

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
Bankruptcy Judge
Modesto, California

February 18, 2020 at 11:00 a.m.

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. Matters resolved without oral argument:

Unless otherwise stated, the court will prepare a civil minute order on each matter listed. If the moving party wants a more specific order, it should submit a proposed amended order to the court. In the event a party wishes to submit such an Order it needs to be titled 'Amended Civil Minute Order.'

If the moving party has received a response or is aware of any reason, such as a settlement, that a response may not have been filed, the moving party must contact Lindsey Peratis, the Courtroom Deputy, at (916) 930-4473 at least one hour prior to the scheduled hearing.

- 2. The court will not continue any short cause evidentiary hearings scheduled below.**
- 3. If a matter is denied or overruled without prejudice, the moving party may file a new motion or objection to claim with a new docket control number. The moving party may not simply re-notice the original motion.**
- 4. If no disposition is set forth below, the matter will be heard as scheduled.**

1. <u>19-90724</u> -B-13	JONATHAN LITTLE	MOTION TO DISMISS CASE
<u>RDG</u> -3		1-14-20 [<u>55</u>]

Tentative Ruling

This motion was brought pursuant to Local Bankruptcy Rule 9014-1(f)(2). Consequently, parties in interest were not required to file a written response or opposition. If any of these potential respondents appear at the hearing and offers opposition to the motion, the court will set a briefing schedule and a final hearing unless there is no need to develop the record further. If no opposition is offered at the hearing, the court will take up the merits of the motion.

The matter will be determined at the scheduled hearing.

Chapter 13 Trustee moves to dismiss the case on the following grounds:

First, the Debtor is delinquent \$11,168.00, which represents approximately 4 plan payments. An additional payment of \$2,792.00 will be due by the date of the hearing on this matter. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

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Second, the Debtor has failed to prosecute this case causing an unreasonable delay that is prejudicial to creditors pursuant to 11 U.S.C. § 1307(c)(1). The Trustee's objection to confirmation of the Debtor's plan was sustained on October 22, 2019 and the Debtor has not filed an amended plan.

If these defects have not been cured by the date of the hearing, cause exists to dismiss this case.

The court will enter a minute order.

2. [19-90141](#)-B-13 JOHN VIEIRA
[RDG](#)-4

CONTINUED MOTION TO DISMISS
CASE
1-7-20 [[68](#)]

No ruling

3. [19-90545](#)-B-13 EDGAR DOMINGUEZ AND MOTION TO DISMISS CASE
[RDG](#)-1 MEGHAN MOORE 2-4-20 [[53](#)]

Tentative Ruling

This motion was brought pursuant to Local Bankruptcy Rule 9014-1(f)(2). Consequently, parties in interest were not required to file a written response or opposition. If any of these potential respondents appear at the hearing and offers opposition to the motion, the court will set a briefing schedule and a final hearing unless there is no need to develop the record further. If no opposition is offered at the hearing, the court will take up the merits of the motion.

The matter will be determined at the scheduled hearing.

Chapter 13 Trustee moves to dismiss the case on the following grounds:

First, the Debtors are delinquent \$972.00, which represents approximately 1 plan payment. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Second, the Debtors have failed to prosecute this case causing an unreasonable delay that is prejudicial to creditors pursuant to 11 U.S.C. § 1307(c)(1). The Debtors' motion to confirm an amended plan was heard and denied on January 7, 2020 and the Debtors have not filed an amended plan.

If the Debtors have not cured these defects by the date of the hearing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

The court will enter a minute order.

4. [19-91045](#)-B-13 MONICA MAHARAJ

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
1-30-20 [[44](#)]

Final ruling:

The deficiency has been corrected. As a result the court will issue a minute order discharging the order to show cause and the case will remain open. No appearance is necessary.

5. [19-91056](#)-B-13 ROSA PULIDO

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
1-8-20 [[14](#)]

Final ruling:

The deficiency has been corrected. As a result the court will issue a minute order discharging the order to show cause and the case will remain open. No appearance is necessary.

6. [19-91070](#)-B-13 RICHARD/HEATHER PETERS MOTION TO DISMISS CASE
[RDG](#)-2 2-4-20 [[20](#)]

Final ruling:

Motion withdrawn by moving party. Matter removed from calendar.

7. [19-90077](#)-B-13 ANGEL MEDRANO
[RDG](#)-6

MOTION TO DISMISS CASE
2-4-20 [[86](#)]

No ruling

8. [19-91081](#)-B-13 MICHAEL ARRIGALE

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
1-17-20 [[18](#)]

Final ruling:

The deficiency has been corrected. As a result the court will issue a minute order discharging the order to show cause and the case will remain open. No appearance is necessary.

9. [19-90787](#)-B-13 JOSEPH/KELLY VEGA
[RDG](#)-2

MOTION TO DISMISS CASE
2-4-20 [[43](#)]

Final ruling:

Motion withdrawn by moving party. Matter removed from calendar.

10. [19-90996](#)-B-13 ANTRENA TRIMBLE
[RDG](#)-2

MOTION TO DISMISS CASE
2-4-20 [[21](#)]

No ruling

11. [19-90899](#)-B-13 JASON PEREZ AND SOLINA MOTION TO DISMISS CASE
[RDG](#)-2 MARTINEZ-PEREZ2-4-20 [[43](#)]

Tentative Ruling

This motion was brought pursuant to Local Bankruptcy Rule 9014-1(f)(2). Consequently, parties in interest were not required to file a written response or opposition. If any of these potential respondents appear at the hearing and offers opposition to the motion, the court will set a briefing schedule and a final hearing unless there is no need to develop the record further. If no opposition is offered at the hearing, the court will take up the merits of the motion.

The matter will be determined at the scheduled hearing.

Chapter 13 Trustee moves to dismiss the case on grounds that the Debtors failed to provide the Trustee with a Domestic Support Obligation Checklist. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

If this defect has not been cured by the date of the hearing, cause exists to dismiss this case.

The court will enter a minute order.