



UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable Jennifer E. Niemann
Hearing Date: Thursday, March 12, 2026
Department A - Courtroom #11
Fresno, California

Unless otherwise ordered, all matters before the Honorable Jennifer E. Niemann shall be simultaneously: (1) **In Person** at Courtroom #11, (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 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 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 who wish to appear remotely must contact the Courtroom Deputy for the Department holding the hearing.

Please also note the following:

- Parties in interest 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 appearing by ZoomGov may only listen in to the hearing using the zoom telephone number. Video appearances are not permitted.
- Members of the public and the press may not listen in to trials or evidentiary hearings, though they may appear in person in most instances.

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.

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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.

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 POSSIBLE UPDATES.

1. [26-10305](#)-A-13 **IN RE: KELLI CRAWFORD**

ORDER TO SHOW CAUSE - FAILURE TO PAY FEES
2-24-2026 [[25](#)]

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: The minutes of the hearing will be the court's findings and conclusions.

ORDER: The court will issue an order.

This matter will proceed as scheduled. An amended creditor matrix (Doc. #17) was filed by the debtor on February 10, 2026, which deleted two creditors who were listed on the previously filed creditor matrix (Doc. #4). A fee of \$34.00 was required at the time of filing because the amended creditor matrix deleted creditors. The fee was not paid. A notice of payment due was served on the debtor on February 17, 2026. Doc. #23.

If the filing fee of \$34.00 is not paid prior to the hearing, the amended creditor matrix (Doc. #17) will be stricken, and additional sanctions may be imposed on the debtor on the grounds stated in the order to show cause.

2. [25-14016](#)-A-13 **IN RE: JUAN GONZALEZ**
[SLG-1](#)

MOTION TO CONFIRM PLAN
1-29-2026 [[32](#)]

JUAN GONZALEZ/MV
JOSHUA STERNBERG/ATTY. FOR DBT.
RESPONSIVE PLEADING WITHDRAWN

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.

This motion was set for hearing on at least 35 days' notice prior to the hearing date as required by Local Rule of Practice ("LBR") 3015-1(d)(1). The chapter 13 trustee ("Trustee") timely opposed this motion but withdrew the opposition, stating the debtor has resolved the issues raised in Trustee's opposition. See Opp'n, Doc. #41; Opp'n Withdrawal, Doc. #47. The failure of creditors, 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). Therefore, the defaults of the non-responding parties in interest are entered. 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). Constitutional due process requires a moving

party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

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

3. [25-13917](#)-A-13 **IN RE: THOMAS/JENNIFER ANAYA**
[JRL-2](#)

MOTION TO CONFIRM PLAN
2-2-2026 [[30](#)]

JENNIFER ANAYA/MV
JERRY LOWE/ATTY. FOR DBT.

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 Moving Party shall submit a proposed order after the hearing.

This motion was set for hearing on at least 35 days' notice prior to the hearing date as required by Local Rule of Practice 3015-1(d)(1). Zinc Financial, Inc. ("Creditor") filed an objection to the debtors' motion to confirm the modified chapter 13 plan ("Plan"). Doc. #38. The failure of other creditors, 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). Therefore, the defaults of the non-responding parties in interest are entered.

Creditor opposes confirmation of the Plan because the Plan does not list or provide for payment of Creditor's secured claim as required by 11 U.S.C. § 1325(a)(5). Doc. #38. In the alternative, Creditor requests language in the order confirming plan to clarify that the automatic stay is terminated as to Creditor's claim. Id.

Bankruptcy Code § 1325(a)(5) permits confirmation of a chapter 13 plan so long as provisions are made "with respect to each allowed secured claim provided for by the plan." 11 U.S.C. § 1325(a)(5). However, a chapter 13 plan need not "provide for" a secured claim. See Shook v. CBIC (In re Shook), 278 B.R. 815, 826-27 (B.A.P. 9th Cir. 2002). Here, secured claims not listed in Class 1, 2, 3 or 4 are not provided for by the Plan. Because the debtors are not required to provide for Creditor in their plan, Creditor's opposition is overruled. While the failure to provide for Creditor's secured claim may be cause to terminate the automatic stay, such relief must be separately requested by the claim holder pursuant to the express language of this court's mandatory form chapter 13 plan. Plan at ¶3.11(b), Doc. #33. Thus, the court also denies Creditor's request to terminate the automatic stay.

Accordingly, this motion will be GRANTED. The confirmation order shall include the docket control number of the motion, and it shall reference the Plan by the date it was filed.

4. [25-11219](#)-A-13 **IN RE: LEMUEL JOHNSON**

NOTICE OF DEFAULT AND MOTION TO DISMISS CASE FOR FAILURE TO MAKE PLAN
PAYMENTS
2-5-2026 [\[30\]](#)

JOSHUA STERNBERG/ATTY. FOR DBT.
RESPONSIVE PLEADING

NO RULING.

5. [25-13419](#)-A-13 **IN RE: GURLAL BARA**
[JRL-3](#)

MOTION TO CONFIRM PLAN
2-10-2026 [\[43\]](#)

GURLAL BARA/MV
JERRY LOWE/ATTY. FOR DBT.
RESPONSIVE PLEADING

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

DISPOSITION: Denied without prejudice.

ORDER: The court will issue an order.

This matter is DENIED WITHOUT PREJUDICE for improper notice.

Notice of the hearing on this motion was filed and served by mail on February 11, 2026 with a hearing date set for March 12, 2026. Notice of a motion to confirm plan is governed by Local Rule of Practice ("LBR") 3015-1(d)(1), which requires the debtor to file and serve the interested parties at least 35 days prior to the hearing. The notice of hearing filed in connection with this motion does not comply with LBR 3015-1(d)(1) because it was served 29 days prior to the hearing.

6. [26-10619](#)-A-13 **IN RE: ISSAC DAVIS**
[ADR-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY, MOTION/APPLICATION FOR
ADEQUATE PROTECTION
2-19-2026 [\[9\]](#)

ALVIN PRASAD/MV
ANTHONY ROWE/ATTY. FOR MV.
RESPONSIVE PLEADING

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted in part if declaration amended; denied in part.

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

This motion was filed and served on at least 14 days' notice prior to the hearing date pursuant to Local Rule of Practice 9014-1(f) (2) and will proceed as scheduled. Though not required, the debtor filed written opposition on March 10, 2026. Doc. #23. Further opposition may be presented at the hearing, and this matter will proceed as scheduled.

As a procedural matter, the declaration filed in support of the motion (Doc. #13) does not comply with LBR 9004-1(c) (1) (B), which states that signatures of persons other than the registered user may be indicated "[t]hrough the use of '/s/Name' or a software-generated electronic signature in the signature block where signatures would otherwise appear." Here, the name of the person signing the declaration was typed on the declaration without the "/s/" before the name, which makes the signature on the declaration improper. The court requires the movant to file an amended declaration signed by the person offering the evidentiary material contained in the declaration filed in support of the motion (Doc. #13) before the motion will be granted.

The movant, Alvin Prasad ("Movant"), seeks relief from the automatic stay pursuant to 11 U.S.C. § 362(d) (1) and (d) (2), and in rem relief pursuant to 11 U.S.C. § 362(d) (4) to permit Movant to proceed with an unlawful detainer action against debtor Issac Davis ("Debtor") in reference to Debtor's occupancy of real property located at 3113 Alpha Ct, Modesto, California 95355 (the "Property"). Doc. #9.

Debtor filed this chapter 13 bankruptcy case on February 17, 2026. Doc. #1. On March 1, 2025, Movant entered into an agreement to lease the Property to Debtor at an initial rate of \$3,200.00 a month. Decl. of Alvin Prasad, Doc. #13; Ex. 1, Doc. #14. The lease terminated by its terms on February 28, 2026. Ex. 1, Doc. #14. Movant asserts that following a 3-day notice served on Debtor, a state court proceeding was filed pre-petition and set for hearing, which has been delayed by Debtor and co-tenant Jelina Nicholas ("Co-Tenant") filing separate bankruptcy cases. Prasad Decl., Doc. #13.

Debtor opposes this motion because Movant has not provided admissible evidence to support Movant's assertion that Debtor has unpaid rent and non-payment of post-petition rent. Doc. #23. However, Movant is not asking this court to determine whether there is unpaid rent or non-payment of post-petition rent with respect to the Property. Rather, Movant seeks relief from the automatic stay to proceed with the unlawful detainer action that is pending in state court.

A motion for relief from stay under 11 U.S.C. § 362 is meant to be a summary proceeding. Biggs v. Stovin (In re Luz Int'l, Ltd.), 219 B.R. 837, 841 (9th Cir. BAP 1998) (citing Grella v. Salem Five Cent Sav. Bank, 42 F.3d 26, 33-34 (1st Cir. 1994)). "A proceeding to determine eligibility for relief from a stay only determines whether a creditor should be released from the stay in order to argue the merits in a separate proceeding." Arkison v. Griffin (In re Griffin), 719 F.3d 1127, 1128 (9th Cir. 2013). Given the limited nature of the relief obtained, a party seeking stay relief need only establish that it has a "colorable claim" to the property at issue, which Movant has done here. Veal v. Am. Home Mortg. Servicing, Inc. (In re Veal), 450 B.R. 897, 914-15 (B.A.P. 9th Cir. 2011); Luz Int'l, Ltd., 219 B.R. at 842.

Once a colorable claim for relief under § 362 has been found, the bankruptcy court must then consider the specific provision of § 362 under which relief is sought.

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11 U.S.C. § 362(d) (1) Analysis

11 U.S.C. § 362(d) (1) allows the court to grant relief from the automatic stay for cause. "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). When a movant prays for relief from the automatic stay to initiate or continue non-bankruptcy court proceedings, a bankruptcy court may consider the "Curtis factors" in making its decision. In re Kronemyer, 405 B.R. 915, 921 (9th Cir. B.A.P. 2009). "[T]he Curtis factors are appropriate, nonexclusive, factors to consider in determining whether to grant relief from the automatic stay" to allow litigation in another forum. Id. The Curtis factors include: (1) whether the relief will result in a partial or complete resolution of the issues; (2) the lack of any connection with or interference with the bankruptcy case; (3) whether the non-bankruptcy forum has the expertise to hear such cases; (4) whether litigation in another forum would prejudice the interests of other creditors; and (5) the interest of judicial economy and the expeditious and economical determination of litigation for the parties. In re Curtis, 40 B.R. 795, 799-800 (Bankr. D. Utah 1984).

Here, granting Movant relief from the automatic stay will allow Movant to continue an unlawful detainer action in state court, which will allow the issue of possession of the Property to be adjudicated on its merits. According to Movant, the state court has attempted to set trial to adjudicate the unlawful detainer action, which can proceed once relief from the automatic stay is granted. Prasad Decl., Doc. #13.

In granting relief from stay to permit Movant to proceed with his unlawful detainer action in state court, this court is not making any determination with respect to what rent Debtor may or may not have paid. Granting relief from the automatic stay merely allows the parties to proceed with an unlawful detainer action in state court and allows the state court to make a determination on the merits of that action. To the extent Debtor can show all rent has been paid to Movant, Debtor can present that evidence to the state court in the unlawful detainer action. Thus, granting relief from the automatic stay will allow the proper court to determine who has an interest in the Property.

In addition, an unlawful detainer is a matter of state law, and the state court is better situated to hear an unlawful detainer action than this court. Any legal or factual issues which may complicate this matter also implicate state law, and the state court is more familiar with those issues. Debtor will suffer no legally cognizable harm by being forced to resolve an unlawful detainer action in state court. Further, the interests of judicial economy favor granting relief from the automatic stay as it appears the state court is ready to set an unlawful detainer action trial once relief from the automatic stay is granted.

For these reasons, the court finds that cause exists to lift the stay to permit Movant to proceed with an unlawful detainer action in state court and enforce any resulting judgment.

Analysis under section 11 U.S.C. § 362(d) (2)

11 U.S.C. § 362(d) (2) allows the court to grant relief from the stay if the debtor does not have any equity in such property and such property is not necessary to an effective reorganization.

It is unclear from Movant's papers whether Movant seeks relief from stay pursuant to 11 U.S.C. § 362(d) (2). The motion references 11 U.S.C. § 362(d) (2);

however, the argument section of the motion and supporting papers does not address 11 U.S.C. § 362(d)(2). Doc. ##9, 12.

In any event, based on the lease filed with the motion, the lease agreement between Movant and Debtor terminated on February 28, 2026. Ex. 1, Doc. #14. While Debtor asserts that Debtor retains a possessory interest in the Property, based on the lease filed with the motion, all rights of Debtor to occupy the Property pursuant to the lease terminated on February 28, 2026, if not before.

Accordingly, because Debtor has no longer has a contractual right to occupy the Property, Debtor has no equity in the Property and the Property is not necessary to an effective reorganization. Accordingly, the court grants relief from stay pursuant to 11 U.S.C. § 362(d)(2).

Analysis under 11 U.S.C. § 362(d)(4)

With respect to Movant's request for a determination of *in rem* relief under 11 U.S.C. § 362(d)(4), this court denies Movant's request because Movant is not a secured creditor with respect to the Property. To prevail on a motion for relief from the bankruptcy stay under 11 U.S.C. § 362(d)(4)(A), the moving party must prove, among other things, that the moving party holds a security interest in the real property at issue. In re Duncan & Forbes Dev., Inc., 368 B.R. 27, 32 (Bankr. C.D. Cal. 2007) (interpreting a prior version of 11 U.S.C. § 362(d)(4)). By its language, relief from stay under § 362(d)(4) is available only to a creditor whose claim is secured by an interest in real property. Marr Sanchez & Assoc. v. Hernandez (In re Hernandez), Case No. 16-42059, 2016 Bankr. LEXIS 3044 (Bankr. N.D. Cal. Aug. 15, 2016).

Because Congress limits relief from stay under § 362(d)(4) to creditors holding a security interest in the property to be subject to an order pursuant to 11 U.S.C. § 362(d)(4), and Movant is not a secured creditor with respect to the Property, relief from stay cannot be granted to Movant pursuant to § 362(d)(4).

Conclusion

Accordingly, subject to Movant filing an amended declaration and pending further opposition being raised at the hearing, the court will grant the motion pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) to permit Movant to proceed under applicable nonbankruptcy law to prosecute an unlawful detainer action in state court and to enforce any resulting judgment for unlawful detainer, including all necessary steps to obtain possession of the Property from Debtor. The motion will be DENIED for any *in rem* relief from stay pursuant to 11 U.S.C. § 362(d)(4). No other relief is awarded.

Because Debtor has no longer has a contractual right to occupy the Property through the lease, the 14-day stay of Fed. R. Bankr. P. 4001(a)(3) will be ordered waived to permit Movant to prosecute an unlawful detainer action in state court.

7. [25-10327](#)-A-13 **IN RE: MICHAEL LOPEZ**
[RSW-2](#)

MOTION TO MODIFY PLAN
2-12-2026 [[42](#)]

MICHAEL LOPEZ/MV
ROBERT WILLIAMS/ATTY. FOR DBT.
CONT'D TO 3/26/26 BY ECF ORDER #52

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

DISPOSITION: Continued to March 26, 2026 at 9:30 a.m.

NO ORDER REQUIRED.

On February 26, 2026, the court issued an order continuing the hearing on the motion to modify the plan to March 26, 2026 at 9:30 a.m. Doc. #52.

8. [25-11628](#)-A-13 **IN RE: HARRIET THOMAS-LEWIS**
[KLG-4](#)

MOTION TO CONFIRM PLAN
1-21-2026 [[89](#)]

HARRIET THOMAS-LEWIS/MV
CAROLINE KIM/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.

This motion was set for hearing on at least 35 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 3015-1(d)(1). The failure of creditors, 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 amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

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

9. 25-13729-A-13 **IN RE: GENEVA FARR**
LGT-2

MOTION TO DISMISS CASE
2-9-2026 [40]

LILIAN TSANG/MV
JERRY LOWE/ATTY. FOR DBT.

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

DISPOSITION: Granted.

ORDER: The court will issue the order.

Unless the trustee's motion is withdrawn before the hearing, the motion will be granted without oral argument for cause shown.

This motion was set for hearing on at least 28 days' notice prior to the hearing date as required by Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtor, 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 amount of damages). Televideo Systems, Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a movant make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Here, the chapter 13 trustee asks the court to dismiss this case because the debtor has failed to make all payments due under the plan. 11 U.S.C. § 1307(c)(4). The debtor is delinquent in the amount of \$4,891.02. Doc. #40. Before this hearing, another monthly plan payment in the amount of \$2,445.51 will also come due. Id. The debtor did not oppose.

Under 11 U.S.C. § 1307(c), the court may convert or dismiss a case, whichever is in the best interests of creditors and the estate, for cause. There is "cause" for dismissal under 11 U.S.C. § 1307(c)(4) because the debtor has failed to make all payments due under the plan.

A review of the debtor's amended Schedules A/B and C and Schedule D shows that there is no equity in the debtor's assets beyond secured claims and claimed exemptions. Doc. ##1, 29. Because there is no non-exempt equity in the debtor's assets to be realized for the benefit of the estate, dismissal, rather than conversion to chapter 7, is in the best interests of creditors and the estate.

Accordingly, the motion is GRANTED, and the case dismissed.

10. [25-13930](#)-A-13 **IN RE: MINERVA MARTINEZ**
[LGT-2](#)

MOTION TO DISMISS CASE
2-5-2026 [[18](#)]

LILIAN TSANG/MV
ROBERT WILLIAMS/ATTY. FOR DBT.
RESPONSIVE PLEADING

NO RULING.

11. [25-13837](#)-A-13 **IN RE: HENRY CALDERON**
[LGT-2](#)

MOTION TO DISMISS CASE
2-5-2026 [[28](#)]

LILIAN TSANG/MV
RAJ WADHWANI/ATTY. FOR DBT.
RESPONSIVE PLEADING
WITHDRAWN

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

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED.

Movant withdrew the motion on March 2, 2026. Doc. #38.

12. [25-14243](#)-A-13 **IN RE: PABLO CHAVEZ**
[TRF-2](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
2-20-2026 [[41](#)]

SUPERIOR LOAN SERVICING/MV
JOSHUA STERNBERG/ATTY. FOR DBT.
MATTHEW AGUIRRE/ATTY. FOR MV.
RESPONSIVE PLEADING

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted as to (d) (1) only.

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

This motion was filed and served on at least 14 days' notice prior to the hearing date pursuant to Local Rule of Practice 9014-1(f) (2) and will proceed as scheduled. Though not required, the debtor filed written opposition on March 3, 2026, although the debtor did not file any declaration in support of

his opposition. Doc. #58. Further opposition may be presented at the hearing, and this matter will proceed as scheduled.

The movant, Superior Loan Servicing as servicing agent for secured creditor WE Alliance Secured Income Fund, LLC ("Movant"), seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) and (d)(2) to permit Movant to enforce remedies in accordance with applicable non-bankruptcy law against debtor Pablo Gonzales Chavez ("Debtor") with respect to real property located at 10300 Sharktooth Peak Dr., Bakersfield, California 93311 ("Property"). Doc. #41. Movant has possession of a promissory note secured by a deed of trust with respect to the Property executed by Debtor in exchange for a business purpose loan ("Loan"). Ex. 1, Doc. #44; Decl. of Terry Wheeler, Doc. #43. The Loan is in default, is now due, and payable in full. Wheeler Decl., Doc. #43.

Judicial Notice

As an initial matter, Movant asks this court to take judicial notice of certain public records and filings submitted by Movant as a request for judicial notice to support Movant's position and assertions in the motion for relief from the automatic stay. Doc. ##46, 47. Here, Movant requests the following documents which the motion specifically refers to and are not in dispute:

- (1) Deed of Trust recorded on July 28, 2022, in the Kern County Recorder's Office, as Document No. 222115817;
- (2) Notice of Default recorded on December 13, 2024, in the Kern County Recorder's Office, as Document No. 224155545;
- (3) Notice of Trustee's Sale recorded on March 21, 2025, in the Santa Clara County Recorder's Office, as Document No. 225030757;
- (4) Voluntary Petition for Individuals Filing for Bankruptcy, filed on April 21, 2025, in the United States Bankruptcy Court for the Eastern District of California, Case No. 25-11213;
- (5) Amended Chapter 13 Plan filed on September 15, 2025, in the United States Bankruptcy Court for the Eastern District of California, Case No. 25-11213; and
- (6) Order filed on November 25, 2025, in the United States Bankruptcy Court for the Eastern District of California, Case No. 25-11213.

Doc. ##46, 47. This court may take judicial notice of and consider the records in this bankruptcy case, filings in other court proceedings, and public records. Fed. R. Evid. 201; Bank of Am., N.A. v. CD-04, Inc. (In re Owner Mgmt. Serv., LLC), 530 B.R. 711, 717 (Bankr. C.D. Cal. 2015).

11 U.S.C. § 362(c)(3)(A) Analysis

Under 11 U.S.C. § 362(c)(3)(A), if a debtor had a bankruptcy case pending within the preceding one-year period that was dismissed, then the automatic stay with respect to any action taken with respect to a debt or property securing such debt or with respect to any lease shall terminate with respect to the debtor on the 30th day after the filing of the current case.

Debtor filed this case on December 23, 2025. Petition, Doc. #1. Debtor's motion to extend the automatic stay was denied because Debtor did not meet his burden of rebutting the presumption by clear and convincing evidence that the current case was not filed in good faith. Order, Doc. #33. Therefore, the automatic stay terminated in the present case on January 22, 2026 with respect to the debtor and property of the debtor but did not terminate with respect to the estate or property of the estate. 11 U.S.C. § 362(c)(3)(A); In re Thu Thi Dao, 616 B.R. 103, 104 (Bankr. E.D. Cal. 2020) (Klein, J.).

Analysis under 11 U.S.C. § 362(d) (1)

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).

Debtor scheduled Movant's secured claim at \$454,286.15. Schedule D, Doc. #1. Movant asserts its claim is \$543,522.48, which excludes interests and legal expenses. Wheeler Decl., Doc. #43. Movant further asserts Debtor has not provided adequate protection payments and has failed to insure the Property as required by the deed of trust. Id.

In Debtor's response to this motion, Debtor asserts there is insufficient cause to grant the relief from stay because Debtor has classified Movant's claim in Class 2 in his chapter 13 plan ("Plan"), which provides adequate protection payments through the Plan. Doc. #58. Debtor also asserts that the Property is essential to Debtor's reorganization, and that a lapse of insurance on the Property is a curable issue. Id.

While Debtor asserts the Plan provides for payment of Movant's claim, a review of the bankruptcy case docket shows that Debtor's proposed Plan is not confirmed because there are two outstanding objections to confirmation of the Plan, and the hearings on those objections have been continued to April 2, 2026 to be heard with the Trustee's motion to dismiss this case. See Order, Doc. #53; Order, Doc. #54; Doc. #60. To the extent that Trustee could make adequate protection payments to Movant prior to confirmation of the Plan, Trustee has asserted in her motion to dismiss, among other things, that Debtor is delinquent in Plan payments. Doc. #60. If Debtor is delinquent in Plan payments, Trustee lacks the funds to make adequate protection payments towards Movant's claim. Debtor has filed no evidence in his opposition to this motion to show that Debtor is current on Plan payments so that Trustee has sufficient funds to make adequate protection payments to Movant. Further, Debtor has provided no evidence to support his assertion that Debtor has taken the steps necessary to insure the Property.

After review of the evidence, the court finds that "cause" exists to lift the stay because adequate protection payments are not being made to Movant because the Plan is not yet confirmed and Debtor is delinquent in his Plan payments. In addition, Debtor has provided no evidence to contradict Movant's assertion that the Property is not insured.

Analysis under section 11 U.S.C. § 362(d) (2)

11 U.S.C. § 362(d) (2) allows the court to grant relief from the stay if the debtor does not have any equity in such property and such property is not necessary to an effective reorganization.

Here, Movant asserts the court has already found that the Plan is not feasible pursuant to the court's ruling on Debtor's motion to extend the automatic stay in which Debtor did not explain how he would maintain Plan payments that are significantly higher than plan payments in Debtor's prior bankruptcy, under which he failed to perform. However, the court has made no determination on Plan feasibility. The court merely determined that Debtor did not meet his burden of rebutting the presumption by clear and convincing evidence that the current case was not filed in good faith because of the pleadings filed, not because of the court's review of the case itself.

Because the Property is necessary for an effective reorganization, relief from stay based on 11 U.S.C. § 362(d)(2) is denied.

Conclusion

Accordingly, pending further opposition being raised at the hearing, the motion will be GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit Movant to foreclose on its collateral pursuant to applicable law including all necessary steps to obtain possession of the Property from Debtor. The motion is DENIED as to 11 U.S.C. § 362(d)(2). No other relief is awarded.

The order shall also provide that the bankruptcy proceeding has been finalized for purposes of California Civil Code § 2923.5.

13. [25-12160](#)-A-13 **IN RE: JASON COLLINS**
[CLB-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY, MOTION/APPLICATION FOR RELIEF
FROM CO-DEBTOR STAY
2-9-2026 [[28](#)]

SAILFISH SERVICING, LLC/MV
ERIC ESCAMILLA/ATTY. FOR DBT.
CHAD BUTLER/ATTY. FOR MV.
DISMISSED 3/10/2026

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

DISPOSITION: Denied as moot.

ORDER: The court will issue the order.

An order dismissing this case was entered on March 10, 2026. Doc. #37.
Therefore, this motion is DENIED AS MOOT.

14. [25-14060](#)-A-13 **IN RE: KATHRYN MILLER**
[LGT-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG
1-15-2026 [[27](#)]

LILIAN TSANG/MV
DISMISSED 3/5/26

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

DISPOSITION: Overruled as moot.

ORDER: The court will issue an order.

An order dismissing this case was entered on March 5, 2026. Doc. #54.
Therefore, this objection is OVERRULED AS MOOT.

15. [25-14060](#)-A-13 **IN RE: KATHRYN MILLER**
[RAS-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY U.S. BANK TRUST
NATIONAL ASSOCIATION
1-19-2026 [[30](#)]

U.S. BANK TRUST NATIONAL ASSOCIATION/MV
SHANA STARK/ATTY. FOR MV.
DISMISSED 3/5/26

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

DISPOSITION: Overruled as moot.

ORDER: The court will issue an order.

An order dismissing this case was entered on March 5, 2026. Doc. #54.
Therefore, this objection is OVERRULED AS MOOT.

16. [25-13478](#)-A-13 **IN RE: MARC ZENDEJAS**
[DEF-1](#)

MOTION TO VALUE COLLATERAL OF TD AUTO FINANCE
1-28-2026 [[36](#)]

MARC ZENDEJAS/MV
DAVID FOYIL/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.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, 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 amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done

Marc Anthony Zendejas ("Debtor"), the debtor in this chapter 13 case, moves the court for an order valuing Debtor's 2022 Hyundai Sonata ("Vehicle"), which is the collateral of TD Auto Finance ("Creditor"), at \$21,502.00. Doc. #36.

11 U.S.C. § 1325(a) (*) (the hanging paragraph) permits the debtor to value a motor vehicle acquired for the personal use of the debtor at its current value, as opposed to the amount due on the loan, if the loan was a purchase money security interest secured by the property and the debt was not incurred within the 910-day period preceding the date of filing. 11 U.S.C. § 506(a) (1) limits a secured creditor's claim "to the extent of the value of such creditor's interest in the estate's interest in such property . . . and is an unsecured claim to the extent that the value of such creditor's interest . . . is less than the amount of such allowed claim." Section 506(a) (2) of the Bankruptcy Code states that where the debtor is in individual in a chapter 13 case, the value of personal property securing an allowed claim shall be determined based on the replacement value of such property as of the petition filing date. "Replacement value" where the personal property is "acquired for personal, family, or household purposes" means "the price a retail merchant would charge for property of that kind considering the age and condition of the property at the time value is determined." 11 U.S.C. § 506(a) (2).

Debtor asserts the Vehicle was purchased more than 910 days before the filing of this case. Decl. of Marc Anthony Zendejas, Doc. #38. Debtor asserts a replacement value of the Vehicle of \$21,502.00 and asks the court for an order valuing the Vehicle at \$21,502.00. Id. Given the absence of contrary evidence, Debtor's opinion of value may be conclusive. Enewally v. Wash. Mut. Bank (In re Enewally), 368 F.3d 1165, 1173 (9th Cir. 2004).

Accordingly, the motion is GRANTED. Creditor's secured claim will be fixed at \$21,502.00. The proposed order shall specifically identify the collateral, and if applicable, the proof of claim to which it relates. The order will be effective upon confirmation of the chapter 13 plan.

17. [25-21680](#)-A-13 **IN RE: ALIAYA PARKER**
[CYB-3](#)

MOTION TO CONFIRM PLAN
2-3-2026 [\[89\]](#)

ALIAYA PARKER/MV
CANDACE BROOKS/ATTY. FOR DBT.
RESPONSIVE PLEADING

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

DISPOSITION: Continued to April 16, 2026 at 9:30 a.m.

ORDER: The court will issue an order.

This motion was set for hearing on at least 35 days' notice prior to the hearing date as required by Local Rule of Practice 3015-1(d) (1). The chapter 13 trustee ("Trustee") filed an objection to the debtor's motion to confirm the chapter 13 plan. Tr.'s Opp'n, Doc. #108. Unless this case is voluntarily converted to chapter 7, dismissed, or Trustee's opposition to confirmation is withdrawn, the debtor shall file and serve a written response no later than April 2, 2026. The response shall specifically address each issue raised in the objection to confirmation, state whether the issue is disputed or undisputed, and include admissible evidence to support the debtor's position. Trustee shall file and serve a reply, if any, by April 9, 2026.

If the debtor elects to withdraw this 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 April 9, 2026. If the debtor does not timely file a modified plan or a written response, this motion will be denied on the grounds stated in Trustee's opposition without a further hearing.

18. [25-21680](#)-A-13 **IN RE: ALIAYA PARKER**
[CYB-4](#)

OBJECTION TO CLAIM OF INTERNAL REVENUE SERVICE, CLAIM NUMBER 7
2-3-2026 [\[96\]](#)

ALIAYA PARKER/MV
CANDACE BROOKS/ATTY. FOR DBT.
RESPONSIVE PLEADING

NO RULING.

19. [25-21680](#)-A-13 **IN RE: ALIAYA PARKER**
[CYB-5](#)

MOTION TO AVOID LIEN OF SYNCHRONY BANK
2-6-2026 [\[101\]](#)

ALIAYA PARKER/MV
CANDACE BROOKS/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.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The chapter 13 trustee timely filed written non-opposition on February 25, 2026. Doc. #114. The failure of creditors, 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 non-responding 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 amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a movant make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

As an informative matter, the movant incorrectly completed Section 6 of the court's mandatory Certificate of Service form. In Section 6, the declarant marked that service was effectuated by Rule 5 and Rules 7005, 9036 Service. Doc. #105. However, Federal Rule of Bankruptcy Procedure ("Rule") 9014 requires service of a motion to avoid lien be made pursuant to Rule 7004, which was

done. In Section 6, the declarant should have checked the appropriate box under Section 6A, not Section 6B.

Aliaya Taneaia Parker ("Debtor"), the debtor in this chapter 13 case, moves pursuant to 11 U.S.C. § 522(f) and Federal Rules of Bankruptcy Procedure 4003(d) and 9014 to avoid the judicial lien of Synchrony Bank ("Creditor") on the residential real property commonly referred to as 6743 51st Street, Sacramento, California 95823 (the "Property"). Doc. #101; Schedule C and D, Doc. #1.

In order to avoid a lien under 11 U.S.C. § 522(f)(1), the movant must establish four elements: (1) there must be an exemption to which the debtor would be entitled under § 522(b); (2) the property must be listed on the debtor's schedules as exempt; (3) the lien must impair the exemption; and (4) the lien must be either a judicial lien or a non-possessory, non-purchase money security interest in personal property listed in § 522(f)(1)(B). 11 U.S.C. § 522(f)(1); Goswami v. MTC Distrib. (In re Goswami), 304 B.R. 386, 390-91 (B.A.P. 9th Cir. 2003) (quoting In re Mohring, 142 B.R. 389, 392 (Bankr. E.D. Cal. 1992)).

Debtor filed the bankruptcy petition on April 8, 2025. Doc. #1. A judgment was entered against Debtor in the amount of \$4,782.06 in favor of Creditor on October 4, 2024. Ex. A, Doc. #104. The abstract of judgment was recorded pre-petition in Sacramento County on April 3, 2025, as document number 202504030899. Ex. A, Doc. #104. The lien attached to Debtor's interest in the Property located in Sacramento County. Doc. #101. The Property also is encumbered by a lien in favor of Servbank in the amount \$278,388.00. Schedule D, Doc. #1. Debtor claimed an exemption of \$600,000.00 in the Property under California Code of Civil Procedure § 704.730. Schedule C, Doc. #1. Debtor asserts a market value for the Property as of the petition date at \$397,000.00. Schedule A/B, Doc. #1.

Applying the statutory formula:

Amount of Creditor's judicial lien		\$4,782.06
Total amount of all other liens on the Property (excluding junior judicial liens)	+	\$278,388.00
Amount of Debtor's claim of exemption in the Property	+	\$600,000.00
		\$883,170.06
Value of Debtor's interest in the Property absent liens	-	\$397,000.00
Amount Creditor's lien impairs Debtor's exemption		\$486,170.06

After application of the arithmetical formula required by § 522(f)(2)(A), the court finds there is insufficient equity to support Creditor's judicial lien. Therefore, the fixing of this judicial lien impairs Debtor's exemption in the Property and its fixing will be avoided.

Debtor has established the four elements necessary to avoid a lien under 11 U.S.C. § 522(f)(1). Accordingly, this motion is GRANTED. The proposed order shall state that Creditor's judicial lien is avoided on the subject Property only and include a copy of the abstract of judgment as an exhibit.

20. [25-21680](#)-A-13 **IN RE: ALIAYA PARKER**
[DPC-2](#)

CONTINUED MOTION TO DISMISS CASE
11-17-2025 [[61](#)]

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

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED.

Aliaya Taneaia Parker ("Debtor") filed a voluntary petition under chapter 13 along with a chapter 13 plan ("Plan") on April 8, 2025. Doc. ##1, 3. The chapter 13 trustee ("Trustee") asks the court to dismiss this case for Debtor's failure to (1) confirm a plan, and (2) make all payments due under the plan. Doc. #61.

On February 25, 2026, Trustee filed a status report stating that because Debtor has filed an objection to claim, filed a motion to avoid lien, and has provided tax returns to Trustee, Trustee believes reasonable progress is being made towards confirmation and seeks to withdraw his motion to dismiss. Doc. #116.

Accordingly, based on the status report, the motion is WITHDRAWN.

21. [25-26081](#)-A-13 **IN RE: JAY/BARBARA SUMERLIN**
[DPC-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY DAVID P. CUSICK
12-16-2025 [[17](#)]

DAVID CUSICK/MV
PATRICIA WILSON/ATTY. FOR DBT.

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

DISPOSITION: Overruled as moot.

ORDER: The court will issue an order.

This objection to confirmation is OVERRULED AS MOOT. The debtors filed a first amended plan on March 10, 2026 (DWL-1, Doc. #28), with a motion to confirm the modified plan set for hearing on April 23, 2026 at 9:30 a.m. Doc. ##26-30.

22. [22-11187](#)-A-13 **IN RE: MARSELINO/VERONICA AMESCUA**
[LGT-1](#)

OBJECTION TO DEBTORS 11 U.S.C. SEC. 1328 CERTIFICATION BY LILIAN G. TSANG
2-12-2026 [[45](#)]

SIMRAN HUNDAL/ATTY. FOR DBT.
WITHDRAWN

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

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED.

Movant withdrew the objection on February 18, 2026. Doc. #49.

23. [25-23589](#)-A-13 **IN RE: JOHN PAGE**
[DPC-2](#)

CONTINUED MOTION TO DISMISS CASE
1-16-2026 [[44](#)]

DAVID CUSICK/MV
PETER MACALUSO/ATTY. FOR DBT.
RESPONSIVE PLEADING

NO RULING.

24. [25-23589](#)-A-13 **IN RE: JOHN PAGE**
[PGM-1](#)

MOTION TO MODIFY PLAN
2-5-2026 [[48](#)]

JOHN PAGE/MV
PETER MACALUSO/ATTY. FOR DBT.
RESPONSIVE PLEADING

NO RULING.

25. [25-25089](#)-A-13 **IN RE: SHANE/BRIANNA GATES**
[PLG-2](#)

MOTION TO CONFIRM PLAN
1-26-2026 [[35](#)]

BRIANNA GATES/MV
RABIN POURNAZARIAN/ATTY. FOR DBT.
RESPONSIVE PLEADING

NO RULING.

26. [25-25890](#)-A-13 **IN RE: DONALD CLEVELAND**
[DPC-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY DAVID P. CUSICK
12-17-2025 [[22](#)]

DAVID CUSICK/MV
JAMES SHEPHERD/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Overruled as moot.

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

This objection to confirmation is OVERRULED AS MOOT. The debtor filed a first amended plan on January 2, 2026 (Doc. #30), although the motion to confirm the modified plan was denied for improper notice. Doc. ##30, 48-51, 64.

27. [23-24291](#)-A-13 **IN RE: ISRAEL GABRIEL AND LAUREN EVANSON-GABRIEL**
[MET-1](#)

MOTION TO MODIFY PLAN
2-10-2026 [[61](#)]

LAUREN EVANSON-GABRIEL/MV
MARY TERRANELLA/ATTY. FOR DBT.

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

DISPOSITION: Continued to March 26, 2026 at 9:30 a.m.

ORDER: The court will issue an order.

On February 16, 2026, the movant filed an amended notice of hearing continuing the hearing on the motion for to modify the plan from March 12, 2026 at 9:30 a.m. to March 26, 2026 at 9:30 a.m. Doc. #68. However, Local Rule of Practice ("LBR") 9014-1(j) requires court approval for the continuance of a hearing. The movant did not seek court approval for continuing the hearing on this motion. The court will permit the continuance of this motion this one time notwithstanding the movant's failure to comply with LBR 9014-1(j).

The court encourages counsel for the movant to review the local rules to ensure compliance in future matters or those matters may be denied without prejudice for failure to comply with the local rules. The rules can be accessed on the court's website at <https://www.caeb.uscourts.gov/LocalRulesAndGeneralOrders>.

28. [25-13596](#)-A-13 **IN RE: BRIAN COSTA**
[LGT-2](#)

CONTINUED MOTION TO DISMISS CASE
1-21-2026 [[24](#)]

LILIAN TSANG/MV
DAVID JOHNSTON/ATTY. FOR DBT.
DISMISSED 3/2/26

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

DISPOSITION: Denied as moot.

ORDER: The court will issue an order.

An order dismissing this case was entered on March 2, 2026. Doc. #37.
Therefore, this motion is DENIED AS MOOT.

29. [25-25897](#)-A-13 **IN RE: BRITNEY FERRON**
[DPC-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY DAVID P. CUSICK
12-17-2025 [[25](#)]

DAVID CUSICK/MV
DAVID RITZINGER/ATTY. FOR DBT.
RESPONSIVE PLEADING

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Continue to March 26, 2026 at 9:30 a.m.

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

Because the motions to value collateral need to be resolved before the court
can resolve the trustee's objection to confirmation, this objection to
confirmation will be continued to March 26, 2026 at 9:30 a.m. to be heard with
the hearings on the debtor's motions to value collateral (DPR-2, DPR-3).
Doc. ##39-42, 43-46.

30. [26-10462](#)-A-13 **IN RE: SANTIAGO RAMIREZ BETERAN AND NORMA BETERAN**
[SRB-1](#)

MOTION TO IMPOSE AUTOMATIC STAY AND/OR MOTION TO EXTEND AUTOMATIC STAY
2-13-2026 [[15](#)]

NORMA BETERAN/MV
JOAQUIN NOLET/ATTY. FOR DBT.
OST 3/5/26

NO RULING.

On March 5, 2026, this court granted the debtors' request to set a hearing on this motion on shortened time ("Order"). Order, Doc. #27. In the Order, the court required that the debtors serve a copy of the Order, the motion and all supporting pleadings on the chapter 13 trustee, the U.S. Trustee and all parties to be subject to the automatic stay by no later than March 6, 2026. Id. The court further ordered the debtors to file a certificate of service showing compliance with the Order by no later than March 9, 2026. Id.

The debtors have failed to file a proper notice of hearing for this motion as well as a certificate of service showing compliance with the requirements of the Order. Accordingly, unless a certificate of service and notice of this hearing are filed with the court prior to the scheduled hearing, this motion will be DENIED WITHOUT PREJUDICE for the failure of the debtors to comply with the Order and properly notice this hearing.

11:00 AM

1. [23-10740](#)-A-7 **IN RE: EID AWIMER**
[25-1034](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
7-23-2025 [[1](#)]

AWIMER V. SPOUS POWER ENERGY

NO RULING.

2. [23-10963](#)-A-7 **IN RE: JESUS GUERRA**
[24-1033](#)

PRE-TRIAL CONFERENCE RE: COMPLAINT
9-18-2024 [[1](#)]

GUERRA V. ADAMS ET AL
HENRY NUNEZ/ATTY. FOR PL.

NO RULING.