



UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher D. Jaime
Chief Bankruptcy Judge
Department B, Courtroom 32
501 I Street, 6th Floor
Sacramento, California

April 7, 2026 at 1:00 p.m.

Unless otherwise ordered, all matters before the Honorable Chief **Christopher Jaime** shall be simultaneously: (1) **In Person** at, **Sacramento Courtroom No. 32, 6th Floor** (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/RemoteAppearances>. 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.

PRE-HEARING DISPOSITIONS INSTRUCTIONS:

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.

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher D. Jaime
Chief Bankruptcy Judge
Sacramento, California

April 7, 2026 at 1:00 p.m.

1.	25-26802 -B-13 CHERYL WILLIAMS NAR-1 Natali A. Ron	MOTION TO AVOID LIEN OF BAG FUND LLC 2-27-26 [16]
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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). Opposition was filed. The court has determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f). This matter will therefore be decided on the papers.

The court's decision is to deny the motion.

Debtor Cheryl Lavon Williams ("Debtor") moves under 11 U.S.C. § 522(f)(1) to avoid a judicial lien that encumbers real property located at 2029 Monte Carlo Court, Modesto, California (the "Property"). Secured creditor Bag Fund, LLC ("Secured Creditor"), filed an opposition. Debtor filed a reply. The motion is fully briefed and the evidentiary record is closed. See Local Bankr. R. 9014-1(f)(1)(C).

The court has reviewed the motion, opposition, reply, and all related documents. The court has also reviewed and takes judicial notice of the docket. See Fed. R. Evid. 201(c)(1). Oral argument is not necessary and will not assist in the decision-making process. See Local Bankr. R. 1001-1(f), 9014-1(h).

The facts are not in dispute.

Debtor only owns 2% interest in the Property. The remaining 98% is owned by non-debtor Alice Williams ("Alice").

On July 21, 2006, L&J Assets, LLC ("L&J"), Secured Creditor's predecessor, obtained a judgment against Alice. L&J obtained an Abstract of Judgment on August 1, 2006, and recorded it against the Property on August 21, 2006. Importantly, Debtor had absolutely no interest in the Property at this point in time.

On September 27, 2006, over one month after L&J recorded its Abstract of Judgment-and thence over one month after L&J's lien first attached to the Property-Alice transferred, by Grant Deed, her entire interest in the Property to Debtor. Debtor thereafter obtained a mortgage loan secured by the Property and then, by another Grant Deed recorded on October 16, 2006, Debtor deeded the Property as follows: an undivided 2% interest to herself and an undivided 98% interest to Alice.

L&J assigned the Judgment to Secured Creditor on January 26, 2009. The Judgment was renewed on February 16, 2016, and an Abstract of Judgment was recorded on May 16, 2016. The Judgment was further renewed on October 22, 2024, and an Abstract of Judgment recorded on November 5, 2024.

Debtor filed a chapter 13 petition on January 7, 2026.

April 7, 2026 at 1:00 p.m.
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Debtor's motion fails on multiple levels.

First, even if there was no timely objection to Debtor's claim of exemption in the Property, "a creditor may object to a request under § 522(f) by challenging the validity of the exemption asserted to be impaired by the lien." Fed. R. Bankr. P. 4001(d)(2).

Second, the U.S. Supreme Court has held that "unless the debtor had the property interest to which the lien attached at some point *before* the lien attached to that interest, he or she cannot avoid the fixing of the lien under the terms of § 522(f)(1)." *Farrey v. Sanderfoot*, 500 U.S. 291, 296 (1991) (emphasis in original). The lien at issue here attached to the Property on August 21, 2006. Debtor had no interest in the Property on that date and, in fact, Debtor did not acquire an interest in the Property until over one month later on September 27, 2006. The subsequent renewals of the Judgment and recording of Abstracts of Judgment do not change this. They merely kept the lien attached to the Property so that it did not become unattached- or unfixd. In any event, because Debtor did not have an interest in the Property *before* the judgment lien attached to-or fixed on-the Property, relief under § 522(f)(1) is unavailable to her.

Third, even if Debtor had an interest in the Property before the judgment lien attached to the Property (which she does not), Debtor has not satisfied her burden under § 522(f). *In re Armenakis*, 406 B.R. 589, 604 (Bankr. S.D.N.Y. 2009); *see also Reynolds v. Swedelius (In re Reynolds)*, 2006 WL 6811035 at *8 (9th Cir. BAP Aug. 4, 2006). Debtor owns a fractional interest in the Property, namely; at 2% interest. The formula for determining lien avoidance under § 522(f)(1)(A) when the debtor owns a fractional interest in property is explained in *In re Squaglia*, 2006 WL 2818803, *5 (Bankr. E.D. Cal., Sept. 29, 2006), in which the court adopted the formula stated in *Wiget v. Nielsen (In re Nielsen)*, 197 B.R. 665, 670-71 (9th Cir. BAP 1996). *Nielsen* was re-affirmed in *All Points Capital v. Meyer (In re Meyer)*, 373 B.R. 84, 90-91 (9th Cir. BAP 2007). *See also In re Obedian*, 546 B.R. 409, 424-25 (Bankr. C.D. Cal. 2016). The motion does not analyze avoidance of the lien according to the fractional interest formula established by the above-referenced decisions and the court declines to perform that analysis for Debtor. But even if it did, the motion would still be denied because the Debtor did not have an interest in the Property before the subject lien attached.

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

The court will prepare an order.

2. [20-22006](#)-A-13 BROOKS PARFITT
Thomas L. Amberg

MOTION FOR PAYMENT OF UNCLAIMED
FUNDS IN THE AMOUNT OF \$
5358.77 WITH LOAN EXCHANGE,
LLC;
3-10-26 [[147](#)]

CASE CLOSED: 10/20/25

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 for payment of unclaimed funds.

Loan Exchange, LLC ("Movant") has filed the instant Motion for Payment of Unclaimed Funds and seeks to recoup the sum of \$5,358.77 from the unclaimed dividends paid into the court in the underlying Chapter 13 case. The case commenced on April 9, 2020, and a discharge was entered on October 6, 2025. On July 24, 2025, the Chapter 13 Trustee filed with the court a Notice of Unclaimed Dividend(s) by Creditor(s) indicating that the sum of \$5,358.77 was paid into the court as unclaimed funds, which should have otherwise gone to Interactive Mortgage. Dkt. 132. The motion for unclaimed funds states that Movant are owed the unpaid funds as shown in the proof of transfer of claim.

On March 10, 2026, Movant filed the instant motion, accompanied inter alia by documents that purport to be (1) a notarized Application for Payment of Unclaimed Funds; (2) photocopies of a driver's license, ID card, and business card confirming the identity of Jesse Finlayson, who is counsel for the Movant; (3) a Request for Payee Information and TIN Certification form. Dkt. 147.

The court is satisfied that Movant has demonstrated its entitlement to the unclaimed funds properly owed to Loan Exchange, LLC. Accordingly, the motion is granted.

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

The court will issue an order.

3. [25-25107](#)-B-13 WENCIE SINIGAYAN
[PGM](#)-1 Peter G. Macaluso

MOTION TO CONFIRM PLAN
3-3-26 [[33](#)]

Final Ruling

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). 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 confirm the amended plan.

11 U.S.C. § 1323 permits a debtor to amend a plan any time before confirmation. The Debtors have provided evidence in support of confirmation. No opposition to the motion has been filed by the Chapter 13 Trustee or creditors. The amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

4. [25-24809](#)-B-13 JOHN SARHADI
[PSB](#)-1 Pauldeep Bains

MOTION TO CONFIRM PLAN
2-10-26 [[39](#)]

Final Ruling

The motion has been set for hearing on the 35-days notice required by Local Bankruptcy Rules 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). 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). Opposition was filed.

The court has determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f). This matter will therefore be decided on the papers.

The court's decision is to not confirm the first amended plan.

The trustee has raised the issue that the plan does not provide for all of Debtor's projected disposable income to be applied to unsecured creditors under the plan. Trustee believes that the disposable monthly income of \$1,593.04 as reflected in 122C-2 should be paid into the plan for the benefit of the general unsecured claims.

The amended plan does not comply with 11 U.S.C. §§ 1322, 1323, and 1325(a) and **is** confirmed.

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

The court will issue an order.

5. [25-20616](#)-B-13 TEOFILO RIVERA AND KARA MOTION TO INCUR DEBT
[JCK-1](#) DOMINGUEZ RIVERA 3-6-26 [[60](#)]
Thru #6 Gregory J. Smith

Final Ruling

The motion has been set for hearing on less than 28-days notice. Local Bankruptcy Rule 9014-1(f)(2). Parties in interest were not required to file a written response or opposition.

The court has determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f). This matter will therefore be decided on the papers.

The court's decision is to conditionally grant the motion and continue the hearing to April 14, 2026 at 1:00 p.m.

The motion seeks permission to purchase a 2013 Tesla Model S, the total purchase price of which is \$11,458.91, with monthly payments of \$400.00. The finance on the Tesla is for \$11,458.91 at 23.99% with monthly payments of \$400.00. Debtors prior vehicle was totaled.

Discussion

A motion to incur debt is governed by Federal Rule of Bankruptcy Procedure 4001(c). *In re Gonzales*, No. 08-00719, 2009 WL 1939850, at *1 (Bankr. N.D. Iowa July 6, 2009). Rule 4001(c) requires that the motion list or summarize all material provisions of the proposed credit agreement, "including interest rate, maturity, events of default, liens, borrowing limits, and borrowing conditions." Fed. R. Bankr. P. 4001(c)(1)(B). Moreover, a copy of the agreement must be provided to the court. *Id.* at 4001(c)(1)(A). The court must know the details of the collateral as well as the financing agreement to adequately review post-confirmation financing agreements. *In re Clemons*, 358 B.R. 714, 716 (Bankr. W.D. Ky. 2007).

The court finds that the proposed credit, based on the unique facts and circumstances of this case, is reasonable. There being no opposition from any party in interest and the terms being reasonable, the motion is granted.

Conditional Nature of this Ruling

Because the motion has been filed, set, and served under Local Bankruptcy Rule 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on Friday, April 10, 2026, to file and serve an opposition or other response to the motion. See Local Bankr. R. 9014-1(f)(2)(C). Any opposition or response shall be served on the Chapter 13 Trustee and creditor by facsimile or email.

If no opposition or response is timely filed and served, the motion will be deemed granted for the reasons stated hereinabove, this ruling will no longer be conditional and will become the court's final decision, and the continued hearing on April 14, 2026, at 1:00 p.m. will be vacated.

If an opposition or response is timely filed and served, the court will hear the motion on April 14, 2026, at 1:00 p.m.

The motion is ORDERED CONDITIONALLY GRANTED and CONTINUED to April 14, 2026 at 1:00 p.m. for reasons stated in the minutes.

6. [25-20616](#)-B-13 TEOFILO RIVERA AND KARA MOTION TO MODIFY PLAN
[JCK](#)-2 DOMINGUEZ RIVERA 3-6-26 [[55](#)]
Gregory J. Smith

Final Ruling

The motion should have been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d) (2), 9014-1(f) (1), and Federal Rule of Bankruptcy Procedure 3015(g).

However, the movant failed to provide interested parties with sufficient time as required by local rules. 35 days of notice is necessary, but only 32 days were provided. As such, the motion will be denied without prejudice due to insufficient notice.

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

The court will issue an order.

7. [25-26217](#)-B-13 MARQUES/LEILA MORGAN
[JTN-1](#) Robert W. Fong

MOTION TO CONFIRM PLAN
2-11-26 [[34](#)]

Final Ruling

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). 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 confirm the amended plan.

11 U.S.C. § 1323 permits a debtor to amend a plan any time before confirmation. The Debtors have provided evidence in support of confirmation. No opposition to the motion has been filed by the Chapter 13 Trustee or creditors. The amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

8. [26-20419](#)-B-13 ADAM JACOBS
[AJ-4](#) Pro Se

MOTION TO RECONSIDER
3-13-26 [[59](#)]

Final Ruling

Continued to November 17, 2026, at 1:00 p.m. per order filed March 19, 2026. See Dkt. 68. No appearance is required.

The motion is ORDERED CONTINUED to November 17, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

9. [25-25420](#)-B-13 KENNETH CLARK AND TIFFANY MOTION FOR RELIEF FROM
[RAS-1](#) TURNER AUTOMATIC STAY
Gabriel E. Liberman 2-25-26 [[20](#)]
AMERIHOM MORTGAGE COMPANY,
LLC VS.

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 for relief from stay.

Amerihome Mortgage Company, LLC, ("Movant") seeks relief from the automatic stay with respect to real property commonly known as 28234 Hartley Road, Beloit, Ohio (the "Property"). Movant has provided the Declaration of Sam Leta to introduce into evidence the documents upon which it bases the claim and the obligation secured by the Property.

The Declaration states that there are four post-petition payments in default totaling \$9,087.36.

From the evidence provided to the court, and only for purposes of this motion, the total debt secured by this Property is determined to be \$248,128.75 as stated in the Declaration and Schedule D filed by the Debtor. The value of the Property is determined to be \$244,812.34 as stated in Schedules A/B and D filed by Debtor.

Discussion

The court maintains the right to grant relief from stay for cause when a debtor has not been diligent in carrying out his or her duties in the bankruptcy case, has not made required payments, or is using bankruptcy as a means to delay payment or foreclosure. *In re Harlan*, 783 F.2d 839 (B.A.P. 9th Cir. 1986); *In re Ellis*, 60 B.R. 432 (B.A.P. 9th Cir. 1985). The court determines that cause exists for terminating the automatic stay, including defaults in post-petition payments which have come due. 11 U.S.C. § 362(d)(1); *In re Ellis*, 60 B.R. 432 (B.A.P. 9th Cir. 1985).

The 14-day stay of enforcement under Rule 4001(a)(4) is waived.

No other or additional relief is granted by the court.

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

The court will issue an order.

10. [26-20020](#)-B-13 MICHAEL KIFLIT CONTINUED OBJECTION TO
[FW-1](#) Pro Se CONFIRMATION OF PLAN BY FREEDOM
Thru #13 MORTGAGE CORPORATION
2-18-26 [[35](#)]

CONTINUED TO 5/05/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS SET FOR 4/23/26.

The court will issue an order.

The objection is ORDERED CONTINUED to May 5, 2026 at 1:00 p.m. for reasons stated in the minutes.

11. [26-20020](#)-B-13 MICHAEL KIFLIT CONTINUED OBJECTION TO
[LGT-1](#) Pro Se CONFIRMATION OF PLAN BY LILIAN
G. TSANG
2-17-26 [[32](#)]

CONTINUED TO 5/05/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS SET FOR 4/23/26.

The court will issue an order.

The objection is ORDERED CONTINUED to May 5, 2026 at 1:00 p.m. for reasons stated in the minutes.

12. [26-20020](#)-B-13 MICHAEL KIFLIT CONTINUED OBJECTION TO
[PHL-1](#) Pro Se CONFIRMATION OF PLAN BY BANK OF
STOCKTON
2-18-26 [[38](#)]

CONTINUED TO 5/05/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS SET FOR 4/23/26.

The court will issue an order.

The objection is ORDERED CONTINUED to May 5, 2026 at 1:00 p.m. for reasons stated in the minutes.

13. [26-20020](#)-B-13 MICHAEL KIFLIT OBJECTION TO CONFIRMATION OF
[RAS-1](#) Pro Se PLAN BY PHH MORTGAGE
CORPORATION
3-11-26 [[54](#)]

CONTINUED TO 5/05/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS SET FOR 4/23/26.

The court will issue an order.

The objection is ORDERED CONTINUED to May 5, 2026 at 1:00 p.m. for reasons stated in the minutes.

14. [21-24322](#)-B-13 SALLY BISHOP
[MS-1](#) Mark Shmorgon

MOTION TO SUBSTITUTE PARTY, AS
TO DEBTOR
3-6-26 [[34](#)]

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 substitute Debtor's daughter Tiffany Bishop to continue administration of the case.

Tiffany Bishop moves to act as the representative of the deceased debtor, Sally Bishop, who passed away on August 10, 2025, in this bankruptcy proceeding. Tiffany Bishop is the daughter of the deceased debtor.

Discussion

Local Bankruptcy Rule 1016-1(b) allows the moving party to file a single motion, pursuant to Federal Rule of Civil Procedure 18(a) and Federal Rules of Bankruptcy Procedure 7018 and 9014(c), asking for the following relief:

- 1) Substitution as the representative for or successor to the deceased or legally incompetent debtor in the bankruptcy case [FED. R. CIV. P. 25(a), (b); FED. R. BANKR. P. 1004.1 & 7025];
- 2) Continued administration of a case under chapter 11, 12, or 13 [FED. R. BANKR. P. 1016];
- 3) Waiver of post-petition education requirement for entry of discharge [11 U.S.C. §§ 727(a)(11), 1328(g)]; and
- 4) Waiver of the certification requirements for entry of discharge in a Chapter 13 case, to the extent that the representative for or successor to the deceased or incompetent debtor can demonstrate an inability to provide such certifications [11 U.S.C. § 1328].

In sum, the deceased debtor's representative or successor must file a motion to substitute in as a party to the bankruptcy case. The representative or successor may also request a waiver of the post-petition education, and a waiver of the certification requirement for entry of discharge "to the extent that the representative for or successor to the deceased or incompetent debtor can demonstrate an inability to provide such certifications." LBR 1016-1(b)(4). However, the debtor had completed her financial management course and had filed the certificate with the court on January 13, 2022, prior to her passing.

Based on the evidence submitted, the court will grant the relief requested, specifically to substitute Sally Bishop for Tiffany Bishop as successor-in-interest. The continued administration of this case is in the best interests of all parties and no opposition being filed by the Chapter 13 Trustee or any other parties in interest.

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

The court will issue an order.

15. [25-25422](#)-B-13 TOMMY GARCIA
[PGM](#)-2 Peter G. Macaluso

MOTION TO CONFIRM PLAN
2-27-26 [[50](#)]

Final Ruling

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). 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 confirm the amended plan.

11 U.S.C. § 1323 permits a debtor to amend a plan any time before confirmation. The Debtors have provided evidence in support of confirmation. No opposition to the motion has been filed by the Chapter 13 Trustee or creditors. The amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

16. [25-27127](#)-B-13 STEVEN/LANISHA STOKES
[WLG-1](#) Nicholas Wajda

MOTION TO CONFIRM PLAN
2-20-26 [[35](#)]

Final Ruling

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). 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 confirm the amended plan.

11 U.S.C. § 1323 permits a debtor to amend a plan any time before confirmation. The Debtors have provided evidence in support of confirmation. No opposition to the motion has been filed by the Chapter 13 Trustee or creditors. The amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

17. [26-20132](#)-B-13 JENNY/BRIAN WATSON CONTINUED OBJECTION TO
[JCW](#)-1 Michael O'Dowd Hays CONFIRMATION OF PLAN BY BANK OF
AMERICA, N.A.
3-4-26 [[27](#)]

CONTINUED TO 5/19/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS SET FOR 5/07/26.

The court will issue an order.

The objection is ORDERED CONTINUED to May 19, 2026 at 1:00 p.m. for reasons stated in the minutes.

18. [26-20132](#)-B-13 JENNY/BRIAN WATSON CONTINUED OBJECTION TO
[LGT](#)-1 Michael O'Dowd Hays CONFIRMATION OF PLAN BY LILIAN
G. TSANG
2-27-26 [[24](#)]

CONTINUED TO 5/19/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS SET FOR 5/07/26.

The court will issue an order.

The objection is ORDERED CONTINUED to May 19, 2026 at 1:00 p.m. for reasons stated in the minutes.

19. [25-26735](#)-B-13 DIANA AVILA-TALASO'O AND MOTION TO CONFIRM PLAN
[FAT](#)-2 DANNY TALASO'O 2-20-26 [[26](#)]
Flor De Maria A. Tataje

Final Ruling

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). 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). The trustee's opposition has been withdrawn. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to confirm the amended plan.

11 U.S.C. § 1323 permits a debtor to amend a plan any time before confirmation. The Debtors have provided evidence in support of confirmation. The Chapter 13 trustee has withdrawn their opposition and agrees the plan can be confirmed. The amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

20. [24-24736](#)-B-13 JOSEPH/RACHELLE FILSTRUP MOTION TO AMEND
[25-2013](#) CRG-1 2-17-26 [[28](#)]
FILSTRUP V. SALLIE MAE BANK

The hearing on April 7, 2026, is continued to May 12, 2026, at 1:00 p.m. No appearance on April 7, 2026, is necessary.

The court will issue an order.

The motion is ORDERED CONTINUED to May 12, 2026 at 1:00 p.m. for reasons stated in the minutes.

21. [25-26955](#)-B-13 SARVJEET SINGH OBJECTION TO CONFIRMATION OF
Thru #22 David C. Johnston PLAN BY GUARANTEED RATE, INC.
2-3-26 [[29](#)]

Final Ruling

The case having previously been dismissed, the motion is dismissed as moot.

The motion is ORDERED DISMISSED AS MOOT for reasons stated in the minutes.

The court will issue an order.

22. [25-26955](#)-B-13 SARVJEET SINGH OBJECTION TO CONFIRMATION OF
DS-1 David C. Johnston PLAN BY TH MSR HOLDINGS LLC
3-4-26 [[40](#)]

Final Ruling

The case having previously been dismissed, the motion is dismissed as moot.

The objection is ORDERED DISMISSED AS MOOT for reasons stated in the minutes.

The court will issue an order.

23. [25-25960](#)-B-13 MAY LOR
[WLG](#)-3 Nicholas Wajda

MOTION TO VALUE COLLATERAL OF
ONEMAIN FINANCIAL GROUP, LLC
3-3-26 [[49](#)]

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 deny without prejudice.

Debtor moves to value the secured claim of OneMain Financial Group, LLC, ("Creditor"). Debtor is the owner of a 2017 Honda Accord Touring ("Vehicle"). Debtor seeks to value the Vehicle at a replacement value of \$17,875.00 as of the petition filing date. As the owner, Debtor's opinion of value is evidence of the asset's value. See Fed. R. Evid. 701; see also *Enewally v. Wash. Mut. Bank (In re Enewally)*, 368 F.3d 1165, 1173 (9th Cir. 2004).

Discussion

The Debtor provides no evidence as to the date the purchase-money loan was incurred. The court cannot determine whether the Vehicle was incurred more than 910 days prior to filing of the petition. The purchase money debt on a motor vehicle acquired for a debtor's personal use cannot be lien stripped if the debt was incurred within 910 days before the bankruptcy filing. 11 U.S.C. § 1325(a)(9). Where the § 1325 lien stripping prohibition applies, the entire amount of the debt on the motor vehicle must be paid under a plan and not just the collateral's replacement value. Further, the debtor does not provide clear information regarding whether the loan is a purchase-money loan or not. Accordingly, the Debtor's motion is denied without prejudice.

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

The court will issue an order.

24. [25-90161](#)-B-13 LANCE ROBERTS
[SD-1](#) Gabriel E. Liberman

MOTION FOR RELIEF FROM
AUTOMATIC STAY AND/OR MOTION
FOR ADEQUATE PROTECTION
3-2-26 [[56](#)]

U.S. BANK TRUST NATIONAL
ASSOCIATION VS.

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 for relief from stay.

U.S. Bank Trust National Association, ("Movant") seeks relief from the automatic stay with respect to real property commonly known as 4748 Dunn Road, Modesto, California (the "Property"). Movant has provided the Declaration of Alisha Foxx to introduce into evidence the documents upon which it bases the claim and the obligation secured by the Property.

The Declaration states that there are two post-petition payments in default totaling \$14,333.80.

From the evidence provided to the court, and only for purposes of this motion, the total debt secured by this Property is determined to be \$1,010,755.23 as stated in Schedule D filed by the Debtor. The value of the Property is determined to be \$1,326,640.00 as stated in Schedules A/B and D filed by Debtor.

Discussion

The court maintains the right to grant relief from stay for cause when a debtor has not been diligent in carrying out his or her duties in the bankruptcy case, has not made required payments, or is using bankruptcy as a means to delay payment or foreclosure. *In re Harlan*, 783 F.2d 839 (B.A.P. 9th Cir. 1986); *In re Ellis*, 60 B.R. 432 (B.A.P. 9th Cir. 1985). The court determines that cause exists for terminating the automatic stay, including defaults in post-petition payments which have come due. 11 U.S.C. § 362(d)(1); *In re Ellis*, 60 B.R. 432 (B.A.P. 9th Cir. 1985).

The 14-day stay of enforcement under Rule 4001(a)(4) is waived.

No other or additional relief is granted by the court.

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

The court will issue an order.

25. [25-26962](#)-B-13 ANNA MORGAN
[AAM-2](#) Andrew A. Moher

AMENDED MOTION FOR COMPENSATION
BY THE LAW OFFICE OF MOHER LAW
GROUP FOR ANDREW A. MOHER,
DEBTORS ATTORNEY(S)
3-10-26 [[49](#)]

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 for compensation.

Moher Law Group ("Applicant"), the attorney to Chapter 13 Debtor, makes an interim request for the allowance of \$6,807.50 in fees and \$0.00 in expenses. The period for which the fees are requested is for December 10, 2025, through March 7, 2026.

Section 330(a) of the Bankruptcy Code authorizes "reasonable compensation for actual, necessary services" rendered by a trustee, examiner or professional person employed under § 327 or § 1103 and "reimbursement for actual, necessary expenses." 11 U.S.C. § 330(a)(1). Reasonable compensation is determined by considering all relevant factors. See *id.* § 330(a)(3).

Here, Applicant's services in the relevant period included: (1) legal advice and rendering legal services to the Debtor, (2) general case administration, (3) attendance at two 341 meetings, (3) managing objections to confirmation, and (4) setting and succeeding at confirmation of a Chapter 13 plan. Dkt. 49. The court finds that the compensation sought is reasonable, actual, and necessary, and the court will approve the motion.

Applicant is allowed, and the Trustee is authorized to pay, the following amounts as compensation to this professional in this case:

Fees	\$6,807.50
Costs and Expenses	\$0.00

The motion is ORDERED GRANTED for fees of \$6,807.50 and costs and expenses of \$0.00.

26. [24-20265](#)-B-12 HARDAVE/SUKHBINDER DULAI CONTINUED STATUS CONFERENCE RE:
[CAE](#)-1 Ryan C. Wood VOLUNTARY PETITION
1-23-24 [[1](#)]

STATUS CONFERENCE CONTINUED TO 6/9/2026 AT 1:00 PM AT SACRAMENTO, COURTROOM 32,
DEPARTMENT B. No appearance on April 7, 2026, at 1:00 p.m. is required.

Court will issue an order.

The status conference hearing is ORDERED CONTINUED to June 9, 2026 at 1:00 p.m. for
reasons stated in the minutes.

27. [26-20272](#)-B-13 JEFF MANUEL/ODESSA LOPEZ OBJECTION TO CONFIRMATION OF
[DPC-1](#) Kristy A. Hernandez PLAN BY DAVID P. CUSICK
3-6-26 [[15](#)]

Final Ruling

The objection to confirmation was properly filed at least 14 days prior to the hearing on the motion to confirm a plan. See Local Bankruptcy Rules 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). Nonetheless, the court determines that the resolution of this matter does not require oral argument. See Local Bankr. R. 9014-1(h).

The court's decision is to overrule the objection as moot.

Subsequent to the Chapter 13 Trustee filing its objection, Debtor filed an amended plan on March 7, 2026. The confirmation hearing for the amended plan is scheduled for May 5, 2026. The earlier plan filed January 21, 2026, is not confirmed.

The objection is ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will issue an order.

Final Ruling

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). 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 confirm the amended plan.

11 U.S.C. § 1323 permits a debtor to amend a plan any time before confirmation. The Debtors have provided evidence in support of confirmation. No opposition to the motion has been filed by the Chapter 13 Trustee or creditors. The amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

29. [24-25375](#)-B-13 MICHAEL/AMELIA LAWLESS MOTION FOR RELIEF FROM
[NLG-1](#) Seth L. Hanson AUTOMATIC STAY
3-5-26 [[23](#)]

NEWREZ LLC VS.

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 for relief from stay.

NewRez, LLC, ("Movant") seeks relief from the automatic stay with respect to real property commonly known as 3209 Forney Way, Sacramento, California (the "Property"). Movant has provided the Declaration of Justin Alexander to introduce into evidence the documents upon which it bases the claim and the obligation secured by the Property.

The Declaration states that there are three post-petition payments in default totaling \$9,297.75.

From the evidence provided to the court, and only for purposes of this motion, the total debt secured by this Property is determined to be \$628,652.82 as stated in the Declaration and Schedule D filed by the Debtor. The value of the Property is determined to be \$776,800.00 as stated in Schedules A/B filed by Debtor.

Discussion

The court maintains the right to grant relief from stay for cause when a debtor has not been diligent in carrying out his or her duties in the bankruptcy case, has not made required payments, or is using bankruptcy as a means to delay payment or foreclosure. *In re Harlan*, 783 F.2d 839 (B.A.P. 9th Cir. 1986); *In re Ellis*, 60 B.R. 432 (B.A.P. 9th Cir. 1985). The court determines that cause exists for terminating the automatic stay, including defaults in post-petition payments which have come due. 11 U.S.C. § 362(d)(1); *In re Ellis*, 60 B.R. 432 (B.A.P. 9th Cir. 1985).

The 14-day stay of enforcement under Rule 4001(a)(4) is waived.

No other or additional relief is granted by the court.

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

The court will issue an order.

30. [25-27277](#)-B-13 SCOTT SMITH
[DEF](#)-2 David Foyil

CONTINUED MOTION TO CONFIRM
PLAN
1-21-26 [[26](#)]

CONTINUED TO 5/05/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS
SET FOR 4/23/26.

The court will issue an order.

The motion is ORDERED CONTINUED to May 5, 2026 at 1:00 p.m. for reasons stated in the
minutes.

31. [25-27279](#)-B-13 SHAWN AVANT
[LGT](#)-1 Michael T. Reid

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY LILIAN
G. TSANG
2-12-26 [[13](#)]

CONTINUED TO 4/21/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS
SET FOR 4/09/26.

The court will issue an order.

The objection is ORDERED CONTINUED to April 21, 2026 at 1:00 p.m. for reasons stated in
the minutes.

32. [26-20081](#)-B-13 SHEILA EVANS
Thru #34 David Foyil

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY ROGER
ANDERSON, TRUSTEE OF THE RWA
TRUST DATED MARCH 14, 2014
3-4-26 [[24](#)]

Final Ruling

The *initial* Chapter 13 Plan filed January 21, 2026, is not confirmable and the objection is not one that may be resolved in the confirmation order.

The court's decision is to sustain the objection to confirmation and deny confirmation of the plan for reasons stated at Item #34, LGT-1.

The Creditor objects to confirmation of the plan on grounds that the plan is not feasible due to debtor lacking sufficient income to cure the arrearage. Additionally, it appears that debtor does not have an interest in the property. Ex. 8, Dkt. no. 33.

These reasons in addition to the reasons stated at Item #34, LGT-1, the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a) and is not confirmed.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.

33. [26-20081](#)-B-13 SHEILA EVANS
ALG-1 David Foyil

CONTINUED MOTION FOR RELIEF
FROM AUTOMATIC STAY AND/OR
MOTION TO CONFIRM TERMINATION
OR ABSENCE OF STAY
3-9-26 [[28](#)]

ROGER ANDERSON, TRUSTEE OF
THE RWA TRUST DATED MARCH
14, 2014 VS.

Final Ruling

The motion has been set for hearing on less than 28-days notice. Local Bankruptcy Rule 9014-1(f)(2). Parties in interest were not required to file a written response or opposition. Opposition was filed.

The court has determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f). This matter will therefore be decided on the papers.

The court's decision is to conditionally deny the motion and continue to April 14, 2026 at 1:00 p.m.

Roger Anderson, Trustee of the RWA Trust dated March 14, 2014 ("Movant"), requests relief from the automatic stay of 11 U.S.C. § 362(a) under 11 U.S.C. § 362(d)(1) and (d)(4) as it applies to real property located at 5835 Bridgecross Drive, Sacramento, California ("Property"). Movant's claim is secured by a deed of trust on the Property.

Movant asserts cause exists to terminate the automatic stay under § 362(d)(1) because: (1) Debtor is not a borrower under the loan documents, and thus has no privity of contract with Movant, (2) Debtor is not on legal title, (3) Movant's claim fully matured on May 1, 2025, (4) Debtor's plan does not-and can not-provide for Movant's claim. Movant also asserts this is a bad faith filing making relief under § 362(d)(4) appropriate.

By Debtor's admission, her only interest in the Property is a purported community property interest. More precisely, although Debtor and her former spouse, Troy S. Evans, are divorced pursuant to an August 3, 2022, family law judgment, according to Debtor, the Property remained community property pursuant to a marital settlement agreement that was incorporated into the divorce judgment. Dkt. 47 at 3:12-18.

Mr. Evans filed his own Chapter 7 case on December 10, 2025. See *In re Troy Samuel Evans*, Case No. 25-26951. To the extent the Property remained community property when Mr. Evans filed his bankruptcy petition, Debtor's community property interest in Property was included in Mr. Evans bankruptcy estate and it is not included in Debtor's bankruptcy estate. *In re Bauer*, 2005 WL 4705284, *3 (Bankr. D. Idaho, Aug. 22, 2005) ("[S]o long as a state court has not yet divided the couple's property, all community property of the spouses becomes property of the bankruptcy estate of the first spouse to file a petition."); *In re Moreno*, 622 B.R. 903, 909-10 (Bankr. C.D. Cal. 2020) (discussing *Bauer* and noting that estate of spouse who filed second did not include community property which became property of estate of first-filing spouse). Moreover, as Exhibit 7 to the motion establishes, relief from the automatic stay as to the Property in its entirety, which would necessarily include Debtor's community property interest, was granted in Mr. Evans' case on March 4, 2026.

The court cannot terminate an automatic stay-either under §§ 362(d)(1) or (d)(4)-on property that is not property of Debtor's bankruptcy estate. And the court certainly cannot terminate an automatic stay that already has been terminated as to the entirety of the Property and, thus, as to any community property interest therein held by Debtor. See *Khabushani v. Anderson (In re Khabushani)*, 2021 WL 2562113 at *2 (9th Cir. BAP June 22, 2021).

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

Conditional Nature of this Ruling

Because the motion has been filed, set, and served under Local Bankruptcy Rule 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on Friday, April 10, 2026, to file and serve an opposition or other response to the motion. See Local Bankr. R. 9014-1(f)(2)(C). Any opposition or response shall be served on the Chapter 13 Trustee and the United States trustee by facsimile or email.

If no opposition or response is timely filed and served, the motion will be deemed granted for the reasons stated hereinabove, this ruling will no longer be conditional and will become the court's final decision, and the continued hearing on April 14, 2026, at 1:00 p.m. will be vacated.

If an opposition or response is timely filed and served, the court will hear the motion on April 14, 2026, at 1:00 p.m.

The motion is ORDERED CONDITIONALLY DENIED and CONTINUED to April 14, 2026 at 1:00 p.m. for reasons stated in the minutes.

34. [26-20081](#)-B-13 SHEILA EVANS
[LGT-1](#) David Foyil

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY LILIAN
G. TSANG
2-27-26 [[21](#)]

Final Ruling

The objection was properly filed at least 14 days prior to the hearing on the motion to confirm a plan. See Local Bankr. R. 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). Parties in interest may, at least 7 days prior to the date of the hearing, serve and file with the court a written reply to any written opposition. Local Bankr. R. 9014-1(f)(1)(c). The objection was continued to allow the 341 meeting to occur. No written reply has been filed to the objection.

Because the plan is not confirmable and the objection is not one that may be resolved in the confirmation order, further briefing is not necessary. See Local Bankr. R. 9014-1(f)(2)(C). The court has also determined that oral argument will not assist in the decision-making process or resolution of the objection. See Local Bankr. R. 9014-1(h), 1001-1(f). This matter will therefore be decided on the papers. No appearance at the hearing is necessary.

The court's decision is to sustain the objection and deny confirmation of the plan.

First, the Debtor is delinquent in the amount of \$2,675.00. The Debtor does not appear to be able to make plan payments proposed and has not carried the burden of showing that the plan complies with 11 U.S.C. § 1325(a)(6).

Second, the plan does not comply with 11 U.S.C. § 1325(b)(1)(B) since the Debtor's projected disposable income is not being applied to make payments to unsecured creditors. The Debtor's Schedules I and J show that the Debtor's monthly disposable income is \$3,522.51 and the Debtor's proposed plan payments are \$2,675.00 and unsecured creditors are scheduled to receive less than full repayment.

Third, Debtor has failed to provide the trustee with proof of rental income and proof of income from in-home care for an elderly neighbor. These documents are necessary to determine feasibility.

Fourth, Debtor has listed FCI Lender Services Inc. as a Class 1 creditor. However, their loan matured in May 2025. Class 1 claims "includes all delinquent secured claim that mature after the completion of this plan." Thus, Class 1 is not the proper classification for this claim.

The plan filed January 21, 2026, does not comply with 11 U.S.C. §§ 1322 and 1325(a). The objection is sustained and the plan is not confirmed.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.

35. [25-26785](#)-B-13 BERTHA CRISP
[NAR-2](#) Natali A. Ron

CONTINUED MOTION TO CONFIRM
PLAN
1-28-26 [[28](#)]

Final Ruling

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). 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). The trustee's opposition has been withdrawn. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to confirm the amended plan.

11 U.S.C. § 1323 permits a debtor to amend a plan any time before confirmation. The Debtors have provided evidence in support of confirmation. The Chapter 13 trustee has withdrawn their opposition and agrees the plan can be confirmed. The amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

36. [24-25490](#)-B-13 BEE DAVIS
[GEL-3](#) Gabriel E. Liberman

MOTION TO VACATE DISMISSAL OF
CASE
3-20-26 [[93](#)]

DEBTOR DISMISSED: 03/18/26

Tentative Ruling

The motion has been set for hearing on less than 28-days notice. Local Bankruptcy Rule 9014-1(f)(2). Parties in interest were not required to file a written response or opposition, and may appear at the hearing to offer oral argument.

The court's decision is to grant the motion to vacate dismissal.

Debtor moves to vacate the order dismissing this Chapter 13 case. The Chapter 13 case was dismissed on March 18, 2026, for failure to make plan payments or to amend the plan. The debtor intended to covert her plan to chapter 7 due to debtor's financial conditions. Counsel was working to convert the case and mistakenly calendared the dismissal hearing for a different date.

Discussion

Federal Rule of Civil Procedure 60(b)(1), applicable by Federal Rule of Bankruptcy Procedure 9024, permits the court to relieve a party from a final judgment or order for "mistake, inadvertence, surprise, or excusable neglect[.]" Fed. R. Civ. P. 60(b)(1); Fed. R. Bankr. P. 9024. Relief for excusable neglect is governed by the *Pioneer-Briones* factors, i.e., (1) the danger of prejudice to any non-moving party if the dismissal is vacated; (2) the length of delay and the potential impact of that delay on judicial proceeding; (3) the reason for the delay, including whether the delay was within the reasonable control of the movant; and (4) whether the debtor's conduct was in good faith. *Pioneer Inv. Servs. v. Brunswick Assocs. Ltd. P'ship*, 507 U.S. 380, 395 (1993); *Briones v. Riviera Hotel & Casino*, 116 F.3d 379, 381 (9th Cir. 1997).

Danger of prejudice to creditors is minimal. Debtor moved quickly - two days after the order was entered - after this case was dismissed to set aside the dismissal order. Vacating dismissal will not delay these proceedings since the Debtor is planning to convert the case to a chapter 7. There is no indication of any bad faith by the Debtor.

Therefore, the Debtor's motion to vacate the order dismissing this Chapter 13 case will be granted, the dismissal order at dkt. 91 is vacated, and this case ordered reinstated. Further, by vacating the dismissal order which caused the automatic stay of 11 U.S.C. § 362(a) to terminate, upon entry of the order vacating the dismissal order the automatic stay of § 362(a) is revived for all purposes and as to all parties in interest. *State Bank of Southern Utah v. Gledhill (In re Gledhill)*, 76 F.3d 1070, 1079-1080 and n.8 (10th Cir. 1996); *Ramirez v. Whelen (In re Ramirez)*, 188 B.R. 413, 416 (9th Cir. BAP 1995) ("Occasionally, it might suffice to revive the stay by way of motion for reconsideration under Federal Rules of Civil Procedure 59(e) or 60(b), which are applicable in bankruptcy by virtue of Federal Rules of Bankruptcy Procedure 9021 and 9023 [sic].") (Klein, J., concurring)

The court will prepare a minute order.

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

The court will issue an order.

37. [25-21991](#)-B-13 NICOLE LEVIEN MOTION TO CONFIRM PLAN
[DEF](#)-4 David Foyil 2-4-26 [[83](#)]
Thru #38

Final Ruling

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). 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 confirm the amended plan.

11 U.S.C. § 1323 permits a debtor to amend a plan any time before confirmation. The Debtors have provided evidence in support of confirmation. No opposition to the motion has been filed by the Chapter 13 Trustee or creditors. The amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

38. [25-21991](#)-B-13 NICOLE LEVIEN CONTINUED MOTION TO DISMISS
[LGT](#)-4 David Foyil CASE
1-7-26 [[79](#)]

Final Ruling

The motion to dismiss case filed by the Chapter 13 Trustee was continued from February 24, 2026, to be heard in conjunction with the motion to confirm plan, DEF-4. Given that the motion to confirm plan is granted, the motion to dismiss case is denied as moot.

The motion is ORDERED DENIED AS MOOT for reasons stated in the minutes.

The court will issue an order.

39. [25-26492](#)-B-13 FLAVIO PEREZ MOTION TO SELL
[PGM](#)-1 Peter G. Macaluso 3-23-26 [[62](#)]

Final Ruling

The case having previously been dismissed, the motion is dismissed as moot.

The motion is ORDERED DISMISSED AS MOOT for reasons stated in the minutes.

The court will issue an order.

40. [26-20092](#)-B-13 STANLEY/JANELLE ORR CONTINUED OBJECTION TO
[JCW-1](#) Douglas B. Jacobs CONFIRMATION OF PLAN BY ALLY
Thru #41 BANK
2-20-26 [[14](#)]

Final Ruling

This objection was continued from March 24, 2026, to be heard after the continued meeting of creditors. No written reply has been filed to the objection.

Because the plan is not confirmable and the objection is not one that may be resolved in the confirmation order, further briefing is not necessary. See Local Bankr. R. 9014-1(f)(2)(C). The court has also determined that oral argument will not assist in the decision-making process or resolution of the objection. See Local Bankr. R. 9014-1(h), 1001-1(f). This matter will therefore be decided on the papers. No appearance at the hearing is necessary.

The court's decision is to sustain the Creditor's objection and deny confirmation of the plan.

First, the plan relies a cramdown to be feasible. However, creditor has stated that the vehicle subject to cramdown was purchased approximately 75 days prior to the filing of the petition. Thus, the plan must pay the full value of the creditor's claim. As stated in the trustee's objection, LGT-1, the plan is not feasible if required to pay the claim in full.

Second, the court takes judicial notice of the prime rate of interest as published in a leading newspaper. *Bonds, Rates & Credit Markets: Consumer Money Rates*, Wall St. J., August 30, 2025, http://online.wsj.com/mdc/public/page/mdc_bonds.html. The current prime rate is 7.50%. To set the appropriate rate, courts utilize the "formula approach" of *Till v. SCS Credit Corp.*, 124 S.Ct. 1951 (2004), which takes into consideration the national prime rate and adjusts it for a greater risk of default posed by a debtor. Courts have typically adjusted the interest rate by 1% to 3%. The court finds that an interest rate of 5.0% to be insufficient.

The plan filed January 8, 2026, does not comply with 11 U.S.C. §§ 1322 and 1325(a). The objection is sustained and the plan is not confirmed.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.

41. [26-20092](#)-B-13 STANLEY/JANELLE ORR CONTINUED OBJECTION TO
[LGT-1](#) Douglas B. Jacobs CONFIRMATION OF PLAN BY LILIAN
G. TSANG
2-27-26 [[20](#)]

Final Ruling

This objection was continued from March 24, 2026, to be heard after the continued meeting of creditors. No written reply has been filed to the objection.

Because the plan is not confirmable and the objection is not one that may be resolved in the confirmation order, further briefing is not necessary. See Local Bankr. R. 9014-1(f)(2)(C). The court has also determined that oral argument will not assist in the decision-making process or resolution of the objection. See Local Bankr. R. 9014-1(h), 1001-1(f). This matter will therefore be decided on the papers. No appearance at the hearing is necessary.

The court's decision is to sustain the Chapter 13 trustee's objection and deny confirmation of the plan.

First, the plan will take approximately 62.05 to 77.95 months to complete, which exceeds the maximum length of 60 months pursuant to 11 U.S.C. § 1322(d) and which results in a commitment period that exceeds the permissible limit imposed by 11 U.S.C. § 1325(b) (4).

Second, the Debtors are delinquent in the amount of \$1,022.64. The Debtors do not appear to be able to make plan payments proposed and have not carried the burden of showing that the plan complies with 11 U.S.C. § 1325(a) (6).

Third, Debtors have used \$704.730 to claim exempt \$670,000.00 in their residence. That amount exceeds the limit for median home sales in 2025 in Plumas County of \$450,000.00. Until Debtors file an amended Schedule C, Trustee is not able to determine if Debtors' plan passes the liquidation test of 11 U.S.C. § 1325(a) (4).

Fourth, the Debtors Rights and Responsibilities of Chapter 13 form is outdated and needs to be amended using the correct version. Additionally, the Disclosure of Compensation of Attorney for Debtor(s) form filed January 8, 2026, is incorrect. The form does not match the standardized form provided by the Eastern District of California.

The plan filed January 8, 2026, does not comply with 11 U.S.C. §§ 1322 and 1325(a). The objection is sustained and the plan is not confirmed.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.

Tentative Ruling

The motion has been set for hearing on less than 28-days notice. Local Bankruptcy Rule 9014-1(f)(2). Parties in interest were not required to file a written response or opposition, and may appear at the hearing to offer oral argument.

The court's decision is to grant the motion for hardship discharge.

Debtors filed the instant Chapter 13 petition in March 2023 because they did not qualify for Chapter 7. Debtors' Amended Plan was filed in April 2024 and confirmed in June 2023. Debtors were current under their plan through February 2026. Debtor Cody Ulberg took an early disability retirement due to significant disabilities developed as a result of his military service. Debtor Tara Ulberg left her position at Redding Family Medical to become a full time caretaker for her in-laws who were in hospice care at the Ulberg's home. Sadly, both debtor's father and mother passed away on December 13, 2025, and December 21, 2025, respectively. Tara Ulberg contacted her prior place of employment, Redding Family Medical, to see if she could return to her former position. They are currently not rehiring employees. Currently the Debtors' household income consists solely of Cody Ulberg's Veterans Affairs disability benefits, Social Security Disability income, and his disability retirement from the Postal Service. Debtors state that with Tara being unemployed, paying \$979 per month to the Chapter 13 trustee with their current income would be difficult.

Discussion

After confirmation of a plan, circumstances may arise that prevent a debtor from completing a plan of reorganization. In such situations, the debtor may ask the court to grant a "hardship discharge." 11 U.S.C. § 1328(b). Generally, such a discharge is available only if: (b)(1) the debtor's failure to complete plan payments is due to circumstances beyond the debtor's control and through no fault of the debtor; (b)(2) creditors have received at least as much as they would have received in a chapter 7 liquidation case; and (b)(3) modification of the plan is not possible under 11 U.S.C. § 1329. 11 U.S.C. § 1328(b)(1)-(3).

Here, the Debtor has satisfied 11 U.S.C. § 1328(b)(1)-(3). Debtors have lost income for reasons outside of their control. Debtor Cody Ulberg's disabilities have worsened and progressed as a result of his service in the United States Army. Debtor Tara Ulberg lost her employment when she took leave to care for her in-laws who have since passed. Her previous position is no longer available and she is currently unemployed in the meantime. Debtors are living off of disability income and disability retirement from the U.S. Postal Service. Their expenses will continue to increase as their minor son is soon turning 16, causing an increase in auto insurance and other necessary costs. Debtors have experienced significant hardship that has resulted in a loss of income and it is not practicable to modify the plan. Debtors have been current under their plan and are no longer able to maintain their payments.

The court grants the motion and the clerk of the court shall issue a discharge pursuant to 11 U.S.C. § 1328(b).

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

The court will issue an order.

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 for compensation.

Wilke Fluery LLP ("Applicant"), the attorney to Chapter 12 Debtors, makes a fourth interim request for the allowance of \$7,459.50 in fees and \$365.36 in expenses. The period for which the fees are requested is for March 1, 2025, through February 15, 2026.

Section 330(a) of the Bankruptcy Code authorizes "reasonable compensation for actual, necessary services" rendered by a trustee, examiner or professional person employed under § 327 or § 1103 and "reimbursement for actual, necessary expenses." 11 U.S.C. § 330(a)(1). Reasonable compensation is determined by considering all relevant factors. See *id.* § 330(a)(3).

Here, Applicant's services in the relevant period included: (1) legal advice and rendering legal services to the Debtors, (2) general case administration, (3) legal advice regarding refinancing options, and (4) advice regarding the impact of litigation brought by Artois Feed. Dkt. 306. The court finds that the compensation sought is reasonable, actual, and necessary, and the court will approve the motion.

Applicant is allowed, and the Trustee is authorized to pay, the following amounts as compensation to this professional in this case:

Fees	\$7,459.50
Costs and Expenses	\$365.36

The motion is ORDERED GRANTED for fees of \$7,459.50 and costs and expenses of \$365.36.

44. [25-25615](#)-B-13 JACOB BAIRD AND JAMIE CONTINUED MOTION TO DISMISS
[DPC-2](#) SCHULLY BAIRD CASE
Mikalalah Liviakis 3-4-26 [[24](#)]

Final Ruling

This matter was continued from March 31, 2026, to allow any party in interest to file a response by 5:00 p.m. Friday, April 3, 2026. Nothing was filed. Therefore, the court's conditional ruling at dkt. 34, granting the motion, shall become the court's final decision. The continued hearing on April 7, 2026, at 1:00 p.m. is vacated.

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

The court will issue an order.