



**UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable René Lastreto II
Department B – Courtroom #13
Fresno, California**

Hearing Date: Wednesday, March 11, 2026

Unless otherwise ordered, all matters before the Honorable René Lastreto II, shall be simultaneously: (1) **In Person** at, Courtroom #13 (Fresno hearings only), (2) via **ZoomGov Video**, (3) via **ZoomGov Telephone**, and (4) via **CourtCall**. You may choose any of these options unless otherwise ordered or stated below.

All parties or their attorneys who wish to appear at a hearing remotely must sign up by **4:00 p.m. one business day** prior to the hearing. Information regarding how to sign up can be found on the **Remote Appearances** page of our website at <https://www.caeb.uscourts.gov/Calendar/CourtAppearances>. Each party/attorney who has signed up will receive a Zoom link or phone number, meeting I.D., and password via e-mail.

If the deadline to sign up has passed, parties and their attorneys who wish to appear remotely must contact the Courtroom Deputy for the Department holding the hearing.

Please also note the following:

- Parties in interest and/or their attorneys may connect to the video or audio feed free of charge and should select which method they will use to appear when signing up.
- Members of the public and the press who wish to attend by ZoomGov may only listen in to the hearing using the Zoom telephone number. Video participation or observing are not permitted.
- Members of the public and the press may not listen in to trials or evidentiary hearings, though they may attend in person unless otherwise ordered.

To appear remotely for law and motion or status conference proceedings, you must comply with the following guidelines and procedures:

1. Review the [Pre-Hearing Dispositions](#) prior to appearing at the hearing.
2. Parties appearing via CourtCall are encouraged to review the [CourtCall Appearance Information](#). If you are appearing by ZoomGov phone or video, please join at least 10 minutes prior to the start of the calendar and wait with your microphone muted until the matter is called.

Unauthorized Recording is Prohibited: Any recording of a court proceeding held by video or teleconference, including "screen shots" or other audio or visual copying of a hearing is prohibited. Violation may result in sanctions, including removal of court-issued media credentials, denial of entry to future hearings, or any other sanctions deemed necessary by the court. For more information on photographing, recording, or broadcasting Judicial Proceedings, please refer to Local Rule 173(a) of the United States District Court for the Eastern District of California.

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

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, and all parties will need to appear at the hearing unless otherwise ordered. 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**. 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 14 days of the final hearing on the matter.

Post-Publication Changes: The court endeavors to publish its rulings as soon as possible. However, calendar preparation is ongoing, and these rulings may be revised or updated at any time prior to 4:00 p.m. the day before the scheduled hearings. Please check at that time for any possible updates

9:30 AM

1. [25-14000](#)-B-13 **IN RE: MIGUEL BOGARIN AND MARIA
LGT-1** **SANCHEZ VENTURA**

MOTION TO DISMISS CASE
2-9-2026 [[28](#)]

LILIAN TSANG/MV
DAVID FOYIL/ATTY. FOR DBT.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to March 18, 2026, at 9:30 a.m.

ORDER: The court will prepare the order.

This matter will be CONTINUED to March 18, 2026, at 9:30 a.m. to be heard in conjunction with the Debtor's *Motion to Confirm* the Chapter 13 Plan dated December 23, 2025. See Doc. #22 *et seq.* Miguel Bogarin and Maria Sanchez Ventura ("Debtors") advise their intention to file a modified plan prior to that date. If they do so, this matter may be continued to the date set for the modified plan unless Trustee withdraws this motion first.

2. [23-11116](#)-B-13 **IN RE: HUMBERTO/NANCY VIDALES
TCS-12**

CONTINUED MOTION TO MODIFY PLAN
1-7-2026 [[200](#)]

NANCY VIDALES/MV
TIMOTHY SPRINGER/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Denied and dropped from the Calendar.

ORDER: The court will issue an order.

This matter was originally heard on February 11, 2026, and continued to March 11, 2026. Docs. ##219-20.

Humberto and Nancy Vidales ("Debtors") moved for an order confirming the *Sixth Modified Chapter 13 Plan* dated January 7, 2026. Doc. #200 *et seq.* It appears that Debtors inadvertently filed the motion and all the accompanying documents, including the plan, twice. *Compare* Docs. ##200-206 *with* Docs. ##206-214. All the aforementioned documents were filed under Docket Control Number ("DCN") TCS-12. *Id.*

On February 11, 2026, the court entered an order continuing this matter to March 11, 2026, and directing Debtors to file a Notice of Withdrawal of the extraneous confirmation notice and Chapter 13 Plan. Doc. #222.

On March 3, 2026, rather than file a Notice of Withdrawal as Debtors filed a *Motion to Strike* the duplicate filings consisting of Docs. ##208-214

Debtor's current plan was confirmed on December 8, 2023. Doc. #99. Chapter 13 trustee Lilian G. Tsang ("Trustee") timely objected to confirmation of the plan for the following reason(s):

1. The Non-Standard Provision regarding the post-petition mortgage arrearage must be modified. As stated, the non-standard provision at issue states "Chapter 13 Trustee to create a post-petition arrearage account to ensure Class One Creditor Wells Fargo Mortgage receives 60 ongoing payments over 60 months." Trustee argues that this language is ambiguous and requests that the clause be stricken and replaced as follows: "The Chapter 13 Trustee shall create a payment classification for the post-petition mortgage arrears to ensure Class One Creditor Wells Fargo Mortgage receives 60 ongoing payments over 60 month."
2. Debtors have filed two separate plans (Docs. #205 and #213), and Trustee is unsure which one is subject to confirmation. Trustee requests Debtor withdraw whichever plan for which confirmation is not sought.

Doc. #217. As noted above, it appears that both plans are identical, as are the motion and all accompanying documents, which appear to have been filed twice by accident.

On February 11, 2026, the court entered an order continuing this matter to March 11, 2026, and directing Debtors to file a Notice of Withdrawal of the extraneous confirmation notice and Chapter 13 Plan. Doc. #222. In that same order, the court also directed Debtors to file and serve a written response to Trustee's objection not later than two weeks before the hearing date or file a confirmable, modified plan in lieu of a response not later than one week before the hearing date, or the objection would be sustained and the motion denied on the grounds stated in the objections without further hearing. *Id.*

On March 3, 2026, rather than file a Notice of Withdrawal as directed by the court, the Debtors filed a *Motion to Strike* the duplicate filings consisting of Docs. ##208-214. See Doc. #225. While this was not what the court asked for, it is a moot point, as Debtors have neither filed a written response to the objections nor a modified plan. Therefore, Trustee's objection will be SUSTAINED on the grounds stated in the objection, and this motion will be DENIED WITHOUT PREJUDICE.

3. [23-11116](#)-B-13 **IN RE: HUMBERTO/NANCY VIDALES**
[TCS-12](#)

CONTINUED MOTION TO MODIFY PLAN
1-7-2026 [[208](#)]

NANCY VIDALES/MV
TIMOTHY SPRINGER/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Denied and dropped from the Calendar.

ORDER: The court will issue an order.

This matter was originally heard on February 11, 2026, and continued to March 11, 2026. Docs. ##219-20.

Humberto and Nancy Vidales ("Debtors") moved for an order confirming the *Sixth Modified Chapter 13 Plan* dated January 7, 2026. Doc. #200 *et seq.* It appears that Debtors inadvertently filed the motion and all the accompanying documents, including the plan, twice. *Compare* Docs. ##200-206 *with* Docs. ##206-214. All the aforementioned documents were filed under Docket Control Number ("DCN") TCS-12. *Id.*

On February 11, 2026, the court entered an order continuing this matter to March 11, 2026, and directing Debtors to file a Notice of Withdrawal of the extraneous confirmation notice and Chapter 13 Plan. Doc. #222.

On March 3, 2026, rather than file a Notice of Withdrawal as Debtors filed a *Motion to Strike* the duplicate filings consisting of Docs. ##208-214

Debtor's current plan was confirmed on December 8, 2023. Doc. #99. Chapter 13 trustee Lilian G. Tsang ("Trustee") timely objected to confirmation of the plan for the following reason(s):

1. The Non-Standard Provision regarding the post-petition mortgage arrearage must be modified. As stated, the non-standard provision at issue states "Chapter 13 Trustee to create a post-petition arrearage account to ensure Class One Creditor Wells Fargo Mortgage receives 60 ongoing payments over 60 months." Trustee argues that this language is ambiguous and requests that the clause be stricken and replaced as follows: "The Chapter 13 Trustee shall create a payment classification for the post-petition mortgage arrears to ensure Class One Creditor Wells Fargo Mortgage receives 60 ongoing payments over 60 month."
2. Debtors have filed two separate plans (Docs. #205 and #213), and Trustee is unsure which one is subject to confirmation. Trustee

requests Debtor withdraw whichever plan for which confirmation is not sought.

Doc. #217. As noted above, it appears that both plans are identical, as are the motion and all accompanying documents, which appear to have been filed twice by accident.

On February 11, 2026, the court entered an order continuing this matter to March 11, 2026, and directing Debtors to file a Notice of Withdrawal of the extraneous confirmation notice and Chapter 13 Plan. Doc. #222. In that same order, the court also directed Debtors to file and serve a written response to Trustee's objection not later than two weeks before the hearing date or file a confirmable, modified plan in lieu of a response not later than one week before the hearing date, or the objection would be sustained and the motion denied on the grounds stated in the objections without further hearing. *Id.*

On March 3, 2026, rather than file a Notice of Withdrawal as directed by the court, the Debtors filed a *Motion to Strike* the duplicate filings consisting of Docs. ##208-214. See Doc. #225. While this was not what the court asked for, it is a moot point, as Debtors have neither filed a written response to the objections nor a modified plan. Therefore, Trustee's objection will be SUSTAINED on the grounds stated in the objection, and this motion will be DENIED WITHOUT PREJUDICE.

4. [24-10933](#)-B-13 **IN RE: JONATHAN BOYKIN**
[TCS-4](#)

MOTION TO MODIFY PLAN
2-3-2026 [\[48\]](#)

JONATHAN BOYKIN/MV
TIMOTHY SPRINGER/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

Jonathan Boykin ("Debtor") seeks an order confirming the *Third Modified Chapter 13 Plan* dated February 3, 2026. Docs. #48, #53. The current plan was confirmed on May 5, 2025. Doc. #45. The 60-month plan proposes the following terms:

1. Debtor's aggregate payment for months 1-21 will be \$36,260.27. Debtor's payments for months 22-60 will be \$2,625.00 per month.
2. The plan is otherwise unchanged.

Compare Docs. #41 and #53.

This motion was set for hearing on 35 days' notice as required by Local Rule of Practice ("LBR") 3015-1(d)(1). The failure of the creditors, the chapter 13 trustee, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See *Boone v. Burk (In re Eliapo)*, 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amounts of damages). *Televideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires that a plaintiff make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

This motion will be GRANTED. The confirmation order shall include the docket control number of the motion and reference the plan by the date it was filed.

5. [24-23052](#)-B-13 **IN RE: SHANE/STACI STEFFEN**
[DPC-1](#)

CONTINUED MOTION TO DISMISS CASE
12-31-2025 [\[50\]](#)

DAVID CUSICK/MV
RABIN POURNAZARIAN/ATTY. FOR DBT.

FINAL RULING: There will be no hearing in this matter.

DISPOSITION: Denied as moot.

ORDER: The court will prepare the order.

David P. Cusick, Chapter 13 Trustee ("Trustee") moves for dismissal of this case pursuant to 11 U.S.C. § 1307(c)(60). Doc. #50.

As a threshold matter, the court notes that it would normally deny this motion without prejudice for failure to comply with the Local Rules.

LBR 9004-2(a)(6), (b)(5), (b)(6), (e)(3), LBR 9014-1(c), and (e)(3) are the rules about Docket Control Numbers ("DCN"). These rules require a DCN to be in the caption page on all documents filed in every matter with the court and each new motion requires a new DCN. The DCN shall consist of not more than three letters, which may be the

initials of the attorney for the moving party (e.g., first, middle, and last name) or the first three initials of the law firm for the moving party, and the number that is one number higher than the number of motions previously filed by said attorney or law firm in connection with that specific bankruptcy case. Each separate matter must have a unique DCN linking it to all other related pleadings.

Here, the Trustee objected to an early proposed Chapter 13 plan on August 16, 2024, and that Objection was filed under DCN DPC-1. Doc. #16. The DCN for the instant motion is also DPC-1, and therefore, it does not comply with the local rules. Each separate matter filed with the court must have a different DCN.

However, the court elects to overlook this procedural defect and instead deny the motion substantively on mootness grounds. The instant *Motion to Dismiss* was filed on December 31, 2025. Doc. #50. Since the filing of the motion, Debtors have filed a Modified Plan to resolve the issues which underly the motion to dismiss. Doc. #63. On this day, the court has granted confirmation of that plan without opposition from the Trustee. See *Item #6, below*. Accordingly, this motion is DENIED as moot.

6. [24-23052](#)-B-13 **IN RE: SHANE/STACI STEFFEN**
[PLG-2](#)

MOTION TO MODIFY PLAN
1-27-2026 [[60](#)]

STACI STEFFEN/MV
RABIN POURNAZARIAN/ATTY. FOR DBT.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

Shane and Staci Steffen ("Debtors") move for an order confirming the *Second Modified Chapter 13 Plan* dated January 27, 2026. Docs. #60, #63. Debtor's current plan was confirmed on February 2, 2026. Doc. #70.

The motion requests that the confirmed plan be modified as follows:

1. Plan payments "will be as received" for months 1-18 and then \$2,400.00 per month for months 19-60.
2. Administrative expenses will be "as received" for months 1-18 and then \$105.04 per months starting in month 19 until paid in full.

3. Debtors plan payments for December 2025 and January 2026 will be suspended.
4. The dividend to general unsecured creditors will increase from 19% to 22%.

Compare Doc. #45 and Doc. #63.

This motion was set for hearing on 35 days' notice as required by Local Rule of Practice ("LBR") 3015-1(d)(1). The failure of any party in interest, including but not limited to creditors, the U.S. Trustee, and the case Trustee, to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Therefore, the defaults of the above-mentioned parties in interest are entered. Upon default, factual allegations will be taken as true (except those relating to amounts of damages). *Televideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987).

No party has timely objected. The Trustee has filed a Statement of Non-Opposition requesting that the confirmation order clarify that the total paid through and including January 2026 is \$44,285.88, and then payments for months 19-60 will be \$2,400.00 per month. Doc. #74.

Debtors aver that this modification is necessary because Staci Steffen's disability leave was extended to January 2, 2026, she could not return to work in December 2025 as anticipated, and she was on a reduced work schedule into February 2026. Doc. #62 (Debtor's Declaration). Attached exhibits confirm Staci's disability and its effects on her employment. Doc. #64. Debtors' Amended Schedules I & J confirm that Debtors can cover the proposed plan payments. Doc. #39.

7. [25-26854](#)-B-13 **IN RE: EMILENA CHAVEZ**
[DPC-2](#)

MOTION TO DISMISS CASE
2-20-2026 [[30](#)]

DAVID CUSICK/MV
MATTHEW DECAMINADA/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to April 22, 2026, at 9:30 a.m.

ORDER: The court will issue an order.

On February 20, 2026, David Cusick, Chapter 13 trustee ("Trustee") filed this *Motion to Dismiss* for failure to make plan payments and appear at hearings. This instant motion will be continued to April 22,

2026, at 9:30 a.m., to be heard in connection with the debtor's motion to confirm plan. See Docs. #26, #28, #36, and #39; RJC-1.

The certificate of service filed in connection with this motion used an older version of the court's *Official Certificate of Service* form (EDC Form 7-005, Rev. 10/30/2024) instead of the most updated version of the form (EDC Form 7-005, Rev. 6/3/2025). Doc. #33. The correct form can be accessed on the court's website.

Local Bankruptcy Rule 7005-1(d) (3) states:

Certificate of Service. The certificate of service shall include all parties served, whether by electronic or conventional means. Where service was accomplished by electronic means, the certificate of service shall include the email addresses to which the document(s) were transmitted, and the party, if any, whom the recipient represents.

Here, the certificate of service (Doc. #33) does not indicate how or even if debtor's counsel was served. Notwithstanding the procedural error, the court declines to deny the motion without prejudice and, for the reasons stated above, this matter will be CONTINUED to April 22, 2026, at 9:30 a.m.

8. [26-10058](#)-B-13 **IN RE: MANUEL VELASQUEZ AND ANAHI
MORALES PERCINO**

MOTION FOR RELIEF FROM AUTOMATIC STAY
2-18-2026 [[22](#)]

MERIWEST CREDIT UNION/MV
ROBERT WILLIAMS/ATTY. FOR DBT.
JOHN MENDONZA/ATTY. FOR MV.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: The court intends to grant the motion for relief on the grounds stated in the motion.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after hearing.

This motion was filed and served pursuant to Local Rule of Practice ("LBR") 9014-1(f)(2). Meriwest Credit Union ("Movant") seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) with respect to a 2023 Xtreme Little Guy Max travel trailer (VIN: 7RUTT2117P1000491) ("Property"). Doc. #22. Movant also requests waiver of the 14-day stay of Fed. R. Bankr. P. 4001(a)(4). *Id.*

Written opposition was not required and may be presented at the hearing. In the absence of opposition, this motion will be GRANTED.

11 U.S.C. § 362(d)(1) allows the court to grant relief from the stay for cause, including the lack of adequate protection. "Because there is no clear definition of what constitutes 'cause,' discretionary relief from the stay must be determined on a case-by-case basis." *In re Mac Donald*, 755 F.2d 715, 717 (9th Cir. 1985).

After review of the included evidence, the court finds that "cause" exists to lift the stay because Debtors have missed six (6) pre-petition payments totaling \$2,569.14 and two (2) post-petition payments in the amount of \$856.38 for a total delinquency of \$3,425.52. Docs. ##24-26.

The certificate of service filed in connection with this motion used an older version of the court's *Official Certificate of Service* form (EDC Form 7-005, Rev. 10/30/2024) instead of the most updated version of the form (EDC Form 7-005, Rev. 6/3/2025). Doc. #27. The correct form can be accessed on the court's website.

The Chapter 13 trustee Lilian G. Tsang ("Trustee") was not properly served. Rule 4001(a)(1) requires motions for relief from the automatic stay to be made in accordance with Rule 9014. Rule 9014(b) requires motions in contested matters to be served upon the parties against whom relief is being sought pursuant to Rule 7004. Here, Movant's certificate of service (Doc. #27) indicates that service was made according to Rule 7005, 9036. Since this motion will affect property of the estate, the Chapter 13 Trustee must be served in accordance with Rule 7004(b)(1).

According to Debtors Chapter 13 Plan (Doc. #3, Sec. 3.09, Class 3 p. 4), the Debtors are surrendering the property. The court is willing to overlook these defects in the absence of any objections raised at the hearing.

The 14-day stay of Fed. R. Bankr. P. 4001(a)(4) will be ordered waived because Debtors have failed to make at least six (6) pre-petition payments and two (2) post-petition payments to Movant, and the Property is a depreciating asset. Also, the proposed Plan provides for the surrender of the collateral.

9. [25-25959](#)-B-13 **IN RE: ELEASE CHEEK**
[CYB-1](#)

MOTION TO CONFIRM PLAN
1-28-2026 [[27](#)]

ELEASE CHEEK/MV
CANDACE BROOKS/ATTY. FOR DBT.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to April 8, 2026, at 9:30 a.m.

ORDER: The court will issue an order.

Elease Cheek ("Debtor") moves for an order confirming the *First Modified Chapter 13 Plan* dated January 28, 2026. Docs. #44. Debtor's current plan was confirmed on July 19, 2022. Doc. #27, #33. Chapter 13 trustee David Cusick ("Trustee") timely objected to confirmation of the plan for the following reason(s):

1. The Debtor cannot make the proposed Plan payments nor comply with the Plan nor have the ability to make future plan payments. The Plan cannot be completed within 60 months.
2. There are issues with the claims of the California Franchise Tax Board.
3. There are issues with the claims of the Internal Revenue Service.
4. Debtor's income has not been verified.
5. Trustee is skeptical that the proposed restart of Debtor's prior business, MCH Solano LLC, will be able to produce sufficient income to cover the proposed future step-up payment from \$4,840.00 to \$9,065.00 beginning in month 13. Further, even with the step-up payment, the plan cannot be completed in 60 months.
6. The plan fails the liquidation test.

Doc. #36.

This motion to confirm plan will be CONTINUED to **April 8, 2026, at 9:30 a.m.** Unless this case is voluntarily converted to chapter 7, dismissed, or all objections to confirmation are withdrawn, the Debtor shall file and serve a written response to the objections no later than fourteen (14) days before the continued hearing date. The response shall specifically address each issue raised in the objection(s) to confirmation, state whether each issue is disputed or undisputed, and include admissible evidence to support the Debtor's position. Any replies shall be filed and served no later than seven (7) days prior to the hearing date.

If the Debtor elects to withdraw the plan and file a modified plan in lieu of filing a response, then a confirmable, modified plan shall be filed, served, and set for hearing not later than seven (7) days

before the continued hearing date. If the Debtor does not timely file a modified plan or a written response, the objection will be sustained on the grounds stated, and the motion will be denied without further hearing.

10. [25-25959](#)-B-13 **IN RE: ELEASE CHEEK**
[DPC-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY DAVID P. CUSICK
12-16-2025 [[13](#)]

DAVID CUSICK/MV
CANDACE BROOKS/ATTY. FOR DBT.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing in this matter.

DISPOSITION: Overruled as moot.

ORDER: The court will prepare the order.

On January 28, 2026, Elease Cheek ("Debtor") filed her *First Modified Chapter 13 Plan*. Doc. #33. Accordingly, this *Objection to Confirmation* of the plan filed on October 27, 2025 (Docs. #3, #13), will be Overruled as moot.

11. [26-10562](#)-B-13 **IN RE: BALTAZAR MENDOZA**
[SLL-2](#)

MOTION TO EXTEND AUTOMATIC STAY
2-20-2026 [[17](#)]

BALTAZAR MENDOZA/MV
STEPHEN LABIAK/ATTY. FOR DBT.
RESPONSIVE PLEADING

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The court will prepare the order.

Baltazar Mendoza ("Debtor") requests an order extending the automatic stay under 11 U.S.C. § 362(c)(3). Doc. #17.

Written opposition was not required and may be presented at the hearing. Notwithstanding the Debtor's use of Notice pursuant to Local Rule of Practice ("LBR") 9014-1(f)(2), Creditor Enterprise Bank &

Trust ("Enterprise") has filed written opposition to the motion which will be taken into consideration. Doc. #25.

This motion was filed and served pursuant to 9014-1(f) (2) and will proceed as scheduled. If no other opposition is presented at the hearing, the court intends to enter the defaults of all non-responding parties. If additional opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f) (2). The court will issue an order if a further hearing is necessary. For the reasons outlined below, the court is inclined to GRANT the motion.

Under 11 U.S.C. § 362(c) (3) (A), if the debtor has had a bankruptcy case pending within the preceding one-year period that was dismissed, then the automatic stay under subsection (a) shall terminate with respect to the debtor on the 30th day after the latter case is filed.

This Debtor's cases within the last year are as follows:

Docket	Filed	Dismissed	Reason for dismissal
26-10044 (the "Prior Case")	1/7/26	2/5/26	Failure to timely filed documents
37-20562 (this case)	2/11/26	Pending	n/a

The automatic stay in the current case will expire on March 13, 2026.

11 U.S.C. § 362(c) (3) (B) allows the court to extend the stay to any or all creditors, subject to any limitations the court may impose, after a notice and hearing where the debtor demonstrates that the filing of the latter case is in good faith as to the creditors to be stayed. Such request must be made within 30 days of the petition date.

A case is presumptively filed not in good faith as to all creditors if any of the conditions listed 11 U.S.C. § 362(c) (3) (C) exist:

- I. more than 1 previous case under any of chapters 7, 11, and 13 in which the individual was a debtor was pending within the preceding 1-year period [§ 362(c) (3) (C) (i) (I)];
- II. a previous case under any of chapters 7, 11, and 13 in which the individual was a debtor was dismissed within such 1-year period, after the debtor failed to:
 - aa. file or amend the petition or other documents as required by this title or the court without substantial excuse (but mere inadvertence or negligence shall not be a substantial excuse unless the dismissal was caused by the negligence of the debtor's attorney) [§ 362(c) (3) (C) (i) (II) (aa)];
 - bb. provide adequate protection as ordered by the court [§ 362(c) (3) (C) (i) (II) (bb)]; or

- cc. perform the terms of a plan confirmed by the court
[§ 362(c) (3) (C) (i) (II) (cc)]; or
- III. 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 or any other reason to conclude that the later case will be concluded
 - aa. if a case under chapter 7, with a discharge; or
 - bb. a case under chapter 11 or 13, with a confirmed plan that will be fully performed[.]

§ 362(c) (3) (C) (i) (I)-(III). To restate these Code provisions more plainly, the rebuttable presumption arises that the latter case was filed not in good faith:

- I. If a debtor has had two or more previous chapter 7, 11, or 13 cases pending within the year preceding the new case which were dismissed for any reason. [§ 362(c) (3) (C) (i) (I)];
- II. If a debtor has had one such case had been pending within the previous year which was dismissed for (aa) failure to file or amend the petition or other required documents without substantial excuse, (bb) failure to provide adequate protection, or (cc) failure to perform the terms of a confirmed plan.
[§ 362(c) (3) (C) (i) (II) (aa-cc)]; or
- III. If a debtor has had one such case pending within the previous year which was dismissed for any reason, and debtor has failed to demonstrate a "substantial change" in the debtor's financial affairs since the prior dismissal such that the court may conclude that the new case will lead to either a chapter 7 discharge or a confirmable chapter 11 or chapter 13 plan.

In addition, the presumption arises as to any specific creditor which had commenced a stay relief action in the previous case that was still pending as of the date of dismissal or which had been resolved by terminating, conditioning, or limiting the stay as to the actions of that creditor. § 362(c) (3) (C) (ii).

The presumption of bad faith may be rebutted by clear and convincing evidence. § 362(c) (3) (C). Under the clear and convincing standard, the evidence presented by the movant must "place in the ultimate factfinder an abiding conviction that the truth of its factual contentions are 'highly probable.' Factual contentions are highly probable if the evidence offered in support of them 'instantly tilt[s] the evidentiary scales in the affirmative when weighed against the evidence offered in opposition.'" *Emmert v. Taggart (In re Taggart)*, 548 B.R. 275, 288, n.11 (B.A.P. 9th Cir. 2016) (citations omitted) (vacated and remanded on other grounds by *Taggart v. Lorenzen*, 139 S. Ct. 1785 (2019)). If the presumption does not arise, the debtor needs to establish good faith by a preponderance of the evidence.

In this case, the presumption of bad faith arises. The subsequently filed case is presumed to be filed in bad faith as to all creditors

because Debtor failed to timely file required documents in the previous case. Prior Case Doc. #16.

Debtor declares that the previous case was dismissed because he was unable to obtain legal counsel, filed the case pro se, and was unable to timely provide the required forms. Doc. #19. Debtor declares that he has experienced a significant change in financial circumstances in the form of a new and more stable job as an auto sales manager. *Id.* He also declares that he will be liquidating his remaining vehicle inventory and leasing out his former location to ensure sufficient income to fund a feasible plan. *Id.*

In the present case, the *Chapter 13 Plan* dated February 24, 2026, provides for 60 monthly payments of \$8,920.00 with a 0% dividend to unsecured claims estimated at approximately \$305,214.87 Doc. #24. Debtor's *Schedules I* and *J* indicate that Debtor receives \$10,605.00 in monthly net income, which is sufficient for Debtor to afford the proposed plan payment. Doc. #23.

As Debtor filed neither Schedules nor a Plan in the prior case, the court is unable to tell whether there has been a material change in their financial circumstances, but it appears that the proposed plan is feasible.

On February 26, 2026, Enterprise filed an *Opposition* to the Motion. Doc. #25. Enterprise argues that Debtor has failed to rebut the presumption that the current case was not filed in good faith. *Id.* In its *Opposition*, Enterprise states that the Prior Case "was filed purely to stop Lender's foreclosure sale" and "was filed as a skeletal case without bankruptcy documents because Debtor knew that this would stay Lender's foreclosure sale, while clearly not intending to file all the bankruptcy documents and complete the bankruptcy case." *Id.* Enterprise goes on to assert that Debtor "further manipulated the First Bankruptcy case to maximize the duration of the stay by filing for an extension of time to file bankruptcy documents, again without any real intent to actually prepare and file those bankruptcy documents" and that "[t]he extension was requested simply to keep the automatic stay in place as long as possible." *Id.*

Enterprise provides no evidence in support of these assertions, which the court finds speculative. Citations to Debtor's declaration do not change the analysis. It is not at all uncommon for debtors to file for bankruptcy on the eve of foreclosure sales. Likewise, it is not uncommon for pro se debtors who are unprepared for the complexity of bankruptcy law to see their cases swiftly dismissed for failure to file required documents. In the court's view, those facts alone are not evidence tending to bolster the rebuttable presumption of bad faith beyond what is already provided for by § 362(c)(3).

Enterprise also states that Debtor "apparently now claims that he has legal counsel and can perform under a plan." Doc. #25 (emphasis added). Debtor has done more than claim to have legal counsel, as the

very motion which Enterprise opposes was filed and is signed by his counsel of record, Stephen L. Labiak. Doc. #17. And contrary to Enterprise's assertion that Debtor has not provided any evidence of changed personal or financial circumstances, Debtor has filed a Declaration attesting to his new and more stable job, which is also reflected on the Schedules I and J which were filed the day before Enterprise's Opposition. Docs. #19, #23.

Enterprise also claims a very large claim is owed to the IRS by the Debtor. However, the claim deadline for governmental entities in this case is some months away. This is also speculative.

Enterprise still has rights to seek relief from stay in an appropriate motion should the facts warrant.

This matter will be called and proceed as scheduled. Based on the moving papers and the record, the presumption appears to have been rebutted by clear and convincing evidence because Debtor's financial condition and circumstances have materially changed. Debtor's petition appears to have been filed in good faith, and the proposed plan does appear to be feasible. The court does not find Enterprise's written arguments to be persuasive, but Enterprise is free to present further arguments at the hearing.

In the absence of further opposition at the hearing, the court is inclined to GRANT this motion. If further opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f) (2).

12. [25-25664](#)-B-13 **IN RE: MICHAEL/MICHELLE MAHER**
[DPC-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY
DAVID P. CUSICK
12-9-2025 [\[23\]](#)

DAVID CUSICK/MV
MICHAEL HAYS/ATTY. FOR DBT.

FINAL RULING: There will be no hearing in this matter.

DISPOSITION: Overruled as moot.

ORDER: The court will prepare the order.

On December 30, 2026, David P. Cusick, Chapter 13 Trustee ("Trustee"), filed this Objection to Confirmation of Debtor *First Modified Chapter 13 Plan* dated December 10, 2024 (DCN MOH-1). Doc. #23. In an order dated February 27, 2026, Judge Clement denied confirmation of that plan. Doc. #47. On March 5, 2026, Michael and Michelle Maher ("Debtors") filed a *Motion to Confirm* their *Second Modified Chapter 13*

Plan (DCN MOH-2), though the plan itself has not been filed yet. Doc. #48.

For the foregoing reasons, this Objection will be OVERRULED AS MOOT.

13. [25-25964](#)-B-13 **IN RE: ELIZABETH FERRER**
[DPC-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY DAVID P. CUSICK
12-15-2025 [\[19\]](#)

DAVID CUSICK/MV

FINAL RULING: There will be no hearing in this matter.

DISPOSITION: Continued to April 1, 2026, at 9:30 a.m.

ORDER: The court will prepare the order.

It is hereby ordered that this *Objection to Confirmation* be CONTINUED to April 1, 2026, at 9:30 a.m. to be heard in conjunction with the Trustee's *Motion to Dismiss* this case. See Doc. #44.

14. [25-26069](#)-B-13 **IN RE: LISA MANGINO**
[DPC-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY DAVID P. CUSICK
12-17-2025 [\[17\]](#)

DAVID CUSICK/MV
PAULDEEP BAINS/ATTY. FOR DBT.

FINAL RULING: There will be no hearing in this matter.

DISPOSITION: Overruled as moot.

ORDER: The court will prepare the order.

On December 23, 2025, Lisa Mangino ("Debtor") filed her *First Amended Chapter 13 Plan* and motion to confirm same (Docs. #21, #25), to which David P. Cusick, the Chapter 13 Trustee ("Trustee") filed a Non-Opposition (Doc. #31) and which Judge Clement entered an order confirming on February 20, 2026 (Doc. #34). Accordingly, this *Objection to Confirmation* of the original Chapter 13 Plan dated October 30, 2025 (Doc. #17), will be OVERRULED as moot.

15. [25-27071](#)-B-13 **IN RE: DANIEL PARRISH**

ORDER TO SHOW CAUSE - FAILURE TO PAY FEES
2-19-2026 [\[35\]](#)

INSTALLMENT FEE PAID \$79.00 ON 2/24/26

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: The OSC will be vacated.

ORDER: The court will issue an order.

The record shows that the installment fees now due have been paid. Accordingly, the order to show cause will be VACATED.

The order permitting the payment of filing fees in installments will be modified to provide that if future installments are not received by the due date, the case will be dismissed without further notice or hearing.

16. [25-13493](#)-B-13 **IN RE: JOSE HUIZAR**
[WLG-1](#)

MOTION TO CONFIRM PLAN
1-28-2026 [\[40\]](#)

JOSE HUIZAR/MV
NICHOLAS WAJDA/ATTY. FOR DBT.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

Jose Huizar ("Debtor") seeks an order confirming the *First Modified Chapter 13 Plan* dated January 28, 2026. Docs. #40, #44. No plan has been confirmed so far. The 60-month plan proposes the following terms:

1. Debtor's aggregate payment for months 1-3 will be \$0.00. Debtor's payments for months 4-60 will be \$3,692.60.00 per month.
2. Outstanding Attorney's fees will be paid as follows: \$0.00 per month for months 1-3. \$157.90 per month for months 4-60.
3. Secured creditors to be sorted into appropriate Classes and paid as follows:
 - a. Freedom Mortgage Corporation (Class 1. Mortgage on 2107 San Luis St., Bakersfield, CA)

- i. Prepetition arrearage: \$15,958.19 at 0.00% to be paid \$0.00 per month for months 1-3 and \$279.97 per month for months 4-60.
 - ii. Post-petition mortgage payments: \$0.00 per month for months 1-3 and \$1,879.37 per month for months 4-60, with all missed regular payments to be paid by month 60.
 - b. Credit Acceptance (Class 2(A). PMSI claim for 2012 Chevrolet Malibu). \$3,157.50 at 7.50% to be paid at \$0.00 per month for months 1-3 and \$66.02 per month for months 4-60.
 - c. Strata Federal Credit Union (Class 2(A). PMSI claim for 2024 GMC Yukon). \$53,991.38 at 0.00% to be paid as follows: \$0.00 per month for months 1-3 and \$947.22 per month for months 40-60.
 - d. TD Auto Finance (Class 3. 2022 GMC Terrain to be surrendered).
4. A dividend of 0% to unsecured creditors with claims estimated at \$8,729.00.

This motion was set for hearing on 35 days' notice as required by Local Rule of Practice ("LBR") 3015-1(d)(1). The failure of any party in interest, including but not limited to the creditors, the chapter 13 trustee, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amounts of damages). *Televideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires that a plaintiff make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

The Chapter 13 Trustee filed an Objection which was subsequently withdrawn. No other party in interest has responded, and the defaults of all non-responding parties are entered. This motion will be GRANTED. The confirmation order shall include the docket control number of the motion and reference the plan by the date it was filed.

17. [25-13794](#)-B-13 **IN RE: GABRIEL/BRANDY RAMIREZ**
[NLG-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY
LOANDEPOT.COM, LLC
11-25-2025 [[12](#)]

LOANDEPOT.COM, LLC/MV
TIMOTHY SPRINGER/ATTY. FOR DBT.
NICHOLE GLOWIN/ATTY. FOR MV.

After posting the original pre-hearing dispositions, the court has modified its intended ruling on this matter.

FINAL RULING: There will be no hearing in this matter.

DISPOSITION: Withdrawn.

NO ORDER IS REQUIRED.

On March 9, 2026, secured creditor LoanDepot.com withdrew this Objection to Confirmation. Doc. #33. Accordingly, this Objection to Confirmation is WITHDRAWN.

11:00 AM

1. [26-10978](#)-B-11 **IN RE: HRONIS, INC.**
[SE-1](#)

MOTION FOR JOINT ADMINISTRATION
3-8-2026 [[4](#)]

HRONIS, INC./MV
ZEV SHECHTMAN/ATTY. FOR DBT.

NO RULING.

2. [26-10978](#)-B-11 **IN RE: HRONIS, INC.**
[SE-2](#)

MOTION DEEMING UTILITY COMPANIES ADEQUATELY ASSURED OF
FUTURE PERFORMANCE, FOR ESTABLISHING PROCEDURES FOR REQUESTS
FOR ADDITIONAL ASSURANCE, FOR RESTRAINING UTILITY COMPANIES
FROM DISCONTINUING, ALTERING, OR REFUSING SERVICE, FOR
PROVIDING FOR RELATED RELIEF
3-8-2026 [[8](#)]

HRONIS, INC./MV
ZEV SHECHTMAN/ATTY. FOR DBT.

NO RULING.

3. [26-10978](#)-B-11 **IN RE: HRONIS, INC.**
[SE-3](#)

CHAPTER 11 FIRST DAY MOTION TO MAINTAIN BANK ACCOUNTS AND
CASH MANAGEMENT SYSTEM
3-8-2026 [[9](#)]

ZEV SHECHTMAN/ATTY. FOR DBT.

NO RULING.

4. [26-10978](#)-B-11 **IN RE: HRONIS, INC.**
[SE-4](#)

CHAPTER 11 FIRST DAY MOTION FOR ORDER LIMITING NOTICE AND/OR
CHAPTER 11 FIRST DAY MOTION FOR ORDER AUTHORIZING SERVICE BY
ELECTRONIC MAIL
3-8-2026 [[12](#)]

ZEV SHECHTMAN/ATTY. FOR DBT.

NO RULING.

5. [26-10978](#)-B-11 **IN RE: HRONIS, INC.**
[SE-5](#)

CHAPTER 11 FIRST DAY MOTION FOR ORDER AUTHORIZING DEBTORS TO
FILE CONSOLIDATED LIST OF CREDITORS AND CONSOLIDATED LIST OF
DEBTORS THIRTY CREDITORS HOLDING LARGEST UNSECURED CLAIMS
3-8-2026 [[17](#)]

ZEV SHECHTMAN/ATTY. FOR DBT.

NO RULING.

6. [26-10978](#)-B-11 **IN RE: HRONIS, INC.**
[SE-6](#)

MOTION TO EXTEND DEADLINE TO FILE SCHEDULES OR PROVIDE
REQUIRED INFORMATION. THE CASE TRUSTEE AND THE U.S. TRUSTEE
HAVE BEEN GIVEN ELECTRONIC NOTICE OF THE EX PARTE MOTION AS
REQUIRED BY FRBP 1007(C)
3-8-2026 [[31](#)]

HRONIS, INC./MV
ZEV SHECHTMAN/ATTY. FOR DBT.

NO RULING.

7. [26-10978](#)-B-11 **IN RE: HRONIS, INC.**
[SE-7](#)

CHAPTER 11 FIRST DAY MOTION FOR ORDER AUTHORIZING DEBTORS TO
PAY CERTAIN PREPETITION BENEFITS AND OTHER COMPENSATION, AND
FOR ORDER AUTHORIZING DEBTORS CONTINUE EMPLOYEE COMPENSATION
AND EMPLOYEE BENEFITS PROGRAMS
3-8-2026 [[20](#)]

ZEV SHECHTMAN/ATTY. FOR DBT.

NO RULING.

8. [26-10978](#)-B-11 **IN RE: HRONIS, INC.**
[SE-8](#)

MOTION FOR ORDER PURSUANT TO LOCAL BANKRUPTCY RULE 9037-1
AUTHORIZING THE DEBTORS TO REDACT CERTAIN PERSONALLY
IDENTIFIABLE INFORMATION OF THE DEBTORS EMPLOYEES
3-8-2026 [[35](#)]

HRONIS, INC./MV
ZEV SHECHTMAN/ATTY. FOR DBT.

NO RULING.

9. [26-10978](#)-B-11 **IN RE: HRONIS, INC.**
[SE-9](#)

MOTION TO OBTAIN SENIOR SECURED POST-PETITION FINANCING, USE
CASH COLLATERAL, GRANT LIENS AND PROVIDE SUPER PRIORITY
ADMINISTRATIVE EXPENSE CLAIMS, GRANTING ADEQUATE PROTECTION
TO CERTAIN PREPETITION SECURED PARTIES, MODIFYING THE
AUTOMATIC STAY, SCHEDULING A FINAL HEARING
3-9-2026 [[38](#)]

HRONIS, INC./MV
ZEV SHECHTMAN/ATTY. FOR DBT.

NO RULING.

10. [26-10978](#)-B-11 **IN RE: HRONIS, INC.**
[SE-10](#)

MOTION FOR ORDER APPOINTING DONLIN, RECANO, & COMPANY AS
CLAIMS AND NOTICING AGENT
3-9-2026 [[24](#)]

HRONIS, INC./MV
ZEV SHECHTMAN/ATTY. FOR DBT.

NO RULING.