



UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher M. Klein
Bankruptcy Judge
Sacramento, California

March 24, 2026 at 11:30 a.m.

Unless otherwise ordered, all matters before the Honorable Christopher M. Klein shall be simultaneously: (1) **In Person**, at Sacramento Courtroom #35, (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.

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 medical 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.

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher M. Klein
Bankruptcy Judge
Sacramento, California

March 24, 2026 at 11:30 a.m.

-
1. [25-27201](#)-C-13 TY HINH MOTION TO DISMISS CASE
[DPC-2](#) Phuc Dinh Do 2-23-26 [[18](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 29 days' notice was provided. Dkt. 21.

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

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is \$1,300.00 delinquent in plan payments, which is supported by declaration. Dkt. 20.

The Motion also argues debtor did not attend the first Meeting of Creditors on February 5, 2026, and debtor has not provided required documents, including identification, proof of social security, proof of income, and tax returns.

Failure to maintain plan payments constitutes 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, David P. Cusick, 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.

2. [25-20612](#)-C-13 DAVID/JENNIFER OROZCO MOTION TO DISMISS CASE
[DPC-3](#) Scott M. Johnson 2-20-26 [[89](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 92.

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

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is \$7,210.00 delinquent in plan payments, which is supported by declaration. Dkt. 91.

Debtors filed an opposition (Dkt. 93) on March 17, 2026, asserting that debtors intended to make a payment to be caught up, but debtors have not made the payment and counsel has been unable to reach debtors. Counsel is now seeking a continuance.

Failure to maintain plan payments constitutes 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, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

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

3. [24-21020](#)-C-13 BARRY PERRY AND REGINALD MOTION TO DISMISS CASE
[DPC-1](#) DAVIS 2-20-26 [[28](#)]
Thomas L. Amberg

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 31.

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

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is \$5,388.00 delinquent in plan payments, which is supported by declaration. Dkt. 30.

Debtor filed an opposition (Dkt. 32) on March 10, 2026, asserting that debtor has made one payment and has scheduled another payment that will cure the delinquency on or before the hearing.

Failure to maintain plan payments constitutes 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, David P. Cusick, 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. [25-23427](#)-C-13 FRANKIE HAYDUK
[DPC-3](#) Patricia Wilson

MOTION TO DISMISS CASE
2-26-26 [[54](#)]

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 26 days' notice was provided. Dkt. 57.

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

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor has not filed an amended plan since the court denied confirmation of the Chapter 13 plan on December 15, 2025.

A review of the docket confirms the proposed Chapter 13 plan was denied confirmation, and no plan is set for confirmation hearing. Dkts. 52 & 53.

The Motion also argues debtor is \$5,961.92 delinquent in plan payments, which is supported by declaration. Dkt. 56.

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

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

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

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

The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, 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.

5. [25-22228](#)-C-13 AMRIT LAL
[DPC-2](#) Anh Nguyen

MOTION TO DISMISS CASE
2-25-26 [[43](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f) (1) procedure which requires 28 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 46.

The Motion to Dismiss is granted, and the case is ~~xxxxxxx~~.

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is \$41,142.00 delinquent in plan payments, which is supported by declaration. Dkt. 45. The Trustee represents there is \$65,971.35 in non-exempt equity in the debtor's assets.

Failure to maintain plan payments constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss or convert this case pursuant to 11 U.S.C. § 1307(c) (1).

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, David P. Cusick, 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 ~~xxxxxxx~~

6. [23-20730](#)-C-13 JEREMY BAILEY
[DPC-2](#) Chad M. Johnson

MOTION TO DISMISS CASE
2-20-26 [[93](#)]

No Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 96.

The Motion to Dismiss is XXXXXXXXXX

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is \$10,685.00 delinquent in plan payments, which is supported by declaration. Dkt. 95.

Debtor filed an opposition (Dkt. 104) on March 9, 2026, asserting the delinquency is due to a lump sum settlement payment that was sent directly to a creditor rather than the Trustee, thus creating the delinquency. Debtor represents a motion for creditor to remit the payment to the trustee is currently set for April 7, 2026 that should resolve the delinquency if approved.

At the hearing XXXXXXXXXX

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, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion to Dismiss is XXXXXXXXXX

7. [25-26430](#)-C-13 BROOKLYN GARCIA
Pro Se

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
2-18-26 [[74](#)]

DEBTOR DISMISSED: 2/18/26

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The above captioned case was dismissed on February 18, 2026. Dkt. 75.
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.

8. [24-25731](#)-C-13 DAVID/MARY GILL
[DPC-3](#) Nicholas Wajda

MOTION TO DISMISS CASE
2-20-26 [[88](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 91.

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

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is \$23,541.00 delinquent in plan payments, which is supported by declaration. Dkt. 90.

Debtors filed an opposition (Dkt. 92) on March 10, 2026, asserting that debtors have made some payments and will be filing a modified plan to resolve the remaining delinquency.

At this time, a review of the docket does not show that a modified plan and motion to confirm modified plan has been filed.

Failure to maintain plan payments constitutes 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, David P. Cusick, 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.

9. [25-26033](#)-C-7 JAMEILA LOUISVILLE-TATUM MOTION TO DISMISS CASE
[DPC-1](#) Mikalah Liviakis 2-20-26 [[16](#)]

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) notice which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 19.

The Motion to Dismiss is denied without prejudice as moot.

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is \$1,790.00 delinquent in plan payments, which is supported by declaration. Dkt. 18.

A review of the docket shows the debtor filed a notice of conversion, and the case was converted to Chapter 7 on March 6, 2026 Dkts. 24 & 27.

Debtor may convert a Chapter 13 case to a Chapter 7 case at any time. 11 U.S.C. § 1307(a). The right is nearly absolute, and the conversion is automatic and immediate. Fed. R. Bankr. P. 1017(f)(3); In re Bullock, 41 B.R. 637, 638 (Bankr. E.D. Penn. 1984); In re McFadden, 37 B.R. 520, 521 (Bankr. M.D. Penn. 1984). Debtor's case was converted to a proceeding under Chapter 7 by operation of law once the Notice of Conversion was filed on March 6, 2026. McFadden, 37 B.R. at 521.

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, David P. Cusick, 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 denied without prejudice as moot.

10. [25-26033](#)-C-7 JAMEILA LOUISVILLE-TATUM MOTION TO DISMISS CASE
[DPC-1](#) Mikalah Liviakis 2-20-26 [[20](#)]

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) notice which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 23.

The Motion to Dismiss is denied without prejudice as moot.

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is \$1,790.00 delinquent in plan payments, which is supported by declaration. Dkt. 22.

A review of the docket shows the debtor filed a notice of conversion, and the case was converted to Chapter 7 on March 6, 2026 Dkts. 24 & 27.

Debtor may convert a Chapter 13 case to a Chapter 7 case at any time. 11 U.S.C. § 1307(a). The right is nearly absolute, and the conversion is automatic and immediate. Fed. R. Bankr. P. 1017(f)(3); In re Bullock, 41 B.R. 637, 638 (Bankr. E.D. Penn. 1984); In re McFadden, 37 B.R. 520, 521 (Bankr. M.D. Penn. 1984). Debtor's case was converted to a proceeding under Chapter 7 by operation of law once the Notice of Conversion was filed on March 6, 2026. McFadden, 37 B.R. at 521.

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, David P. Cusick, 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 denied without prejudice as moot.

11. [25-27134](#)-C-13 NATALIE FAENZI MOTION TO DISMISS CASE
[DPC-2](#) Mary Ellen Terranella 2-20-26 [[25](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 28.

The Motion to Dismiss is ~~XXXXXXXXXX~~

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists for the following reasons:

1. Debtor has not provided all required tax returns;
2. The plan relies on a motion to value collateral that has not yet been filed; and
3. Debtor has not provided all business documents.

Debtor filed a response on March 10, 2026. Dkt. 29. Debtor asserts that the income tax returns and all business documents have now been provided to the Trustee. Also, debtor contends that she and her creditor have agreed on the value and treatment of creditor's claim, so a motion to value is no longer required.

At a prior hearing on Trustee's Objection to Confirmation on March 10, 2024, the debtor represented that she has provided all documents and the Trustee acknowledged receiving all of the documents. Additionally, the creditor was also present at the hearing and represented it and the debtor had an agreement as to the value of its collateral.

At the hearing ~~XXXXXXXXXX~~

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, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

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

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 59.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

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

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is \$8,700.00 delinquent in plan payments, which is supported by declaration. Dkt. 58.

Failure to maintain plan payments constitutes 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, David P. Cusick, 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.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 14 days' notice was provided. Dkt. 64.

The Motion to Dismiss is granted, and the case 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 plan since the court denied confirmation of the Chapter 13 plan on January 27, 2026.

A review of the docket confirms the proposed Chapter 13 plan was denied confirmation, and no plan is set for confirmation hearing. Dkts. 59 & 60.

The Motion also argues debtor is \$19,660.00 delinquent in plan payments, which is supported by declaration. Dkt. 63. Trustee represents there is \$730,257.60 in non-exempt equity in debtor's assets. Id.

Debtor filed opposition (Dkt. 65) on March 17, 2026, asserting debtor intends on filing an amended plan and getting caught up on plan payments.

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

Debtor filed an opposition (Dkt. 65) on March 17, 2026, asserting that debtor will be filing an amended plan and requests further opportunity to become current in plan payments.

Based on the foregoing, cause exists to dismiss or convert this case pursuant to 11 U.S.C. § 1307(c)(1).

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, David P. Cusick, 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 ~~XXXXXXXXXX~~

14. [25-21942](#)-C-13 ITELIDIA DAVIS MOTION TO DISMISS CASE
[DPC-2](#) Candace Brooks 2-20-26 [[42](#)]

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 45.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

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

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is \$4,234.87 delinquent in plan payments, which is supported by declaration. Dkt. 44.

Debtor filed a non-opposition (Dkt. 46) on March, 2026, representing that debtor does not oppose the motion.

Failure to maintain plan payments constitutes 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, David P. Cusick, 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.

March 24, 2026 at 11:30 a.m.

15. [24-24643](#)-C-13 MARIA OTERO
[DPC-2](#) Matthew J. Gilbert

MOTION TO DISMISS CASE
2-20-26 [[27](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 30.

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

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is \$4,299.64 delinquent in plan payments, which is supported by declaration. Dkt. 29.

Debtor filed a declaration in opposition (Dkt. 31) on March 6, 2026, asserting she will be current on or before the hearing.

Failure to maintain plan payments constitutes 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, David P. Cusick, 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.

16. [24-25653](#)-C-13 MICHAEL PARRA
[DPC-5](#) Peter G. Macaluso

MOTION TO DISMISS CASE
2-23-26 [[97](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f) (1) notice which requires 28 days' notice. The Proof of Service shows that 29 days' notice was provided. Dkt. 100.

The Motion to Dismiss is denied without prejudice.

The Chapter 13 trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor has not filed an amended plan since the court denied confirmation of plan on December 19, 2025.

A review of the docket confirms the plan was denied confirmation. Dkt. 96.

A review of the docket shows the debtor filed an amended plan and corresponding Motion To Confirm on March 10, 2026. Dkts. 101 & 103.

Because it appears debtor is actively prosecuting the case, the Motion is denied without prejudice.

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, David P. Cusick, 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 denied without prejudice.

17. [25-27054](#)-C-13 GINGER BROWN
[DPC-1](#) Peter G. Macaluso

CONTINUED MOTION TO DISMISS
CASE
1-27-26 [[34](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 37.

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

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is \$8,000.00 delinquent in plan payments, which is supported by declaration. Dkt. 36.

The motion also argues debtor has failed to properly file, set and serve an amended plan.

Debtor filed an opposition (Dkt. 55) on February 10, 2026, asserting that debtor will file an amended plan before the hearing.

Creditor First Bank filed a limited opposition on February 10, 2026, and March 17, 2026, asserting that dismissal of the case is premature because it has filed a motion for relief from automatic stay that was granted but because the 14-day stay was not waived it cannot record its Trustee's Deed Upon Sale until March 27 and dismissal at this point would prejudice it because debtor could immediately file a new case.

Failure to maintain plan payments constitutes 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, David P. Cusick, 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.

18. [24-24263](#)-C-13 EMANUEL/LENIECE JOHNSON MOTION TO DISMISS CASE
[DPC-2](#) Gary Fraley 2-2-26 [[40](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 50 days' notice was provided. Dkt. 43.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

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

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is \$8,416.23 delinquent in plan payments, which is supported by declaration. Dkt. 42.

Additionally, the Trustee argues cause to dismiss exists because debtor has not provided all requested tax returns. *Id.*

Failure to maintain plan payments constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

The debtor has not provided all necessary tax returns. 11 U.S.C. § 521(e)(2)(A)(i); FED. R. BANKR. P. 4002(b)(3). That constitutes evidence of unreasonable delay that is prejudicial to creditors, which is cause for dismissal of the case. 11 U.S.C. § 1307(c)(1).

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, David P. Cusick, 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.

19. [25-26463](#)-C-13 JENNIFER KELLER
[DPC-1](#) Peter G. Macaluso

MOTION TO DISMISS CASE
2-24-26 [[16](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f) (1) notice which requires 28 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 19.

The Motion to Dismiss is denied without prejudice.

The Chapter 13 trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor has not filed a motion to confirm plan since the filing of the petition on December 1, 2025.

A review of the docket shows the debtor filed an amended plan and corresponding Motion To Confirm on March 10, 2026. Dkts. 20 & 23.

Because it appears debtor is actively prosecuting the case, the Motion is denied without prejudice.

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, David P. Cusick, 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 denied without prejudice.

20. [25-26281](#)-C-13 ERIC/TRACEY WILSON
[DPC-2](#) Kristy A. Hernandez

MOTION TO DISMISS CASE
2-23-26 [[31](#)]

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) notice which requires 14 days' notice. The Proof of Service shows that 29 days' notice was provided. Dkt. 34.

The Motion to Dismiss is denied without prejudice as moot.

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor has not filed an amended plan since confirmation was denied on January 13, 2026, and the debtor is delinquent in plan payments.

A review of the docket confirms the plan was denied confirmation, and no plan is set for confirmation hearing. Dkt. 28.

A review of the docket shows the debtor filed a notice of conversion, and the case was converted to Chapter 7 on March 18, 2026 Dkts. 35 & 39.

Debtor may convert a Chapter 13 case to a Chapter 7 case at any time. 11 U.S.C. § 1307(a). The right is nearly absolute, and the conversion is automatic and immediate. Fed. R. Bankr. P. 1017(f)(3); In re Bullock, 41 B.R. 637, 638 (Bankr. E.D. Penn. 1984); In re McFadden, 37 B.R. 520, 521 (Bankr. M.D. Penn. 1984). Debtor's case was converted to a proceeding under Chapter 7 by operation of law once the Notice of Conversion was filed on March 17, 2026. McFadden, 37 B.R. at 521.

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, David P. Cusick, 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 denied without prejudice as moot.

21. [26-20382](#)-C-13 ADOLFO JIMENEZ-TORRES
Pro Se

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
2-10-26 [[12](#)]

DEBTOR DISMISSED: 02/18/26

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The above captioned case was dismissed on February 18, 2026. Dkt. 16.
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
discharged as moot.

22. [25-23683](#)-C-13 KATHLEEN DAVIS
[DPC-2](#) Peter G. Macaluso

MOTION TO DISMISS CASE
2-23-26 [[68](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) notice which requires 28 days' notice. The Proof of Service shows that 29 days' notice was provided. Dkt. 71.

The Motion to Dismiss is denied without prejudice.

The Chapter 13 trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor has not filed an amended plan since the court denied confirmation on January 13, 2026.

A review of the docket confirms the proposed Chapter 13 plan was denied confirmation. Dkts. 65 & 66.

A review of the docket shows the debtor filed an amended plan and corresponding Motion to Confirm on February 24, 2026. Dkts. 72 & 76.

Because it appears debtor is actively prosecuting the case, the Motion is denied without prejudice.

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, David P. Cusick, 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 denied without prejudice.

23. [26-20786](#)-C-13 MARISSA WALTMANS
Lewis Phon

ORDER TO SHOW CAUSE FOR FAILURE
TO UPDATE CONTACT INFORMATION
IN PACER
2-25-26 [[12](#)]

Tentative Ruling:

The court issued this Order to Show Cause because the email address for debtor's counsel is not listed in PACER. Dkt. 12.

A review of the docket shows the discrepancy has not been corrected.

Therefore, the Order to Show Cause is sustained. Debtor's counsel shall list the same email address in PACER that is on the petition.

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

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

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

IT IS ORDERED that the Order to Show Cause is sustained. Debtor's counsel shall list the same email address in PACER that is on the petition.

24. [23-20693](#)-C-13 RODERICK/LOTTIE STEARNE MOTION TO DISMISS CASE
[DPC-1](#) Mary Ellen Terranella 2-20-26 [[27](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) notice which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 71.

The Motion to Dismiss is denied without prejudice.

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is \$8,630.00 delinquent in plan payments.

Debtor filed an opposition (Dkt. 40) on March 9, 2026, asserting that debtor has filed a modified plan to address the Trustee's concerns.

A review of the docket shows the debtor filed an amended plan and corresponding Motion To Confirm March 9, 2026. Dkts. 34 & 37.

Because it appears debtor is actively prosecuting the case, the Motion is denied without prejudice.

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, David P. Cusick, 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 denied without prejudice.