

**UNITED STATES BANKRUPTCY COURT**

Eastern District of California

Honorable Christopher M. Klein

Bankruptcy Judge

Sacramento, California

**February 22, 2022 at 2:00 p.m.**

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1.	<a href="#">21-23900</a> -C-13	MAURICE RHODENNASH	ORDER TO SHOW CAUSE - FAILURE
		Pro Se	TO PAY FEES
			1-20-22 [ <a href="#">44</a> ]

**Tentative Ruling:**

The court issued this Order to Show Cause because debtor had not paid the Second fee installment payment due on January 18, 2022. Dkt. 44.

A review of the docket shows the payment has still not been made. Additionally, the Third fee installment payment has come due and was not made.

Therefore, the Order to Show Cause is sustained, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Order to Show Cause having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Order to Show Cause is sustained, and the case is dismissed.

**February 22, 2022 at 2:00 p.m.**

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 14 days' notice was provided. Dkt. 57.

**The Motion to Dismiss is granted, and the case is dismissed.**

The Chapter 13 Trustee filed this Motion To Dismiss arguing that cause for dismissal exists because the debtor has not filed an amended plan since the court denied confirmation of the Chapter 13 plan on January 11, 2022.

A review of the docket confirms the proposed Chapter 13 plan was denied confirmation, and no plan is set for confirmation hearing. Dkts. 36-40.

The Motion also argues debtor is \$102.00 delinquent in plan payments, which is supported by declaration. Dkt. 56.

Failure to confirm a plan and maintain plan payments constitute evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1). Furthermore, the court finds that dismissal, and not conversion, is in the best interest of creditors and the Estate. The Motion is granted, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, Russell Greer, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

**IT IS ORDERED** that the Motion to Dismiss is granted, and the case is dismissed, the court having found that dismissal, and not conversion, is in the best interest of creditors and the Estate.

3. [21-23815](#)-C-13 SARAH RICHEY  
Richard Jare

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
1-10-22 [[31](#)]

**Final Ruling:** No appearance at the February 22, 2022 hearing is required.  
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The court issued this Order to Show Cause because debtor had not paid the fee installment payment due on January 4, 2022. Dkt. 31.

A review of the docket shows that the installment has now been paid. Therefore, the Order To Show Cause is discharged.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Order to Show Cause having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Order to Show Cause is discharged, no sanctions ordered, and the bankruptcy case shall proceed in this court.

4. [21-23489](#)-C-13 STACY HERMAN  
[RDG](#)-1 Ronald Holland

MOTION TO DISMISS CASE  
2-1-22 [[24](#)]

**No Tentative Ruling:**

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 21 days' notice was provided. Dkt. 27.

**The Motion to Dismiss is XXXXXX**

The Chapter 13 Trustee filed this Motion To Dismiss arguing that cause for dismissal exists because the debtor has not filed an amended plan since the court denied confirmation of the Chapter 13 plan on December 14, 2021, and because the debtor is \$2,040.00 delinquent under the Chapter 13 plan.

A review of the docket confirms the debtor filed an Amended Plan on February 14, 2022, but has not set a confirmation hearing. Dkt. 28.

At the hearing, XXXXXXXXXXXXXX

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are  
stated in the Civil Minutes for the hearing.

The Motion to Dismiss the Chapter 13  
case filed by the Chapter 13 Trustee, Russell  
Greer, having been presented to the court, and  
upon review of the pleadings, evidence,  
arguments of counsel, and good cause  
appearing,

**IT IS ORDERED** that the Motion to  
Dismiss is XXXXXXXXXX

5. [21-23495](#)-C-13 CAROLINE OBASEKI  
Peter Macaluso

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
1-10-22 [[27](#)]

**Final Ruling:** No appearance at the February 22, 2022 hearing is required.  
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The court issued this Order to Show Cause because debtor had not paid the fee installment payment due on January 4, 2022. Dkt. 27.

A review of the docket shows that the installment has now been paid. Therefore, the Order To Show Cause is discharged.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Order to Show Cause having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Order to Show Cause is discharged, no sanctions ordered, and the bankruptcy case shall proceed in this court.