

**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 25, 2020

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
Bankruptcy Judge
Sacramento, California

February 25, 2020 at 1:00 p.m.

1. [19-26701](#)-B-13 MICHAEL/TRACY GRAHAM MOTION TO DISMISS CASE
 [DPC](#)-2 Bruce Charles Dwiggins 2-3-20 [[29](#)]

CONTINUED TO 3/17/2020 AT 1:00 P.M. TO BE HEARD AFTER CONTINUED MEETING OF CREDITORS SET FOR 3/12/2020.

Final Ruling

No appearance at the February 25, 2020, hearing is necessary. The court will enter a minute order.

February 25, 2020 at 1:00 p.m.

2. [19-26402](#)-B-13 JORGE VASQUEZ MOTION TO DISMISS CASE
 [DPC](#)-2 Thomas A. Moore 2-3-20 [[26](#)]

CONTINUED TO 3/10/2020 AT 1:00 P.M. TO BE HEARD AFTER CONTINUED MEETING OF
CREDITORS SET FOR 3/05/2020.

Final Ruling

No appearance at the February 25, 2020, hearing is necessary. The court will enter a
minute order.

3. [19-23707](#)-B-13 MICHAEL/CAROLINE PANOPIO MOTION TO DISMISS CASE
[DPC](#)-1 Richard L. Jare 2-10-20 [[51](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtors are delinquent to the Chapter 13 Trustee in the amount of \$4,700.00, which represents approximately 1.5 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

4. [20-20008](#)-B-13 BRIAN PUNCHES
Jeffrey P. Guyton

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
1-29-20 [[27](#)]

Final Ruling

The court's decision is to discharge the Order to Show Cause and the case will remain pending.

The Order to Show Cause was issued due to Debtor's failure to pay \$31.00 due for the filing of an amended verification and master address list on January 15, 2020. The court's docket reflects that the default was cured on January 30, 2020. The payment constituted the final installment.

The order to show cause is ORDERED DISCHARGED for reasons stated in the ruling appended to the minutes and the case SHALL REMAIN PENDING.

The court will enter a minute order.

5. [19-27111](#)-B-13 MICHAEL/SHANON BENNETT MOTION TO DISMISS CASE
[DPC](#)-2 Richard Kwun 2-3-20 [[34](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtors are delinquent to the Chapter 13 Trustee in the amount of \$2,150.00 and an additional payment of \$1,075.00 is due on February 25, 2020. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

6. [19-27617](#)-B-13 MINH TRAN AND THUY LAI
Peter G. Macaluso

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
1-15-20 [[18](#)]

Tentative Ruling

Oral argument may be presented by the parties at the scheduled hearing, where the parties shall address the issues identified in this tentative ruling and such other issues as are necessary and appropriate to the court's resolution of the matter. If the court's tentative ruling becomes its final ruling, the court will make the following findings of fact and conclusions of law.

The court's tentative decision is to sustain the Order to Show Cause and order the case dismissed.

The Order to Show Cause was issued due to Debtors' failure to pay \$79.00 due January 10, 2020. The court's docket reflects that the default has not been cured.

The order to show cause is ORDERED SUSTAINED for reasons stated in the ruling appended to the minutes and the case is DISMISSED.

The court will enter a minute order.

7. [19-24119](#)-B-13 SONDA CHARLTON
[DPC](#)-1 Peter G. Macaluso

MOTION TO DISMISS CASE
2-10-20 [[96](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$3,480.62, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Additionally, the Debtor fails to provide a cure of the post-petition contract installment owed to Shellpoint Mortgage Servicing, listed in Class 1 of the plan, for the month of December 2019 in the total amount of \$1,307.70. The Trustee was unable to comply with § 3.07(b) of the plan.

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

8. [17-20121](#)-B-13 JESUS/OLGA ARROYO
[DPC](#)-1 Scott D. Hughes

MOTION TO DISMISS CASE
2-10-20 [[37](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtors are delinquent to the Chapter 13 Trustee in the amount of \$2,091.00, which represents approximately 1 plan payment. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Additionally, the Debtors fail to provide a cure of the post-petition contract installment owed to Carrington Mortgage Services, listed in Class 1 of the plan, for the months of November 2019 and January 2020 in the total amount of \$2,663.73. The Trustee was unable to comply with § 3.07(b) of the plan.

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

9. [19-27926](#)-B-13 JASON NGUYEN
Scott D. Shumaker

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
1-31-20 [[22](#)]

Tentative Ruling

The Order to Show Cause will be discharged and the case will remain pending but the court will modify the terms of its order permitting the Debtor to pay the filing fee in installments.

The court granted the Debtor permission to pay the filing fee in installments. The Debtor failed to pay the \$79.00 installment when due on January 27, 2020. While the delinquent installment was paid on February 6, 2020, the fact remains that the court was required to issue an order to show cause to compel the payment. Therefore, as a sanction for the late payment, the court will modify its prior order allowing installment payments to provide that if a future installment is not received by its due date, the case will be dismissed without further notice or hearing.

The order to show cause is ORDERED DISCHARGED for reasons stated in the ruling appended to the minutes and the case SHALL REMAIN PENDING.

IT IS FURTHER ORDERED that if a future installment is not received by its due date, the case will be dismissed without further notice or hearing.

The court will enter a minute order.

10. [19-20827](#)-B-13 SERGIO ZUCCALA
[DPC](#)-1 Kristy A. Hernandez

MOTION TO DISMISS CASE
2-10-20 [[30](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$5,650.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Additionally, the Debtor fails to provide a cure of the post-petition contract installment owed to SN Servicing Corporation, listed in Class 1 of the plan, for the months of November 2019 and January 2020 in the total amount of \$3,521.00. The Trustee was unable to comply with § 3.07(b) of the plan.

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

11. [17-23932](#)-B-13 DON MARTINEZ
[DPC](#)-2 Rick Morin

MOTION TO DISMISS CASE
2-10-20 [[33](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$1,250.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$3,850.18, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Additionally, the Debtor fails to provide a cure of the post-petition contract installment owed to Quicken Loans Inc., listed in Class 1 of the plan, for the months of December 2019 and January 2020 in the total amount of \$2,345.62. The Trustee was unable to comply with § 3.07(b) of the plan.

The Debtor has filed a response stating that he will be current by the date of the hearing of this motion or will file a modified plan to cure the arrearage.

If the Debtor remains delinquent in plan payments or has not filed a modified plan, cause exists to dismiss this case. The motion will be granted and the case will be dismissed.

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

The court will enter a minute order.

13. [17-21533](#)-B-13 PRANEE AREND
[DPC](#)-1 Mark A. Wolff

MOTION TO DISMISS CASE
2-10-20 [[126](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$1,889.00, which represents approximately 1 plan payment. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Additionally, the Debtor fails to provide a cure of the post-petition contract installment owed to BSI Financial Services, listed in Class 1 of the plan, for the month of December 2019 in the total amount of \$967.91. The Trustee was unable to comply with § 3.07(b) of the plan.

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

14. [15-25535](#)-B-13 JORGE/MARTHA HERNANDEZ MOTION TO DISMISS CASE
[DPC](#)-1 Kristy A. Hernandez 2-10-20 [[58](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtors are delinquent to the Chapter 13 Trustee in the amount of \$4,006.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

15. [17-25038](#)-B-13 ANDRES/CARISSA TOVAR
[DPC](#)-1 Nikki Farris

MOTION TO DISMISS CASE
2-10-20 [[33](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtors are delinquent to the Chapter 13 Trustee in the amount of \$2,880.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

16. [16-25942](#)-B-13 BRIGETTE WINTERS
[DPC](#)-1 Matthew J. Gilbert

MOTION TO DISMISS CASE
2-10-20 [[45](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$1,936.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

17. [19-21543](#)-B-13 ESTER NINO
[DPC](#)-1 Nicholas Wajda

MOTION TO DISMISS CASE
2-10-20 [[23](#)]

Tentative Ruling

The motion 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). 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 Bankruptcy Rule 9014-1(f)(1)(C).

The court's decision is to deny the motion to dismiss as moot.

Subsequent to the filing of the Chapter 13 Trustee's motion to dismiss case, the Debtor filed an amended plan on February 20, 2020, to resolve the issue of delinquency. The confirmation hearing for the amended plan is scheduled for April 7, 2020. The Trustee's motion is therefore denied as moot.

The motion is ORDERED DENIED AS MOOT for reasons stated in the ruling appended to the minutes.

The court will enter a minute order.

18. [17-25144](#)-B-13 CRYSTAL BAULWIN MOTION TO DISMISS CASE
[DPC](#)-1 Mary Ellen Terranella 2-10-20 [[52](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$2,860.00, which represents approximately 1 plan payment. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Additionally, the Debtor fails to provide a cure of the post-petition contract installment owed to Ocwen Loan Servicing LLC, listed in Class 1 of the plan, for the month of August 2019 in the total amount of \$1,714.12. The Trustee was unable to comply with § 3.07(b) of the plan.

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

19. [17-22546](#)-B-13 JOYCE HAYES
[DPC](#)-1 Matthew J. Gilbert

MOTION TO DISMISS CASE
2-10-20 [[29](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$650.00, which represents approximately 1 plan payment. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

20. [19-27846](#)-B-13 AMANDA/NICK SHADWICK
Steele Lanphier

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
1-24-20 [[22](#)]

Final Ruling

The court's decision is to discharge the Order to Show Cause and the case will remain pending.

The Order to Show Cause was issued due to Debtors' failure to pay \$79.00 due January 21, 2020. The court's docket reflects that the default was cured on February 7, 2020. The payment of \$160.00 constituted the final installment.

The order to show cause is ORDERED DISCHARGED for reasons stated in the ruling appended to the minutes and the case SHALL REMAIN PENDING.

The court will enter a minute order.

21. [19-27147](#)-B-13 NAVPREET GREWAL
Richard L. Jare

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
1-22-20 [[35](#)]

DEBTOR DISMISSED: 01/31/2020

Final Ruling

The court's decision is to discharge the Order to Show Cause as moot. The case was dismissed on January 31, 2020.

The order to show cause is ORDERED DISCHARGED AS MOOT for reasons stated in the ruling appended to the minutes.

The court will enter a minute order.

22. [17-25149](#)-B-13 CHRISTINA JACOBS
[DPC](#)-1 Michael O'Dowd Hays

MOTION TO DISMISS CASE
2-10-20 [[49](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$253.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

23. [19-24149](#)-B-13 DIONISIO PINLAC
[DPC](#)-1 Mikalah R. Liviakis

MOTION TO DISMISS CASE
2-10-20 [[33](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$780.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

24. [20-20049](#)-B-13 MONIQUE MORENO
Peter G. Macaluso

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
2-10-20 [[27](#)]

Tentative Ruling

The Order to Show Cause will be discharged and the case will remain pending but the court will modify the terms of its order permitting the Debtor to pay the filing fee in installments.

The court granted the Debtor permission to pay the filing fee in installments. The Debtor failed to pay the \$79.00 installment when due on February 5, 2020. While the delinquent installment was paid on February 10, 2020, the fact remains that the court was required to issue an order to show cause to compel the payment. Therefore, as a sanction for the late payment, the court will modify its prior order allowing installment payments to provide that if a future installment is not received by its due date, the case will be dismissed without further notice or hearing.

The order to show cause is ORDERED DISCHARGED for reasons stated in the ruling appended to the minutes and the case SHALL REMAIN PENDING.

IT IS FURTHER ORDERED that if a future installment is not received by its due date, the case will be dismissed without further notice or hearing.

The court will enter a minute order.

25. [15-22850](#)-B-13 DANIEL/JESSICA PUGLIA
[DPC](#)-1 Scott D. Shumaker

MOTION TO DISMISS CASE
2-10-20 [[138](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtors are delinquent to the Chapter 13 Trustee in the amount of \$681.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Additionally, due to claims being filed for amounts higher than the Debtors scheduled, the plan will take approximately 68 months to complete, which exceeds the maximum length of 60 months pursuant to 11 U.S.C. § 1322(d) and which results in a commitment period that exceeds the permissible limit imposed by 11 U.S.C. § 1325(b)(4).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

26. [19-26250](#)-B-13 MICHELLE/GABRIEL DELGADO MOTION TO DISMISS CASE
[DPC](#)-2 Pro Se 1-13-20 [[39](#)]

No Ruling

27. [18-23960](#)-B-13 JAMES GAINES AND MELISSA MOTION TO DISMISS CASE
[DPC](#)-1 GARRISON 2-10-20 [[22](#)]
Mikalalah R. Liviakis

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtors are delinquent to the Chapter 13 Trustee in the amount of \$1,590.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

28. [18-26560](#)-B-13 DOMINGO/MARLA VICTORIO MOTION TO DISMISS CASE
[DPC](#)-1 Mary Ellen Terranella 2-10-20 [[39](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtors are delinquent to the Chapter 13 Trustee in the amount of \$1,900.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

29. [18-23961](#)-B-13 LISA XIONG
[DPC](#)-1 Mark Shmorgon

MOTION TO DISMISS CASE
2-10-20 [[25](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$1,100.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

30. [17-27062](#)-B-13 DARIN WOODFILL
[DPC](#)-1 Stephen M. Reynolds

MOTION TO DISMISS CASE
2-10-20 [[30](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$340.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

31. [19-27662](#)-B-13 SANJITA PRAKASH
Pro Se

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
1-16-20 [[25](#)]

DEBTOR DISMISSED: 02/3/2020

Final Ruling

The court's decision is to discharge the Order to Show Cause as moot. The case was dismissed on February 3, 2020.

The order to show cause is ORDERED DISCHARGED AS MOOT for reasons stated in the ruling appended to the minutes.

The court will enter a minute order.

32. [18-20764](#)-B-13 HAZEL CARSON
[DPC](#)-1 Mary Ellen Terranella

MOTION TO DISMISS CASE
2-10-20 [[44](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$1,346.00, which represents approximately 1 plan payment. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Additionally, the Debtor fails to provide a cure of the post-petition contract installment owed to Mr. Cooper, listed in Class 1 of the plan, for the months of November 2019 and January 2020 in the total amount of \$1,736.38. The Trustee was unable to comply with § 3.07(b) of the plan.

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

33. [19-27469](#)-B-13 AARON/JESSICA MEAUX
Peter G. Macaluso

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
2-5-20 [[41](#)]

Tentative Ruling

The Order to Show Cause will be discharged and the case will remain pending but the court will modify the terms of its order permitting the Debtors to pay the filing fee in installments.

The court granted the Debtors permission to pay the filing fee in installments. The Debtors failed to pay the \$77.00 installment when due on January 31, 2020. While the delinquent installment was paid on February 5, 2020, the fact remains that the court was required to issue an order to show cause to compel the payment. Therefore, as a sanction for the late payment, the court will modify its prior order allowing installment payments to provide that if a future installment is not received by its due date, the case will be dismissed without further notice or hearing.

The order to show cause is ORDERED DISCHARGED for reasons stated in the ruling appended to the minutes and the case SHALL REMAIN PENDING.

IT IS FURTHER ORDERED that if a future installment is not received by its due date, the case will be dismissed without further notice or hearing.

The court will enter a minute order.

34. [20-20370](#)-B-13 ANGELINA GOVORUN
Pro Se

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
2-6-20 [[12](#)]

DEBTOR DISMISSED: 2/10/2020

Final Ruling

The court's decision is to discharge the Order to Show Cause as moot. The case was dismissed on February 10, 2020.

The order to show cause is ORDERED DISCHARGED AS MOOT for reasons stated in the ruling appended to the minutes.

The court will enter a minute order.

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$3,000.00, which represents approximately 1.5 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Additionally, the Debtor fails to provide a cure of the post-petition contract installment owed to Cenlar FSB, listed in Class 1 of the plan, for the month of November 2019 in the total amount of \$1,401.32. The Trustee was unable to comply with § 3.07(b) of the plan.

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

36. [19-27371](#)-B-13 NIXON VANG
[DPC](#)-1 Mikalah R. Liviakis

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY DAVID
P. CUSICK
1-14-20 [[17](#)]

No Ruling

37. [17-21377](#)-B-13 RICHARD/JENNIFER LARSON MOTION TO DISMISS CASE
[DPC](#)-1 Thomas L. Amberg 2-10-20 [[30](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtors are delinquent to the Chapter 13 Trustee in the amount of \$2,473.00, which represents approximately 1.5 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

38. [18-27077](#)-B-13 ANDREW/DIANE GARCIA
[DPC](#)-1 Harry D. Roth

MOTION TO DISMISS CASE
2-10-20 [[64](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtors are delinquent to the Chapter 13 Trustee in the amount of \$1,487.50, which represents approximately 1 plan payment. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

39. [17-26678](#)-B-13 JOHN SHAFER MOTION TO DISMISS CASE
[DPC](#)-1 Mary Ellen Terranella 2-10-20 [[48](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtors are delinquent to the Chapter 13 Trustee in the amount of \$1,310.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

40. [15-24781](#)-B-13 EARLEEN MILLER
[DPC](#)-1 Jessica A. Dorn

MOTION TO DISMISS CASE
2-10-20 [[63](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$10,270.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Additionally, the Debtor fails to provide a cure of the post-petition contract installment owed to Wells Fargo Bank NA, listed in Class 1 of the plan, for the months of December 2019 and January 2020 in the total amount of \$5,952.30. The Trustee was unable to comply with § 3.07(b) of the plan.

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

41. [18-21481](#)-B-13 EDGAR CARRILLO AND MARIA MOTION TO DISMISS CASE
[DPC](#)-1 GONZALEZ 2-10-20 [[49](#)]
Thomas O. Gillis

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtors are delinquent to the Chapter 13 Trustee in the amount of \$520.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$4,200.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Additionally, the Debtor fails to provide a cure of the post-petition contract installment owed to New Residential Mortgage LLC, listed in Class 1 of the plan, for the month of December 2019 in the total amount of \$1,074.93. The Trustee was unable to comply with § 3.07(b) of the plan.

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

43. [17-25195](#)-B-13 JUSTINO SANCHEZ
[DPC](#)-1 Richard L. Jare

MOTION TO DISMISS CASE
2-10-20 [[87](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtor is delinquent to the Chapter 13 Trustee in the amount of \$4,100.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.

44. [17-21397](#)-B-13 STEPHEN/BRENDA VICE MOTION TO DISMISS CASE
[DPC](#)-1 Mary Ellen Terranella 2-10-20 [[56](#)]

Tentative Ruling

Because less than 28 days' notice of the hearing was given, the motion is deemed 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 court's decision is to dismiss the case.

Debtors are delinquent to the Chapter 13 Trustee in the amount of \$5,544.00, which represents approximately 2 plan payments. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Additionally, the Debtors fail to provide a cure of the post-petition contract installment owed to Bank of America NA, listed in Class 1 of the plan, for the month of January 2020 in the total amount of \$2,017.35. The Trustee was unable to comply with § 3.07(b) of the plan.

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will enter a minute order.