION TO CONFIRMATION OF
[LGT](#)-1 Andrew A. Moher PLAN BY LILIAN G. TSANG
Thru #21 1-21-26 [[25](#)]

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 January 23, 2026. The confirmation hearing for the amended plan is scheduled for March 3, 2026. The earlier plan filed December 10, 2025, is not confirmed.

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

The court will issue an order.

21. [25-26962](#)-B-13 ANNA MORGAN OBJECTION TO CONFIRMATION OF
[SKI](#)-1 Andrew A. Moher PLAN BY AMERICAN CREDIT
ACCEPTANCE
WITHDRAWN BY M.P. 12-31-25 [[17](#)]

Final Ruling

Creditor American Credit Acceptance 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.

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

The court will issue an order.

22. [24-20265](#)-B-12 HARDAVE/SUKHBINDER DULAI
[CAE](#)-1 Ryan C. Wood

CONTINUED STATUS CONFERENCE RE:
VOLUNTARY PETITION
1-23-24 [[1](#)]

CONTINUE TO 4/07/26 AT 1:00 P.M.

23. [25-26774](#)-B-7 MAHMOUD IBRAHIM AND REEM OBJECTION TO CONFIRMATION OF
[LGT](#)-1 NIJEM PLAN BY LILIAN G. TSANG
Candace Y. Brooks 1-20-26 [[12](#)]

CASE CONVERTED: 01/26/26

Final Ruling

The case having been converted to one under chapter 7, 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.

24. [25-24677](#)-B-13 LEO BRACAMONTE MOTION TO CONFIRM PLAN
[FAT](#)-3 Flor De Maria A. Tataje 1-12-26 [[62](#)]

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.

25. [25-26677](#)-B-13 HARVEY/SARAH MOSLEY
[LGT](#)-1 Flor De Maria A. Tataje

OBJECTION TO CONFIRMATION OF
PLAN BY LILIAN G. TSANG
1-15-26 [[20](#)]

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 November 26, 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.

26. [25-26178](#)-B-13 JERMYN/JOCELYN JULIAN CONTINUED OBJECTION TO
[LGT](#)-1 Peter G. Macaluso CONFIRMATION OF PLAN BY LILIAN
G TSANG
12-19-25 [[12](#)]

Final Ruling

This matter was continued from January 20, 2026, to allow debtors Jermyn Julian and Jocelyn Julian to provide additional documentation. Debtors filed a supplemental response on February 10, 2026, stating that their plan is not confirmable and to sustain the Chapter 13 Trustee's objection to confirmation.

Therefore, the objection will be sustained and the plan is not confirmed.

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

The court will issue an order.

27. [25-26785](#)-B-13 BERTHA CRISP OBJECTION TO CONFIRMATION OF
[JCW](#)-1 Natali A. Ron PLAN BY LAKEVIEW LOAN
Thru #28 SERVICING, LLC
1-21-26 [[15](#)]

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 Lakeview Loan Servicing, LLC filing its objection, Debtor filed an amended plan on January 27, 2026. The confirmation hearing for the amended plan is scheduled for March 17, 2026. The earlier plan filed December 2, 2025, is not confirmed.

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

The court will issue an order.

28. [25-26785](#)-B-13 BERTHA CRISP OBJECTION TO CONFIRMATION OF
[LGT](#)-1 Natali A. Ron PLAN BY LILIAN G. TSANG
1-20-26 [[12](#)]

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 January 27, 2026. The confirmation hearing for the amended plan is scheduled for March 17, 2026. The earlier plan filed December 2, 2025, is not confirmed.

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

The court will issue an order.

29. [26-20188](#)-B-13 KIMBERLY MANN
[ALG-1](#) Pro Se

MOTION FOR RELIEF FROM
AUTOMATIC STAY AND/OR MOTION
FOR RELIEF FROM CO-DEBTOR STAY
1-29-26 [[11](#)]

WBL SPO II, LLC VS.

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 grant the motion for relief from automatic stay and continue the matter to February 24, 2026, at 1:00 p.m.

WBL SPO II, LLC ("Movant"), seeks relief from the automatic stay with respect to real properties located at 10208 East Edgewood Avenues, Indianapolis, Indiana 46239 ("10208 East Edgewood") and 10220 East Edgewood Avenues, Indianapolis, Indiana 46239 ("10220 East Edgewood; collectively, the "Properties"). Movant has provided the Declaration of John Murphy to introduce into evidence the documents upon which it bases the claim and the obligation secured by the Properties.

The Taberdo Declaration states that debtor Kimberly Mann ("Debtor") is not a borrower on the loan with Movant and had instead received an unauthorized transfer of a 10% interest in the Properties from borrower Douglas Cole, president of DWC Restoration Inc. dba DWC Roofing Company ("Borrower"). To secure repayment under guaranties agreements, Borrower had executed mortgages that were recorded against the Properties.

On January 12, 2026, the eve of the subsequently scheduled sheriff's sale of the Properties, Borrower executed and recorded two separate unauthorized quitclaim deeds, purporting to transfer the 10% interest in the Properties to Debtor.

Debtor commenced this bankruptcy on January 15, 2026, with a skeletal petition without the assistance of counsel. Debtor allegedly resides at 431 E. King Street, Montague, California, 96064, and lists no California creditors in her creditor matrix.

Discussion

The court will grant prospective relief under § 362(d)(4). See *Benzeen, Inc. v. JP Morgan Chase Bank (In re Benzeen, Inc.)*, 2018 WL 6627275 at *4 (9th Cir. BAP Dec. 18, 2018) (noting that request for § 362(d)(4) relief survives dismissal and foreclosure); *Azkam v. U.S. Bank N.A.*, 2020 WL 1700028 at *3 (E.D. Cal. April 8, 2020) ("An order granting relief under [§ 362(d)(4)] may survive the dismissal of the bankruptcy in some cases."). An order entered under § 362(d)(4) is binding in any other bankruptcy case purporting to affect such real property filed not later than two years after the date of entry of the order.

To obtain relief under § 362(d)(4), Movant must show and the court must affirmatively find the following three elements: (1) the Debtor's bankruptcy filing must have been part of a scheme; (2) the object of the scheme must have been to delay, hinder, or defraud creditors, and (3) the scheme must have involved either the transfer of some interest in the real property without the secured creditor's consent or court approval, or multiple bankruptcy filings affecting the property. *First Yorkshire Holdings, Inc. v. Pacifica L 22, LLC (In re First Yorkshire Holdings, Inc.)*, 470 B.R. 864, 870 (B.A.P. 9th Cir. 2012).

A scheme is an intentional construct - it does not happen by misadventure or negligence. *In re Duncan & Forbes Dev., Inc.*, 368 B.R. 27, 32 (Bankr. C.D. Cal. 2007). A § 362(d)(4)(A) scheme is an "intentional artful plot or plan to delay, hinder or defraud creditors." *Id.* It is not common to have direct evidence of an artful plot or

February 17, 2026 at 1:00 p.m.

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plan to deceive others; the court must infer the existence and contents of a scheme from circumstantial evidence. *Id.* Movant must present evidence sufficient for the trier of fact to infer the existence and content of the scheme. *Id.* See *Jimenez v. ARCPE 1, LLP (In re Jimenez)*, 613 B.R. 537, 545 (B.A.P. 9th Cir. 2020).

Section 362(d) (4) "does not require that it be the debtor who has created the scheme or carried it out, or even that the debtor be a party to the scheme at all." *Duncan & Forbes*, 368 B.R. at 32. "The language of § 362(d) (4) is likewise devoid of any requirement of a finding of bad faith by the Debtor." *In re Dorsey*, 476 B.R. 261, 267 (Bankr. C.D. Cal. 2012).

Here, the bankruptcy was filed by a total stranger to Movant, who received her alleged 10% in the Properties on the eve of the scheduled sheriff's sale. Moreover, this bankruptcy was commenced with a skeletal petition without the assistance of counsel, and Debtor lists no California creditors in her creditor matrix. Considering the above, this bankruptcy was filed for the sole and improper purpose of thwarting Movant's lawfully scheduled sheriff's sales orchestrated by Debtor and Borrower. As such, binding in rem stay relief under § 362(d) (4) is warranted to allow Movant to proceed with its state law remedies regarding the Properties.

The court shall issue an order terminating and vacating the automatic stay to allow Movant, and its agents, representatives and successors, and all other creditors having lien rights against the Properties, to conduct a nonjudicial foreclosure sale pursuant to applicable nonbankruptcy law and their contractual rights, and for any purchaser, or successor to a purchaser, at the nonjudicial foreclosure sale to obtain possession of the Properties.

This order shall be binding in any other case purporting to affect the Properties filed not later than 2 years after the date of the entry of such order by the court, except that a debtor in a subsequent case under this title may move for relief from such order based upon changed circumstances or for good cause shown, after notice and a hearing.

The 14-day stay of enforcement under Rule 4001(a) (4) is waived.

No other or additional relief is granted by the court.

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, February 20, 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 the United States trustee 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 February 24, 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 February 24, 2026, at 1:00 p.m.

30. [25-26492](#)-B-13 FLAVIO PEREZ
[JCW](#)-1 Peter G. Macaluso

MOTION FOR RELIEF FROM
AUTOMATIC STAY
1-20-26 [[26](#)]

FINANCIAL SERVICES VEHICLE
TRUST VS.

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).

Non-opposition was filed by debtor Flavio Perez ("Debtor") stating that the subject vehicle, 2019 BMW X6 sDrive35i Sport Utility 4D, is no longer in his possession.

No appearance at the hearing is required.

The court's decision is to grant the motion for relief from automatic stay.

The 14-day stay of enforcement under Rule 4001(a)(3) is waived.

No other or additional relief is granted by the 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 less than 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). However, a response was filed by the Chapter 13 Trustee stating that debtor Lorell Leal ("Debtor") is pro se and that the change between this motion to confirm seventh modified plan is *de minimus* from that of the sixth modified plan (which was filed with the required 35-days' notice), whereby the only change is an increase of \$20.80 in monthly payments.

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 permit the requested modification and confirm the modified plan.

The modified plan filed January 14, 2026, 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.

32. [22-90008](#)-B-13 JONATHAN RETZLAFF CONTINUED MOTION TO SELL
[SSH](#)-2 Simran Singh Hundal 1-20-26 [[52](#)]

Final Ruling

This matter was continued from February 10, 2026, to allow any party in interest to file an opposition or response by 5:00 p.m. Friday, February 13, 2026. Nothing was filed. Therefore, the court's conditional ruling at dkt. 60, granting the motion to sell, shall become the court's final decision. The continued hearing on February 17, 2026, at 1:00 p.m. is vacated.

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

Debtor's attorney shall submit an order consistent with the Chapter 13 Trustee's standard sale order. The order shall be approved by the Trustee.