

**UNITED STATES BANKRUPTCY COURT**

Eastern District of California

Honorable Christopher M. Klein

Bankruptcy Judge

Sacramento, California

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

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1.	<a href="#">21-23900</a> -C-13	MAURICE RHODENNASH	ORDER TO SHOW CAUSE - FAILURE
		Pro Se	TO PAY FEES
			2-22-22 [ <a href="#">62</a> ]

**Final Ruling:** No appearance at the March 22, 2022 hearing is required.

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The above captioned case was dismissed on March 11, 2022. Dkt. 70.  
Therefore, the Order To Show Cause is discharged as moot.

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

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

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

**IT IS ORDERED** that the Order to Show Cause is  
dismissed as moot.

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

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2. [21-23815](#)-C-13 SARAH RICHEY  
Richard Jare

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
2-8-22 [[38](#)]

**Final Ruling:** No appearance at the March 22, 2022 hearing is required.  
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The court issued this Order To Show Cause because debtor had not paid the total fee installment payment due on 2/3/22. Dkt. 38.

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

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

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

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

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

**No Tentative Ruling:**

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 15 days' notice was provided. Dkt. 91.

**The Motion to Dismiss is xxxxxxx**

The Chapter 13 Trustee filed this Motion To Dismiss arguing that cause for dismissal exists because the debtor has not filed an amended notice of hearing setting a confirmation hearing on the debtor's Third Amended Plan.

A review of the docket confirms a Memo was issued notifying the debtor of the necessity to amend its notice to state a proper hearing time. No amended notice was filed.

The Motion also argues debtor is \$6,136.29 delinquent in plan payments, which is supported by declaration. Dkt. 90.

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

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

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

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

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

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

4. [21-23495](#)-C-13 CAROLINE OBASEKI  
Peter Macaluso

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
2-8-22 [[29](#)]

**Final Ruling:** No appearance at the March 22, 2022 hearing is required.  
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The court issued this Order To Show Cause because debtor had not paid the fee installment payment due on 2/3/22. Dkt. 29.

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

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

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

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

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