

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Michael S. McManus
Bankruptcy Judge
Sacramento, California

February 17, 2015 at 2:00 p.m.

1. 14-31748-A-13 PEDRO BARRIOS
JPJ-1

MOTION TO
DISMISS CASE
1-26-15 [23]

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

First, the debtor failed to file a certificate for credit counseling as required by Fed. R. Bankr. P. 1007(b)(3) and 11 U.S.C. § 521(b). The time to file these documents has expired. See Fed. R. Bankr. P. 1007(c). Thus, the debtor has not established eligibility for bankruptcy relief. See 11 U.S.C. § 109(h). This is cause for dismissal.

Second, The debtor has failed to pay to the trustee approximately \$100 as required by the proposed plan. The foregoing has resulted in delay that is prejudicial to creditors and suggests that the plan is not feasible. This is cause for dismissal. See 11 U.S.C. § 1307(c)(1).

February 17, 2015 at 2:00 p.m.