



UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher M. Klein
Bankruptcy Judge
Sacramento, California

April 7, 2026 at 11:00 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.

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UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher M. Klein
Bankruptcy Judge
Sacramento, California

April 7, 2026 at 11:00 a.m.

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1. [26-20807](#)-C-13 AMOR BASA-HUDGENS MOTION FOR RELIEF FROM
[RAS](#)-1 Pro Se AUTOMATIC STAY
3-4-26 [[15](#)]
SELECT PORTFOLIO SERVICING,
INC. VS.

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 34 days' notice was provided. Dkt. 20.

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 for Relief from the Automatic Stay is granted.

Angel Oak Real Estate Investment TRS-REO, LLC ("Movant") filed this Motion seeking relief from the automatic stay as to the debtor's property commonly known as 101 David Lamoree Way, Rio Vista, CA (the "Property").

Movant argues cause for relief from stay exists pursuant to 11 U.S.C. § 362(d)(1) because the debtor is delinquent 31 prepetition payments. Declaration, Dkt. 17. Movant also argues cause exists pursuant to 11 U.S.C. § 362(d)(2) because the total debt secured by the Property, \$495,222.39, exceeds the value of the Property, which is \$487,000.00. *Id.*

Movant also argues cause exists pursuant to 11 U.S.C. § 362(d)(4) because the filing of the petition was part of a scheme to delay, hinder, or defraud creditors that involved multiple bankruptcy filings affecting the Property. Movant represents this is the fifth case that involves the Property in the past 19 months.

TRUSTEE'S RESPONSE

The Chapter 13 Trustee filed non-opposition on March 24, 2026. Dkt.

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DISCUSSION

Upon review of the record, the court finds cause for relief from stay exists pursuant to 11 U.S.C. § 362(d) (1) because the debtor is delinquent 31 prepetition payments. The court also finds cause exists pursuant to 11 U.S.C. § 362(d) (2) because the total debt secured by the Property, \$495,222.39, exceeds the value of the Property, which is 487,000.00.

The court also finds pursuant to 11 U.S.C. § 362(d) (4) that
XXXXXXXXXX

Co-Debtor Stay

Additionally, Movant has provided sufficient grounds to grant relief from the co-debtor stay under 11 U.S.C. § 1301(a). Movant has established, pursuant to 11 U.S.C. § 1301(a), that it would be irreparably harmed if relief from the co-debtor stay were not granted because debtor and co-borrower have both filed multiple case affecting the Property.

Language vacating stay

Based on the foregoing, the Motion is granted. The court shall issue an order terminating and vacating the automatic stay to allow Movant, and its agents, representatives and successors, and all other creditors having lien rights against the Property, to repossess, dispose of, or sell the asset pursuant to applicable nonbankruptcy law and their contractual rights, and for any purchaser, or successor to a purchaser, to obtain possession of the asset.

Request for Waiver of Fourteen-Day Stay of Enforcement

Federal Rule of Bankruptcy Procedure 4001(a) (3) stays an order granting a motion for relief from the automatic stay for fourteen days after the order is entered, unless the court orders otherwise. Movant requests, for no particular reason, that the court grant relief from the Rule as adopted by the United States Supreme Court. With no grounds for such relief specified, the court will not grant additional relief merely stated in the prayer.

Movant has not pleaded adequate facts and presented sufficient evidence to support the court waiving the fourteen-day stay of enforcement required under Federal Rule of Bankruptcy Procedure 4001(a) (3), and this part of the requested relief is not granted.

No other or additional relief is granted by the court.

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 for Relief from the Automatic Stay filed by Angel Oak Real Estate Investment TRS-REO, LLC ("Movant") 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 automatic stay provisions of 11 U.S.C. § 362(a) are vacated to allow Movant, its agents, representatives, and successors, and trustee under the trust deed, and any other beneficiary or trustee, and their respective agents and successors under any trust deed that is recorded against the real property commonly known as 101 David Lamoree Way, Rio Vista, California, ("Property") to secure an obligation to exercise any and all rights arising under the promissory note, trust deed, and applicable nonbankruptcy law to conduct a nonjudicial foreclosure sale and for the purchaser at any such sale to obtain possession of the Property.

IT IS FURTHER ORDERED that the above relief pursuant to 11 U.S.C. § 362(d) (4) is **xxxxxxxxxxxxxx**

IT IS FURTHER ORDERED that the request to terminate the co-debtor stay of James Hudgens of 11 U.S.C. § 1301(a) is granted to the same extent as provided in the forgoing paragraph granting relief from the automatic stay arising under 11 U.S.C. § 362(a).

IT IS FURTHER ORDERED that the fourteen-day stay of enforcement provided in Federal Rule of Bankruptcy Procedure 4001(a) (3) is not waived for cause.

No other or additional relief is granted.

2. [25-27111](#)-C-13 TONY/SARETH SOK
[FWP](#)-1 Anthony O. Egbase

CONTINUED MOTION FOR RELIEF
FROM AUTOMATIC STAY
1-28-26 [[16](#)]

PAO LAN JARJABKA VS.

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. 21.

The Motion for Relief from the Automatic Stay is granted.

Pao Lan Jarjabka, Trustee of the Pao Lan Jarjabka Revocable Living Trust dated December 23, 2005 ("Movant") filed this Motion seeking relief from the automatic stay as to the debtors' property commonly known as 229 B Street, Marysville, CA (the "Property").

Movant argues cause for relief from stay exists pursuant to 11 U.S.C. § 362(d) (1) because the debtors have not made a payment in more than two years. Declaration, Dkt. 18. Movant also argues cause exists pursuant to 11 U.S.C. § 362(d) (2) because the total debt secured by the Property, \$300,150.52, exceeds the value of the Property, which is \$180,000.00. *Id.*

DEBTOR'S OPPOSITION

Debtors filed an Opposition on February 23, 2026. Dkt. 26. Debtor asserts that Movant's lien is actually two separate distinct secured obligations. First, a promissory note in the principal amount of \$180,000 secured by a deed of trust on the Property. Second, a separate obligation in the amount of \$120,000 secured by a Modification of Promissory Note Secured by a Deed of Trust, which is secured by the Property.

Debtors assert that the value of the property is \$205,000, and contends that the second deed of trust is wholly unsecured and subject to lien strip off under § 506(a) and (d).

Debtors contend that the automatic stay must be maintained to allow the strip-off to occur in a Chapter 13 plan. Additionally, debtors assert that the property is necessary for a reorganization.

MOVANT'S RESPONSE

Movant filed a response on March 31, 2026. Dkt. 57. Movant asserts there is no equity in the property and there is no way the Property is necessary for an effective reorganization. Movant contends that debtors can reside in their other property in Brownsville and there is no possibility of a confirmed plan because debtors' income is essentially zero.

Additionally, Movant asserts multiple bad faith transgressions by debtors in the past. These include, transferring the Brownsville property to

debtor's brother and a lawsuit in Contra Costa County where it is alleged the debtor sold a neighbor's home after taking out hard money loans secured by the property.

DISCUSSION

Upon review of the record, the court finds cause for relief from stay exists pursuant to 11 U.S.C. § 362(d)(1) because the debtors are delinquent more than two years of payments. The court also finds cause exists pursuant to 11 U.S.C. § 362(d)(2) because the total debt secured by the Property, \$300,150.52, exceeds the value of the Property, which is \$205,000.

Language vacating stay

Based on the foregoing, the Motion is granted. The court shall issue an order terminating and vacating the automatic stay to allow Movant, and its agents, representatives and successors, and all other creditors having lien rights against the Property, to repossess, dispose of, or sell the asset pursuant to applicable nonbankruptcy law and their contractual rights, and for any purchaser, or successor to a purchaser, to obtain possession of the asset.

Request for Waiver of Fourteen-Day Stay of Enforcement

Federal Rule of Bankruptcy Procedure 4001(a)(3) stays an order granting a motion for relief from the automatic stay for fourteen days after the order is entered, unless the court orders otherwise. Movant requests, for no particular reason, that the court grant relief from the Rule as adopted by the United States Supreme Court. With no grounds for such relief specified, the court will not grant additional relief merely stated in the prayer.

Movant has not pleaded adequate facts and presented sufficient evidence to support the court waiving the fourteen-day stay of enforcement required under Federal Rule of Bankruptcy Procedure 4001(a)(3), and this part of the requested relief is not granted.

No other or additional relief is granted by the court.

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 for Relief from the Automatic Stay filed by Pao Lan Jarjabka, Trustee of the Pao Lan Jarjabka Revocable Living Trust dated December 23, 2005 ("Movant") 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 automatic stay provisions of 11 U.S.C. § 362(a) are vacated to allow Movant, its agents, representatives, and successors, and trustee under the trust

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deed, and any other beneficiary or trustee, and their respective agents and successors under any trust deed that is recorded against the real property commonly known as 229 B Street, Marysville, California, ("Property") to secure an obligation to exercise any and all rights arising under the promissory note, trust deed, and applicable nonbankruptcy law to conduct a nonjudicial foreclosure sale and for the purchaser at any such sale to obtain possession of the Property.

IT IS FURTHER ORDERED that the fourteen-day stay of enforcement provided in Federal Rule of Bankruptcy Procedure 4001(a)(3) is not waived for cause.

No other or additional relief is granted.

3. [25-26528](#)-C-13 JEFFREY MORGAN
[DPC-1](#) Patricia Wilson

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY DAVID
P. CUSICK
1-14-26 [[20](#)]

Thru #4

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The matter was continued from February 3, 2026 before being transferred from Dept. A.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor is delinquent in plan payments.

DISCUSSION

The debtor is \$732.00 delinquent in plan payments. Declaration, Dkt. 22. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

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 Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David 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 Objection is sustained.

4. [25-26528](#)-C-13 JEFFREY MORGAN
[FW-1](#) Patricia Wilson

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY FREEDOM
MORTGAGE CORPORATION
1-12-26 [[17](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The matter was continued from February 3, 2026 before being transferred from Dept. A.

The Objection to Confirmation of Plan is sustained.

Creditor Freedom Mortgage Corporation ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. The plan does not provide for creditor's prepetition arrearage.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

Notwithstanding whether the plan provides for the prepetition arrearage as Creditor argues, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

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 Objection to the Chapter 13 Plan filed by Freedom Mortgage Corporation, 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 Objection is sustained.

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. 14.

The Motion to Extend the Automatic Stay is granted.

Patricia Amorello ("Debtor") seeks to have the provisions of the automatic stay provided by 11 U.S.C. § 362(a) extended beyond thirty days in this case. This is Debtor's second bankruptcy petition pending in the past year. Debtor's prior bankruptcy case was dismissed on January 20, 2026, after Debtor became delinquent in plan payments. Order, Bankr. E.D. Cal. No. 25-20825, Dkt. 49. Therefore, pursuant to 11 U.S.C. § 362(c)(3)(A), the provisions of the automatic stay end as to Debtor thirty days after filing of the petition.

Here, Debtor states that the instant case was filed in good faith and explains that the previous case was dismissed because the rental income that she was receiving was reduced and the case was dismissed before she could make the payment on the delinquency.

Upon motion of a party in interest and after notice and hearing, the court may order the provisions extended beyond thirty days if the filing of the subsequent petition was filed in good faith. 11 U.S.C. § 362(c)(3)(B). As this court has noted in other cases, Congress expressly provides in 11 U.S.C. § 362(c)(3)(A) that the automatic stay **terminates as to Debtor**, and nothing more. In 11 U.S.C. § 362(c)(4), Congress expressly provides that the automatic stay **never goes into effect in the bankruptcy case** when the conditions of that section are met. Congress clearly knows the difference between a debtor, the bankruptcy estate (for which there are separate express provisions under 11 U.S.C. § 362(a) to protect property of the bankruptcy estate) and the bankruptcy case. While terminated as to Debtor, the plain language of 11 U.S.C. § 362(c)(3) is limited to the automatic stay as to only Debtor. The subsequently filed case is presumed to be filed in bad faith if one or more of Debtor's cases was pending within the year preceding filing of the instant case. *Id.* § 362(c)(3)(C)(i)(I). The presumption of bad faith may be rebutted by clear and convincing evidence. *Id.* § 362(c)(3)(C).

In determining if good faith exists, the court considers the totality of the circumstances. *In re Elliot-Cook*, 357 B.R. 811, 814 (Bankr. N.D. Cal. 2006); see also Laura B. Bartell, *Staying the Serial Filer - Interpreting the New Exploding Stay Provisions of § 362(c)(3) of the Bankruptcy Code*, 82 Am. Bankr. L.J. 201, 209-10 (2008). An important indicator of good faith is a realistic prospect of success in the second case, contrary to the failure of the first case. See, e.g., *In re Jackola*, No. 11-01278, 2011 Bankr. LEXIS 2443, at *6 (Bankr. D. Haw. June 22, 2011) (citing *In re Elliott-Cook*, 357 B.R. 811, 815-16 (Bankr. N.D. Cal. 2006)).

Courts consider many factors—including those used to determine good faith under §§ 1307(c) and 1325(a)—but the two basic issues to determine good faith under § 362(c) (3) are:

- A. Why was the previous plan filed?
- B. What has changed so that the present plan is likely to succeed?

In re Elliot-Cook, 357 B.R. at 814-15.

Debtor has not sufficiently rebutted the presumption of bad faith under the facts of this case and the prior case for the court to extend the automatic stay.

The Motion is granted, and the automatic stay is extended for all purposes and parties, unless terminated by operation of law or further order of this court.

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 Extend the Automatic Stay filed by Patricia Amorello 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 is granted, and the automatic stay is extended pursuant to 11 U.S.C. § 362(c) (3) (B) for all purposes and parties, unless terminated by operation of law or further order of this court.

6. [26-20029](#)-C-13 DENNIS/ROBIN COBB
[DPC-2](#) Anthony O. Egbase

OBJECTION TO DISCHARGE BY DAVID
P. CUSICK
3-4-26 [[25](#)]

Final Ruling: No appearance at the April 7, 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 34 days' notice was provided. Dkt. 28.

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 Objection to Discharge is sustained.

The Chapter 13 Trustee ("Objector") objects to Dennis and Robin Cobb's ("Debtors") discharge in this case. Objector argues that Debtors are not entitled to a discharge in the instant bankruptcy case because Debtor previously received a discharge in a Chapter 7 case.

Debtor filed a Chapter 7 bankruptcy case on March 15, 2023. Case No. 23-20790. Debtor received a discharge on October 17, 2024. Case No. 23-20790, Dkt. 90.

The instant case was filed under Chapter 13 on January 5, 2026.

11 U.S.C. § 1328(f) provides that a court shall not grant a discharge if a debtor has received a discharge "in a case filed under chapter 7, 11, or 12 of this title during the 4-year period preceding the date of the order for relief under this chapter." 11 U.S.C. § 1328(f)(1).

Here, Debtor received a discharge under 11 U.S.C. § 727 on October 17, 2024, which is less than four years preceding the date of the filing of the instant case. Case No. 23-20790, Dkt. 90. Therefore, pursuant to 11 U.S.C. § 1328(f)(1), Debtor is not eligible for a discharge in the instant case.

Therefore, the Objection is sustained. Upon successful completion of the instant case, the case shall be closed without the entry of a discharge, and Debtor shall receive no discharge in the instant case.

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 Objection to Discharge filed by David P. Cusick, the Chapter 13

Trustee ("Objector") having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that Objection to Discharge is sustained, and upon successful completion of the instant case, Case No. 26-20029, the case shall be closed without the entry of a discharge.

7. [23-20730](#)-C-13 JEREMY BAILEY
[BLG](#)-7 Chad M. Johnson

MOTION FOR ORDER TO REMIT
PAYMENT RECEIVED BY JPMORGAN
CHASE BANK, N.A. OUTSIDE OF THE
CONFIRMED PLAN TO THE CHAPTER
13 TRUSTEE
2-24-26 [[97](#)]

Thru #8

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 42 days' notice was provided. Dkt. 102.

The Motion to remit payment is ~~xxxxxx~~.

Debtor filed this Motion for an order requiring Creditor JP Morgan Chase Bank, N.A. remit to Chapter 13 Trustee David P. Cusick the payment it accepted in the amount of \$11,503.35 outside of the confirmed plan.

Debtor asserts that payment was from a lemon law settlement of the debtor's that was to be paid as a lump sum payment to the Chapter 13 Trustee under the confirmed plan.

OPPOSITION

JPMorgan Chase Bank, N.A. filed opposition (dkt. 113) asserting that it received the lump sum payment on December 15, 2025 and applied \$7,242,79 to the remaining balance on its claim, and sent the unapplied funds in the amount of \$4,260.56 to the Trustee. The bank contends that it has released its lien on the vehicle.

DISCUSSION

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 Remit Payment filed by Jeremy Bailey 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 is ~~xxxxxxxxxx~~

8. [23-20730](#)-C-13 JEREMY BAILEY
[DPC](#)-2 Chad M. Johnson

CONTINUED 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~~

9. [25-26430](#)-C-13 BROOKLYN GARCIA
[DPC-1](#) Pro Se

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY DAVID
P. CUSICK
1-14-26 [[53](#)]

DEBTOR DISMISSED: 02/18/26

Final Ruling: No appearance at the April 7, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice.

Upon review of the Motion and supporting pleadings, and the files in this case, the court has determined that oral argument will not be of assistance in ruling on the Motion.

The Objection to Confirmation is overruled as moot.

A review of the docket shows the case was dismissed on February 18, 2026. Therefore, this Objection is overruled 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 Objection to Confirmation filed by 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 Objection is overruled as moot.

10. [11-31931](#)-C-13 JAMES CHEUNG

MOTION FOR PAYMENT OF UNCLAIMED FUNDS IN THE AMOUNT OF \$ 10598.74 WITH LAWHON LAW & MEDIATION, P.C. AS ASSIGNEE TO JAMES CHU VUEN CHEUNG 3-10-26 [[62](#)]

CASE CLOSED: 11/13/14

No Tentative Ruling:

The Motion has been set for hearing by the clerk of the court. Dkt. 63.

The Motion for Payment of Unclaimed Funds is ~~XXXXXXXXXX~~.

Lawhon Law & Mediation, P.C. as assignee to James Chu Yuen Cheung, ("Claimant") applied for payment of unclaimed funds in the amount of \$10,598.74. Dkt. 67.

Debtor James Cheung filed a voluntary petition on May 13, 2011, which was dismissed for default of plan payments. Dkt. 40. The Trustee made disbursements totaling \$56,280.31, which left a balance of \$10,598.74 to be refunded to debtor. Dkt. 45. Debtor now seeks payment in that amount.

APPLICABLE LAW

Pursuant to 11 U.S.C. § 1326(a)(2), if a plan is not confirmed, the Trustee shall return any such payments not previously paid and not yet due and owing to creditors to the debtor.

DISCUSSION

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 for Payment of Unclaimed funds by Lawhon Law & Mediation, P.C. as assignee to debtor, James Chu Yuen Cheung, 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 is ~~XXXXXXXXXX~~

11. [26-20233](#)-C-13 DEMETRIO/EVELYN LALUAN OBJECTION TO CONFIRMATION OF
[NLG-1](#) Robert Fong PLAN BY LAKEVIEW LOAN
SERVICING, LLC
3-6-26 [[28](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 31.

The Objection to Confirmation of Plan is sustained.

Creditor Lakeview Loan Servicing, LLC ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan does not fully provide for the arrearages on Creditor's claim.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

Notwithstanding whether the plan provides for the prepetition arrearage as Creditor argues, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

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 Objection to the Chapter 13 Plan filed by Lakeview Loan Servicing, LLC, 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 Objection is sustained.

12. [25-27134](#)-C-13 NATALIE FAENZI
[DPC-1](#) Mary Ellen Terranella

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY DAVID
P. CUSICK
2-11-26 [[16](#)]

Thru #14

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 19.

The Objection to Confirmation of Plan is sustained.

At the prior hearing, the Trustee represented that all tax returns have been provided along with all business documents except the business checklist and insurance documents.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor has not filed all required income tax returns;
2. Plan relies on a motion to value that has not yet been filed; and
3. Debtor has not provided all requested business documents and failed to attach a statement for business income.

DISCUSSION

The plan proposes valuing the secured claim of Bridgcrest Financial. Before the court enters an order valuing that secured claim, the plan's feasibility is uncertain.

The debtor has not filed all business documents including:

- A. Six months of profit and loss statements.

11 U.S.C. §§ 521(e)(2)(A)(i), 704(a)(3), 1106(a)(3), 1302(b)(1), 1302(c); FED. R. BANKR. P. 4002(b)(2) & (3). Debtor is required to submit those documents and cooperate with the Chapter 13 Trustee. 11 U.S.C. § 521(a)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1) & (a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

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 Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David 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 Objection is sustained.

13. [25-27134](#)-C-13 NATALIE FAENZI CONTINUED OBJECTION TO
[JCW-1](#) Mary Ellen Terranella CONFIRMATION OF PLAN BY
BRIDGECREST CREDIT COMPANY, LLC
2-9-26 [[12](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 15 days' notice was provided. Dkt. 23.

The Objection to Confirmation of Plan is sustained.

At the prior hearing, Creditor asserted that debtor and creditor had a verbal agreement as to the value of Creditor's collateral.

Creditor Bridgecrest Credit Company, LLC as servicer for Carvana, LLC ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan does not pay the full replacement value of the Creditor's collateral.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

The debtor has not filed a motion to value collateral and secured claim, and notwithstanding whether the plan provides for the full replacement value of the collateral, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

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 Objection to the Chapter 13 Plan filed by Bridgecrest Credit Company, LLC as servicer for Carvana, LLC, 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 Objection is sustained.

14. [25-27134](#)-C-13 NATALIE FAENZI
[DPC-2](#) Mary Ellen Terranella

CONTINUED MOTION TO DISMISS
CASE
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~~

15. [26-21136](#)-C-13 TAMEKA HALL MOTION TO VALUE COLLATERAL OF
[CYB-1](#) Candace Brooks EXETER FINANCIAL LLC
3-18-26 [8]

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 20 days' notice was provided. Dkt. 11.

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of Exeter Finance LLC's ("Creditor") claim secured by the debtor's property commonly known as 2016 Lexus IS 200 (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$11,000.00. Declaration, Dkt. 10.

DISCUSSION

The lien on the Vehicle's title secures a purchase-money loan incurred on July, 2021, which is more than 910 days prior to filing of the petition. 11 U.S.C. § 1325(a)(9) (hanging paragraph).

Upon review of the record, the court finds the value of the Property is \$11,000.00. There are no senior liens encumbering the Property. Therefore, Creditor's secured claim is determined to be \$11,000.00. 11 U.S.C. § 506(a).

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 Value Collateral and Secured Claim filed by the debtor 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 pursuant to 11 U.S.C. § 506(a) is granted, and the claim of Exeter Finance LLC ("Creditor") secured by property commonly known as 2016 Lexus IS 200 (the "Property") is determined to be a secured claim in the amount of \$11,000.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

16. [25-23437](#)-C-13 SIAN HOLLANDS
[DPC-3](#) Peter G. Macaluso

CONTINUED MOTION TO DISMISS
CASE
3-10-26 [[61](#)]

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~~

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f) (1) procedure which requires 35 days' notice. The Proof of Service shows that 47 days' notice was provided. Dkt. 95.

The Motion to Confirm is ~~xxxxxxx~~

The debtor filed this Motion seeking to confirm the Second Amended Chapter 13 Plan (Dkt. 94) filed on February 19, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 96) on March 24, 2026, opposing confirmation on the following grounds:

1. The plan does not specify a percentage amount to be paid to general unsecured creditors; and
2. Debtor is not contributing all community property disposable income in the plan.

DEBTOR'S RESPONSE

Debtor filed a response (dkt. 99) asserting that it is irrelevant whether a percentage is given in the plan and not required for plan confirmation. Debtor asserts that all that is necessary is that creditors get at least what they would receive in a hypothetical chapter 7 case.

DISCUSSION

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 Confirm filed by the debtor, Serena Garcia, 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 is ~~xxxxxxxxxx~~

18. [26-20338](#)-C-13 DEBRA KING
[BDK-1](#) Peter G. Macaluso

OBJECTION TO CONFIRMATION OF
PLAN BY QUALITY FIRST HOME
IMPROVEMENT, INC.
3-12-26 [[24](#)]

Thru #19

No Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 19 days' notice was provided. Dkt. 32.

The Objection to Confirmation of Plan is ~~XXXXXXXXXX~~

Creditor Quality First Home Improvement, Inc. ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. The plan improperly disregards Creditor's lien.

DEBTOR'S OPPOSITION

Debtor filed an Opposition on March 24, 2026. Dkt. 34. Debtor does not assert that a valid mechanic's lien was filed, that a civil action was filed, nor that the filing occurred 85 days after the lien was recorded.

Debtor asserts at the end of the civil action the lien will either be subject to § 522(f), or if unavoidable then it will be paid through the plan.

DISCUSSION

There appears to be no disagreement that at this point Creditor holds a valid mechanic's lien that has not yet been reduced to judgment. A review of the filed claims in this case does not show that Creditor has filed a claim.

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 Objection to the Chapter 13 Plan filed by Quality First Home Improvement, Inc. , 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 Objection is ~~XXXXXX~~

19. [26-20338](#)-C-13 DEBRA KING OBJECTION TO DISCHARGE BY DAVID
[DPC-1](#) Peter G. Macaluso CUSICK
3-6-26 [[20](#)]

Final Ruling: No appearance at the April 7, 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. 23.

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 Objection to Discharge is sustained.

The Chapter 13 Trustee ("Objector") objects to Debra King's ("Debtors") discharge in this case. Objector argues that Debtor is not entitled to a discharge in the instant bankruptcy case because Debtor previously received a discharge in a Chapter 7 case.

Debtor filed a Chapter 7 bankruptcy case on March 6, 2025. Case No. 25-21019. Debtor received a discharge on June 17, 2026. Case No. 25-21019, Dkt. 28.

The instant case was filed under Chapter 13 on January 24, 2026.

11 U.S.C. § 1328(f) provides that a court shall not grant a discharge if a debtor has received a discharge "in a case filed under chapter 7, 11, or 12 of this title during the 4-year period preceding the date of the order for relief under this chapter." 11 U.S.C. § 1328(f)(1).

Here, Debtor received a discharge under 11 U.S.C. § 727 on June 17, 2026, which is less than four years preceding the date of the filing of the instant case. Case No. 25-21019, Dkt. 28. Therefore, pursuant to 11 U.S.C. § 1328(f)(1), Debtor is not eligible for a discharge in the instant case.

Therefore, the Objection is sustained. Upon successful completion of the instant case, the case shall be closed without the entry of a discharge, and Debtor shall receive no discharge in the instant case.

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 Objection to Discharge filed by David P. Cusick, the Chapter 13 Trustee ("Objector") having been presented to the court, and upon review of

the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that Objection to Discharge is sustained, and upon successful completion of the instant case, Case No. 26-20338, the case shall be closed without the entry of a discharge.

20. [25-23241](#)-C-13 FRANCIS JOHN/JAEANNE OBJECTION TO CLAIM OF SOLANO
[CRG](#)-1 SALUDEZ COUNTY TAX COLLECTOR, CLAIM
Carl R. Gustafson NUMBER 8
2-13-26 [[20](#)]

A Stipulation to continue this hearing to May 12, 2026 was entered on March 30, 2026. No appearance at the April 7, 2026 hearing is necessary.

21. [25-25141](#)-C-13 NIKOLAAS BOS AND SARAH MOTION TO CONFIRM PLAN
[SMJ](#)-2 BEST 2-27-26 [[41](#)]
Scott M. Johnson

Final Ruling: No appearance at the April 7, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 39 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 Confirm is granted.

The debtors filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 43) filed on February 27, 2026.

The Chapter 13 trustee filed a non-opposition on March 10, 2026. Dkt. 46.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Motion is granted, and the plan is confirmed.

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 Confirm filed by the debtors, Nikolaas Bos and Sarah Michel Best, 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 is granted, the Amended Chapter 13 Plan (Dkt. 43) meets the requirements of 11 U.S.C. §§ 1322 and 1325(a), and the plan is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

22. [26-20248](#)-C-13 MICHELE EVETS
[DPC-1](#) Arete Kostopoulos

OBJECTION TO CONFIRMATION OF
PLAN BY DAVID P. CUSICK
3-6-26 [[16](#)]

Final Ruling: No appearance at the April 7, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 19.

Upon review of the Motion and supporting pleadings, and the files in this case, the court has determined that oral argument will not be of assistance in ruling on the Motion.

The Objection to Confirmation of Plan is overruled as moot.

The Chapter 13 trustee filed this Objection to Confirmation on March 6, 2026. Thereafter, the debtor filed an amended plan and corresponding Motion To Confirm, making this Objection moot. Dkt. 22, 23.

Therefore, the Objection is overruled.

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 Objection to the Chapter 13 Plan 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 Objection is overruled as moot.

23. [25-27054](#)-C-13 GINGER BROWN
[PGM](#)-3 Peter G. Macaluso

MOTION TO VALUE COLLATERAL OF
FIRST BANK
3-9-26 [[77](#)]

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 29 days' notice was provided. Dkt. 81.

The Motion to Value is ~~xxxxx~~.

The debtor filed this Motion seeking to value the portion of First Banks's ("Creditor") claim secured by the debtor's property commonly known as 8536 Brisenbourg Way, Antelope, CA (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$435,000.00. Declaration, Dkt. 80.

TRUSTEE'S OPPOSITION

The Chapter 13 Trustee filed opposition (dkt. 86) on March 13, 2026, asserting that debtor appears to be seeking to value debtor's residence, which is not allowed under § 1322(b) (2).

CREDITOR'S OPPOSITION

Creditor filed opposition on March 24, 2026. Dkt. 95. Creditor opposes for the following reasons:

(1) Creditor's claim may not be modified because the claim is secured by debtor's residence pursuant to § 1322(b) (2); and

(2) The motion will be moot because Creditor will have recorded the Trustee's Deed Upon Sale by the time of the hearing.

DEBTOR'S RESPONSE

Debtor filed two responses to the opposition. Dkts. 94 & 103. In both responses the debtor contends that § 1322(b) (2) does not apply here because the loan was a commercial loan and was secured by multiple pieces of property, including debtor's funeral home, which is not residential property.

DISCUSSION

In relevant part, § 1322(b) (2) states that the plan may "modify the rights of holders of secured claims, other than a claim secured only by a security interest in real property that is the debtor's personal residence." 11 U.S.C. § 1322(b) (2).

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 Value Collateral and Secured Claim filed by the debtor 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 pursuant to 11 U.S.C. § 506(a) is ~~XXXXXXXXXX~~

24. [26-21456](#)-C-13 PHONESAVANH NONHPRASITH MOTION TO EXTEND AUTOMATIC STAY
[TBG-3](#) Stephan M. Brown O.S.T.
3-25-26 [[19](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(3) notice which requires an order shortening time. An OST was entered on March 25, 2026. Dkt. 23.

The Motion to Extend the Automatic Stay is granted.

Phonesavanh Lee Nonhprasith ("Debtor") seeks to have the provisions of the automatic stay provided by 11 U.S.C. § 362(a) extended beyond thirty days in this case. This is Debtor's second bankruptcy petition pending in the past year. Debtor's prior bankruptcy case was dismissed on February 4, 2026, after Debtor did not timely file all documents. Order, Bankr. E.D. Cal. No. 26-20019, Dkt. 18. Therefore, pursuant to 11 U.S.C. § 362(c)(3)(A), the provisions of the automatic stay end as to Debtor thirty days after filing of the petition.

Here, Debtor states that the instant case was filed in good faith. Debtor's previous case was filed pro se, but has now hired counsel in the instant case.

Upon motion of a party in interest and after notice and hearing, the court may order the provisions extended beyond thirty days if the filing of the subsequent petition was filed in good faith. 11 U.S.C. § 362(c)(3)(B). As this court has noted in other cases, Congress expressly provides in 11 U.S.C. § 362(c)(3)(A) that the automatic stay **terminates as to Debtor**, and nothing more. In 11 U.S.C. § 362(c)(4), Congress expressly provides that the automatic stay **never goes into effect in the bankruptcy case** when the conditions of that section are met. Congress clearly knows the difference between a debtor, the bankruptcy estate (for which there are separate express provisions under 11 U.S.C. § 362(a) to protect property of the bankruptcy estate) and the bankruptcy case. While terminated as to Debtor, the plain language of 11 U.S.C. § 362(c)(3) is limited to the automatic stay as to only Debtor. The subsequently filed case is presumed to be filed in bad faith if one or more of Debtor's cases was pending within the year preceding filing of the instant case. *Id.* § 362(c)(3)(C)(i)(I). The presumption of bad faith may be rebutted by clear and convincing evidence. *Id.* § 362(c)(3)(C).

In determining if good faith exists, the court considers the totality of the circumstances. *In re Elliot-Cook*, 357 B.R. 811, 814 (Bankr. N.D. Cal. 2006); see also Laura B. Bartell, *Staying the Serial Filer - Interpreting the New Exploding Stay Provisions of § 362(c)(3) of the Bankruptcy Code*, 82 Am. Bankr. L.J. 201, 209-10 (2008). An important indicator of good faith is a realistic prospect of success in the second case, contrary to the failure of the first case. See, e.g., *In re Jackola*, No. 11-01278, 2011 Bankr. LEXIS 2443, at *6 (Bankr. D. Haw. June 22, 2011) (citing *In re Elliott-Cook*, 357 B.R. 811, 815-16 (Bankr. N.D. Cal. 2006)). Courts consider many factors—including those used to determine good faith

under §§ 1307(c) and 1325(a)—but the two basic issues to determine good faith under § 362(c) (3) are:

- A. Why was the previous plan filed?
- B. What has changed so that the present plan is likely to succeed?

In re Elliot-Cook, 357 B.R. at 814-15.

Debtor has sufficiently rebutted the presumption of bad faith under the facts of this case and the prior case for the court to extend the automatic stay.

The Motion is granted, and the automatic stay is extended for all purposes and parties, unless terminated by operation of law or further order of this court.

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 Extend the Automatic Stay filed by Phonesavanh Lee Nonhprasith 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 is granted, and the automatic stay is extended pursuant to 11 U.S.C. § 362(c) (3) (B) for all purposes and parties, unless terminated by operation of law or further order of this court.

25. [24-24263](#)-C-13 EMANUEL/LENIECE JOHNSON CONTINUED MOTION TO DISMISS
[DPC-2](#) Gary Ray Fraley CASE
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.

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

At the prior hearing, debtors' counsel asserted the debtors were sending the delinquent payments to the wrong address, but otherwise had the money to cure the delinquency. The hearing was continued to see if the debtors have cured the delinquency.

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.

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. 14.

The Motion to Extend the Automatic Stay is granted.

James Frank, Jr. and Christina Frank ("Debtors") seek to have the provisions of the automatic stay provided by 11 U.S.C. § 362(a) extended beyond thirty days in this case. This is Debtor's second bankruptcy petition pending in the past year. Debtor's prior bankruptcy case was dismissed on January 23, 2026, after Debtor became delinquent in plan payments. Order, Bankr. E.D. Cal. No. 25-22184, Dkt. 29. Therefore, pursuant to 11 U.S.C. § 362(c)(3)(A), the provisions of the automatic stay end as to Debtor thirty days after filing of the petition.

Here, Debtor states that the instant case was filed in good faith and explains that the previous case was dismissed because they were unable to make all plan payments after debtor's medical leave for shoulder surgery. Debtors assert they are proposing a plan in this case that would allow them time to market and sale their residence and pay off creditors in full.

Upon motion of a party in interest and after notice and hearing, the court may order the provisions extended beyond thirty days if the filing of the subsequent petition was filed in good faith. 11 U.S.C. § 362(c)(3)(B). As this court has noted in other cases, Congress expressly provides in 11 U.S.C. § 362(c)(3)(A) that the automatic stay **terminates as to Debtor**, and nothing more. In 11 U.S.C. § 362(c)(4), Congress expressly provides that the automatic stay **never goes into effect in the bankruptcy case** when the conditions of that section are met. Congress clearly knows the difference between a debtor, the bankruptcy estate (for which there are separate express provisions under 11 U.S.C. § 362(a) to protect property of the bankruptcy estate) and the bankruptcy case. While terminated as to Debtor, the plain language of 11 U.S.C. § 362(c)(3) is limited to the automatic stay as to only Debtor. The subsequently filed case is presumed to be filed in bad faith if one or more of Debtor's cases was pending within the year preceding filing of the instant case. *Id.* § 362(c)(3)(C)(i)(I). The presumption of bad faith may be rebutted by clear and convincing evidence. *Id.* § 362(c)(3)(C).

In determining if good faith exists, the court considers the totality of the circumstances. *In re Elliot-Cook*, 357 B.R. 811, 814 (Bankr. N.D. Cal. 2006); see also Laura B. Bartell, *Staying the Serial Filer - Interpreting the New Exploding Stay Provisions of § 362(c)(3) of the Bankruptcy Code*, 82 Am. Bankr. L.J. 201, 209-10 (2008). An important indicator of good faith is a realistic prospect of success in the second case, contrary to the failure of the first case. See, e.g., *In re Jackola*, No. 11-01278, 2011 Bankr. LEXIS 2443, at *6 (Bankr. D. Haw. June 22, 2011)

(citing *In re Elliott-Cook*, 357 B.R. 811, 815-16 (Bankr. N.D. Cal. 2006)). Courts consider many factors—including those used to determine good faith under §§ 1307(c) and 1325(a)—but the two basic issues to determine good faith under § 362(c) (3) are:

- A. Why was the previous plan filed?
- B. What has changed so that the present plan is likely to succeed?

In re Elliot-Cook, 357 B.R. at 814-15.

Debtor has sufficiently rebutted the presumption of bad faith under the facts of this case and the prior case for the court to extend the automatic stay.

The Motion is granted, and the automatic stay is extended for all purposes and parties, unless terminated by operation of law or further order of this court.

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 Extend the Automatic Stay filed by James Frank, Jr. and Christina Frank 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 is granted, and the automatic stay is extended pursuant to 11 U.S.C. § 362(c) (3) (B) for all purposes and parties, unless terminated by operation of law or further order of this court.

27. [26-20368](#)-C-13 MARCELO BLANCO GARCIA
[DPC-1](#) George T. Burke

OBJECTION TO CONFIRMATION OF
PLAN BY DAVID P. CUSICK
3-9-26 [[17](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 29 days' notice was provided. Dkt. 20.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. The plan and schedules are not signed by the debtor; and
2. Debtor has not submitted proof of Social Security number.

DISCUSSION

Local Rule 9004-1(c) requires that all pleadings and non-evidentiary documents shall be signed by the attorney for the party representing them, and affidavits and certifications shall be signed by the person offering the evidentiary material contained in the document.

Confirmation of a plan is not properly before the court before the Schedules and Plan have been signed, and the court is without the admissible evidentiary material required to consider confirmation of a plan.

That is reason to deny confirmation. Therefore, the Objection is sustained.

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 Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David 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 Objection is sustained.

28. [26-20270](#)-C-13 ALEXANDER PEREZ
[DPC-1](#) Pro Se

OBJECTION TO CONFIRMATION OF
PLAN BY DAVID P. CUSICK
3-6-26 [[18](#)]

Thru #29

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 21.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor did not appear at the Meeting of Creditors;
2. Debtor has not provided proof of Social Security number or a photo identification; and
3. The plan does not contain a payment amount.

DISCUSSION

A review of the docket shows that debtor appeared at the continued Meeting of Creditors on March 27, 2026.

The remaining issue on the plan payment appears to still be a valid issue. The debtor has not demonstrated the plan is feasible because the plan terms require a payment amount to be specified. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

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 Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David 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 Objection is sustained.

29. [26-20270](#)-C-13 ALEXANDER PEREZ
[MBW](#)-1 Pro Se

OBJECTION TO CONFIRMATION OF
PLAN BY SAFE CREDIT UNION
3-6-26 [[14](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 17.

The Objection to Confirmation of Plan is sustained.

Creditor Safe Credit Union ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan does not provide for creditor's claims;
2. Plan does not provide for payment of adequate interest;
3. Plan does not propose adequate payments to Creditor; and
4. Plan is not feasible.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

Notwithstanding whether the plan provides for the prepetition arrearage as Creditor argues, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

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 Objection to the Chapter 13 Plan filed by Safe Credit Union, 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 Objection is sustained.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 46 days' notice was provided. Dkt. 133.

The Motion to Modify is denied.

At the prior hearing, the trustee represented that debtor was current but that another payment was coming due. The motion was continued to confirm that debtors would make the payment coming due.

The debtors filed this Motion seeking to confirm the Modified Chapter 13 Plan (Dkt. 130) filed on January 9, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 135) on January 13, 2026, opposing confirmation on the following grounds:

1. Debtor is delinquent in plan payments;
2. The proposed plan payments are insufficient to complete plan; and
3. The dates on the plan are not consistent, which creates issues with plan payment amounts.

RESPONSE

Debtor filed a response (Dkt. 141) asserting debtor is making a payment to be current under the modified plan. Debtor filed a supplemental reply on March 17, 2025 asserting debtor has made the payment and is now current.

DISCUSSION

The debtor is \$5,995.00 delinquent in plan payments. Declaration, Dkt. 136. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

The plan mathematically requires a payment of \$6,445.00 per month, which is greater than the proposed \$6,265.00 payment.

The debtor has not demonstrated the plan is feasible because the plan terms require a higher payment than what is proposed. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322, 1325(a), and 1329. The Motion is denied, and the plan is not confirmed.

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 Modify Plan filed by the debtors, Michael and Angelique Valera, 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 is denied, and the plan is not confirmed.

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. 11.

The Motion to Extend the Automatic Stay is granted.

Constancio Deocampo ("Debtor") seeks to have the provisions of the automatic stay provided by 11 U.S.C. § 362(a) extended beyond thirty days in this case. This is Debtor's second bankruptcy petition pending in the past year. Debtor's prior bankruptcy case was dismissed on February 27, 2026, after Debtor became delinquent in plan payments. Order, Bankr. E.D. Cal. No. 25-24775, Dkt. 42. Therefore, pursuant to 11 U.S.C. § 362(c)(3)(A), the provisions of the automatic stay end as to Debtor thirty days after filing of the petition.

Here, Debtor states that the instant case was filed in good faith and explains that the previous case was dismissed because debtor relies on his daughter to help him with tasks, including handling his finances. Debtor's daughter became injured and was unable to help set up an online payment to deduct payments directly from debtor's account.

Upon motion of a party in interest and after notice and hearing, the court may order the provisions extended beyond thirty days if the filing of the subsequent petition was filed in good faith. 11 U.S.C. § 362(c)(3)(B). As this court has noted in other cases, Congress expressly provides in 11 U.S.C. § 362(c)(3)(A) that the automatic stay **terminates as to Debtor**, and nothing more. In 11 U.S.C. § 362(c)(4), Congress expressly provides that the automatic stay **never goes into effect in the bankruptcy case** when the conditions of that section are met. Congress clearly knows the difference between a debtor, the bankruptcy estate (for which there are separate express provisions under 11 U.S.C. § 362(a) to protect property of the bankruptcy estate) and the bankruptcy case. While terminated as to Debtor, the plain language of 11 U.S.C. § 362(c)(3) is limited to the automatic stay as to only Debtor. The subsequently filed case is presumed to be filed in bad faith if one or more of Debtor's cases was pending within the year preceding filing of the instant case. *Id.* § 362(c)(3)(C)(i)(I). The presumption of bad faith may be rebutted by clear and convincing evidence. *Id.* § 362(c)(3)(C).

In determining if good faith exists, the court considers the totality of the circumstances. *In re Elliot-Cook*, 357 B.R. 811, 814 (Bankr. N.D. Cal. 2006); see also Laura B. Bartell, *Staying the Serial Filer - Interpreting the New Exploding Stay Provisions of § 362(c)(3) of the Bankruptcy Code*, 82 Am. Bankr. L.J. 201, 209-10 (2008). An important indicator of good faith is a realistic prospect of success in the second case, contrary to the failure of the first case. See, e.g., *In re Jackola*, No. 11-01278, 2011 Bankr. LEXIS 2443, at *6 (Bankr. D. Haw. June 22, 2011)

(citing *In re Elliott-Cook*, 357 B.R. 811, 815-16 (Bankr. N.D. Cal. 2006)). Courts consider many factors—including those used to determine good faith under §§ 1307(c) and 1325(a)—but the two basic issues to determine good faith under § 362(c)(3) are:

- A. Why was the previous plan filed?
- B. What has changed so that the present plan is likely to succeed?

In re Elliot-Cook, 357 B.R. at 814-15.

Debtor has sufficiently rebutted the presumption of bad faith under the facts of this case and the prior case for the court to extend the automatic stay.

The Motion is granted, and the automatic stay is extended for all purposes and parties, unless terminated by operation of law or further order of this court.

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 Extend the Automatic Stay filed by Constancio Deocampo 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 is granted, and the automatic stay is extended pursuant to 11 U.S.C. § 362(c)(3)(B) for all purposes and parties, unless terminated by operation of law or further order of this court.

32. [25-26286](#)-C-13 HONORATO NAVARRO
[AP-1](#) Jennifer L. Dickinson

CONTINUED MOTION FOR RELIEF
FROM AUTOMATIC STAY
1-16-26 [[21](#)]

DEUTSCHE BANK NATIONAL TRUST
COMPANY

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 28 days' notice was provided. Dkt. 27.

The Motion for Relief from the Automatic Stay is ~~xxxxxx~~.

Deutsche Bank National Trust Company, as Trustee for the registered holders of Morgan Stanley ABS Capital I Inc. Trust 2007-HE5 Mortgage Pass-Through Certificates, Series 2007-HE5 ("Movant") filed this Motion seeking relief from the automatic stay as to the debtor's property commonly known as 5444 La Salle Way, Vallejo, California (the "Property").

Movant argues cause for relief from stay exists pursuant to 11 U.S.C. § 362(d)(1) because the debtor is delinquent 17 prepetition payments. Declaration, Dkt. 23. Movant also argues cause exists pursuant to 11 U.S.C. § 362(d)(2) because the debtor has no equity in the property, but which equity in the property is \$96,537.17. *Id.*

DEBTOR'S OPPOSITION

Debtor filed an Opposition on February 10, 2026. Dkt. 41. Debtor asserts that he has exercised his right to convert the case to chapter 13 and foreclosure at this point would prematurely foreclose debtor's right to reorganize.

DISCUSSION

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 for Relief from the Automatic Stay filed by Deutsche Bank National Trust Company, as Trustee for the registered holders of Morgan Stanley ABS Capital I Inc. Trust 2007-HE5 Mortgage Pass-Through Certificates, Series 2007-HE5 ("Movant") 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 is ~~xxxxxxxxxx~~

33. [26-21189](#)-C-13 KIESHA HAGGERTY
[CYB-1](#) Candace Brooks

MOTION TO VALUE COLLATERAL OF
THE POLICE CREDIT UNION OF
CALIFORNIA
3-18-26 [8]

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 20 days' notice was provided. Dkt. 11.

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of The Police Credit Union of California's ("Creditor") claim secured by the debtor's property commonly known as a 2017 Tesla Model X (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$19,836.00. Declaration, Dkt. 10.

DISCUSSION

The lien on the Vehicle's title secures a purchase-money loan incurred on July 12, 2022, which is more than 910 days prior to filing of the petition. 11 U.S.C. § 1325(a)(9) (hanging paragraph).

Upon review of the record, the court finds the value of the Property is \$19,836.00. There are no senior liens encumbering the Property. Therefore, Creditor's secured claim is determined to be \$19,836. 11 U.S.C. § 506(a).

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 Value Collateral and Secured Claim filed by the debtor 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 pursuant to 11 U.S.C. § 506(a) is granted, and the claim of The Police Credit Union of California ("Creditor") secured by property commonly known as 2017 Tesla Model X (the "Property") is determined to be a secured claim in the amount of \$19,836.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

34. [26-20299](#)-C-13 WYATT CATRON
[DPC-1](#) Mikalah Liviakis

OBJECTION TO CONFIRMATION OF
PLAN BY DAVID P. CUSICK
3-10-26 [[14](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 17.

The Objection to Confirmation of Plan is overruled.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor did appear at the Meeting of Creditors, but was unable to be examined because debtor's Zoom was not working.

DISCUSSION

The Meeting of Creditors was held pursuant to 11 U.S.C. § 341, but the debtor was not able to be examined.

A review of the docket shows that a continued Meeting of Creditors was held on March 27, 2026, where the debtor appeared and the Meeting was concluded.

No other grounds for objection remaining, it appears the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Objection is overruled, and the plan is confirmed.

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 Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David 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 Objection is overruled, and the debtor's Chapter 13 Plan (Dkt. 3), is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.