

**UNITED STATES BANKRUPTCY COURT  
Eastern District of California**

Honorable Christopher D. Jaime  
1200 I Street, Suite 200  
Modesto, California

**PRE-HEARING DISPOSITIONS COVER SHEET**

**DAY: TUESDAY**

**DATE: March 25, 2025**

**CALENDAR: 1:00 P.M. CHAPTER 13**

Each matter on this calendar will have one of three possible designations: No Ruling, Tentative Ruling, or Final Ruling. These instructions apply to those designations.

**No Ruling:** All parties will need to appear at the hearing unless otherwise ordered.

**Tentative Ruling:** If a matter has been designated as a tentative ruling it will be called. The court may continue the hearing on the matter, set a briefing schedule, or enter other orders appropriate for efficient and proper resolution of the matter. The original moving or objecting party shall give notice of the continued hearing date and the deadlines. The minutes of the hearing will be the court's findings and conclusions.

**Final Ruling:** Unless otherwise ordered, there will be no hearing on these matters and no appearance is necessary. The final disposition of the matter is set forth in the ruling and it will appear in the minutes. The final ruling may or may not finally adjudicate the matter. If it is finally adjudicated, the minutes constitute the court's findings and conclusions.

**Orders:** Unless the court specifies in the tentative or final ruling that it will issue an order, the prevailing party shall lodge an order within seven (7) days of the final hearing on the matter.

## Eastern District of California

Honorable Christopher D. Jaime  
Bankruptcy Judge  
**Modesto, California**

**March 25, 2025 at 1:00 p.m.**

1. [25-90010](#)-B-13 JAVIER RANGEL ORDER TO SHOW CAUSE - FAILURE  
Pro Se TO PAY FEES  
2-14-25 [[26](#)]  
DEBTOR DISMISSED: 02/24/25

## Final Ruling

The case having been dismissed on February 25, 2025, the order to show cause is discharged as moot.

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

The court will issue an order.

**March 25, 2025 at 1:00 p.m.**  
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2.     [24-90756](#)-B-13     DONALD CANNELL     MOTION TO DISMISS CASE  
          [LGT](#)-1             Jennifer B. Reichhoff     2-10-25 [[23](#)]

**Final Ruling**

The Chapter 13 Trustee has filed a motion to withdraw its pending motion. The motion is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar and the case will proceed in this court.

The motion is ORDERED DISMISSED WITHOUT PREJUDICE for reasons stated in the minutes.

The court will issue an order.

3. [24-90761](#)-B-13 CARINA MARSHALL MOTION TO DISMISS CASE  
[LGT](#)-1 Flor De Maria A. Tataje 2-20-25 [[22](#)]

### **Final Ruling**

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to grant the motion to dismiss case.

First, Debtor failed to set a plan for hearing with notice to creditors. This is an unreasonable delay that is prejudicial to creditors. 11 U.S.C. § 1307(c)(1).

Second, Debtor failed to provide all pages of the most recent federal tax return to the Chapter 13 Trustee. 11 U.S.C. § 521(e).

Third, Debtor failed to accurately file Schedules I and J, Official Form 122C-1, and the Disclosure of Attorney Compensation.

Fourth, Debtor has failed to make payments due under the plan. As of February 20, 2025, payments are delinquent in the amount of \$5,005.00. In addition to the delinquency amount, Debtor must also make the monthly plan payment of \$5,005.00 for February 25, 2025. 11 U.S.C. § 1307(c)(4).

Fifth, Debtor failed to file tax returns for the year 2023. 11 U.S.C. § 1307(e). Upon the failure of a debtor to file a tax return under section 1308, on request of a party in interest or the United States trustee, and after notice and a hearing, the court shall dismiss or convert a case, whichever is in the best interest of creditors and the estate. 11 U.S.C. §1308(a). Here, the Chapter 13 Trustee has requested dismissal of the case and based on there being no equity to be realized for the benefit of the estate, the court finds dismissal is in the best interest of creditors.

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

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

The court will issue an order.