



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 14, 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 medica 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 14, 2026 at 1:00 p.m.

1. [26-20411](#)-B-13 LUCIA MADRUGA OBJECTION TO CONFIRMATION OF
[LGT](#)-1 George T. Burke PLAN BY LILIAN G. TSANG
3-18-26 [[13](#)]

WITHDRAWN BY M.P.

Final Ruling

The Chapter 13 Trustee having filed a notice of withdrawal of its objection, the objection is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) (when opposing party has not yet served an answer) or 41(a)(2) (dismissal at the plaintiff's request only by court order, on terms that the court considers proper) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar.

There being no other objection to confirmation, the plan filed January 28, 2026, will be confirmed.

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

IT IS FURTHER ORDERED that the plan is CONFIRMED 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.

April 14, 2026 at 1:00 p.m.

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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). A 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 plan fails to provide for the full payment, in deferred cash payments, of all claims entitled to priority. A proof of claim has been filed but the Franchise Tax Board asserting that the debtor owes \$1,124.83 in priority tax debt. The debtor has filed a response and does not dispute that the plan will need to be corrected to account for the priority claim.

Second, Amended Schedules A, B, and J need to be filed so that the trustee can determine feasibility of the plan and whether creditors would receive more in a Chapter 7 liquidation. The debtor acknowledges that amended schedules need to be filed.

Third, Trustee has requested payment advices for the six months prior to the filing of the bankruptcy. The trustee is also requesting a Chapter 13 Business Questionnaire as well as Profit and Loss statements for the last six months after debtor stated they are self employed during the meeting of creditors.

The plan filed February 12, 2026, does not comply with 11 U.S.C. §§ 1322 and 1325(a). The objection is sustained and the plan is not confirmed. Debtor asks that his case is not dismissed. The trustee's objection was not an attempt to dismiss the case, but was an objection that the plan is not ready for confirmation. This has been confirmed by the debtor and as such the plan will not be confirmed and the objection will be sustained.

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

The court will issue an order.

3. [25-24421](#)-B-13 JEFFERY/DEBORAH HAYS
[DVW](#)-1 Rabin Pournazarian

MOTION FOR RELIEF FROM
AUTOMATIC STAY
3-30-26 [[27](#)]

21ST MORTGAGE CORPORATION
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.

This matter is removed from calendar. The court entered an order, dkt. 35, a Stipulation Terminating the Automatic Stay, dkt. 33, on April 10, 2026. The stipulation and order resolve the motion which is dismissed. This matter is removed from calendar. No appearance is required on April 14, 2026, at 1:00 p.m.

4. [24-20723](#)-B-13 MARC/JOY ANCHETA
[JCK](#)-3 Gregory J. Smith

MOTION TO MODIFY PLAN
3-4-26 [[46](#)]

Final Ruling

The motion has 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). 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 permit the requested modification and confirm the modified plan.

11 U.S.C. § 1329 permits a debtor to modify a plan after confirmation. The Debtors have filed evidence in support of confirmation. No opposition to the motion was filed by the Chapter 13 Trustee or creditors. The modified plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329, 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.

5. [25-25624](#)-B-13 LESLIE SAWYER
[DPB-2](#) Douglas P. Broomell

MOTION TO CONFIRM PLAN
3-4-26 [[46](#)]

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 confirm the first amended plan.

The trustee has filed a status report stating that previous issues with delinquency have been resolved and the plan can be confirmed. This resolves all issues raised in the trustee's opposition.

The amended plan complies with 11 U.S.C. §§ 1322, 1323, 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.

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 dismiss the case with prejudice and bar the Debtor from filing any future cases without leave of court for a 2-year period commencing on the entry of the order dismissing this case.

The United States Trustee filed a motion to dismiss case on grounds that the Debtor failed file a Summary of Assets and Liabilities, Schedules A-J, a Statement of Financial Affairs, and other documents required to be filed by 11 U.S.C. § 521. The debtor has also failed to file her Social Security Number. Furthermore, the Trustee requests a permanent bar to discharge under 11 U.S.C. § 349(a) for Debtor's egregious conduct in filing 16 personal bankruptcy petitions within the last 20 years, as well as around 83 other bankruptcy filings facilitated by the debtor through LLC's and family members. Debtor then does little or nothing to prosecute these cases after the petition was filed.

Discussion

The court has the authority to preclude serial, abusive bankruptcy filings. A number of remedies exist to redress such abuses: (1) dismissal with prejudice that bars the subsequent discharge of existing, dischargeable debt in the case to be dismissed, 11 U.S.C. § 349(a); and (2) dismissal with prejudice that bars future petitions from being filed or an injunction against future filings, 11 U.S.C. §§ 105(a), 349(a); *see also Kistler v. Johnson*, No. 07-2257, 2008 WL 483605 (Bankr. E.D. Cal. Feb. 15, 2008) (McManus, J.) (unpublished decision). These provisions and remedies complement each other and are cumulative. *See In re Casse*, 198 F.3d 327, 337-41 (2d Cir. 1999).

Section 349(a) invokes a "cause" standard. While cause for dismissal under § 349 has not been specifically defined by the Code, "bad faith" has been used as "cause" to dismiss a case under § 1307(c). *See In re Leavitt*, 171 F.3d at 1224; *In re Eisen*, 14 F.3d 469, 470 (9th Cir. 1994). The overall test used to determine bad faith is to consider the totality of the circumstances. *See, e.g., In re Leavitt*, 171 F.3d at 1224; *In re Eisen* at 470. In determining whether bad faith exists, "[a] bankruptcy court must inquire whether the debtor has misrepresented facts in his plan, unfairly manipulated the Bankruptcy Code, or otherwise proposed [a plan] in an inequitable manner." *In re Goeb*, 675 F.2d 1386, 1390 (9th Cir. 1982).

A filing bar may be ordered pursuant to § 349 if the appropriate objective factors are found: (1) whether the debtor misrepresented facts, unfairly manipulated the Bankruptcy Code, or otherwise filed his petition or plan in an inequitable manner; (2) the history of debtor's filings and dismissals; (3) whether the debtor intended only to defeat state court litigation; and (4) whether the debtor's behavior was egregious. *In re Leavitt*, 171 F.3d at 1224.

Based on the undisputed facts, the court finds cause to impose a filing bar exceeding the 180-day limit in § 109(g). The facts show that Debtor has unfairly manipulated the Code without genuine intent to prosecute the case to discharge or reorganization. The Debtor has filed 16 prior cases that were each dismissed. Every one of the Debtor's

prior cases has been dismissed either based on deficiency or after a motion by a trustee or creditor. See, Exhibit No. 5. See also, Memorandum of Points of Authority, docket no. 15. The Debtor has failed to disclose her 5 previous cases that were filed in the last 8 years in the Northern District of California (case nos. 19-4073, 19-30366, 23-41154, 24-42084, 25-40681) on this petition. In response to each of her cases being dismissed, the Debtor simply filed another bankruptcy petition without making any effort to address the issues raised by the Trustee in the prior cases or fulfill the duties required of a debtor.

The Debtor will be enjoined from filing another bankruptcy petition in the Eastern District of California without leave of court for a 2-year period commencing on the entry of the order dismissing the Debtor's bankruptcy case. During such time, leave of court will not be granted to file a petition unless the following conditions have been met: (1) the request for leave of court to file a petition is accompanied by a cashier's check made payable to the Clerk of Court for the full amount of the filing fee and documents that include the completed schedules and statements prepared and ready to be filed, (2) reasonable assurances are provided that Debtor will appear at the § 341 meeting, and (3) the Debtor shows a material change in circumstances that warrant the filing of a subsequent petition.

The motion is ORDERED GRANTED 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.

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). The court has also determined that further briefing is not necessary. See Local Bankr. R. 9014-1(f)(2)(C). This matter will therefore be decided on the papers.

The court's decision is to grant the motion to extend.

Debtor seeks to have the automatic stay extended beyond 30 days pursuant to 11 U.S.C. § 362(c)(3). This is the Debtor's second bankruptcy petition pending in the past 12 months. The Debtor's prior bankruptcy case was dismissed on January 28, 2026, for failure to make plan payments (case no. 25-22928). Therefore, pursuant to 11 U.S.C. § 362(c)(3)(A), the provisions of the automatic stay end in their entirety 30 days after filing of the petition. See e.g., *Reswick v. Reswick (In re Reswick)*, 446 B.R. 362 (9th Cir. BAP 2011) (stay terminates in its entirety); accord *Smith v. State of Maine Bureau of Revenue Services (In re Smith)*, 910 F.3d 576 (1st Cir. 2018). This motion was set for hearing within 30 days of the filing of the instant case. 11 U.S.C. § 362(c)(3)(B).

Discussion

Upon motion of a party in interest and after notice and hearing, the court may order the provisions extended beyond 30 days if the filing of the subsequent petition was in good faith. 11 U.S.C. § 362(c)(3)(B). The subsequently filed case is presumed to be filed in bad faith if the debtor failed to perform under the terms of a confirmed plan. *Id.* at § 362(c)(3)(C)(i)(II)(cc). The presumption of bad faith may be rebutted by clear and convincing evidence. *Id.* at § 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, 209-210 (2008).

Debtor asserts that debtor became delinquent in her last case due to communication issues with her former counsel. Debtor has now obtained new counsel and is confident that she will be able to complete her Chapter 13 under their guidance.

The Debtor has sufficiently rebutted, by clear and convincing evidence, 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 motion is ORDERED GRANTED for reasons stated in the minutes.

The court will issue an order.

8. [26-20131](#)-B-13 MATTHEW DEL REAL
[LGT-2](#) Pro Se

CONTINUED MOTION TO DISMISS
CASE
2-27-26 [[32](#)]

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.

9. [26-20931](#)-B-13 LJAN CARLO ORDIZ
[DWE](#)-1 Simran Singh Hundal

MOTION FOR RELIEF FROM
AUTOMATIC STAY AND/OR MOTION
FOR RELIEF FROM CO-DEBTOR STAY
3-13-26 [[13](#)]

GOLDEN 1 CREDIT UNION VS.
DEBTOR DISMISSED: 03/17/26

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.

10. [24-22936](#)-B-13 DANIELLE GRAYBILL
[BLG](#)-1 Chad M. Johnson
Thru #11

MOTION TO EMPLOY REALTY ONE
GROUP COMPLETE AS BROKER(S)
3-12-26 [[23](#)]

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 the motion as unnecessary.

Debtor seeks to employ a real estate broker pursuant to 11 U.S.C. § 327(a). The Debtor asserts that the real estate broker's appointment and retention is necessary to complete the sale of her residence.

Michael Cameron, a licenses real estate broker, testifies that he has extensive knowledge and familiarity with the area where the Property is located. Broker Cameron testifies he and the firm do not represent or hold any interest adverse to the Debtor or to the estate and that they have no connection with the Debtor, creditors, the U.S. Trustee, any party in interest, or their respective attorneys.

Discussion

Section 327(a) authorizes a trustee or a debtor in possession, with court approval, to engage the services of professionals to represent or assist the trustee or debtor in possession in carrying out the trustee's duties under Title 11.

Some courts hold that § 327 applies to the employment of professionals by Chapter 13 trustees and Chapter 13 debtors. *See e.g., In re Wright*, 578 B.R. 570 (Bankr. S.D. Tex. 2017) (§ 327(e)); *In re Goines*, 465 B.R. 704 (Bankr. N.D. Ga. 2012) (§ 327(e)); *In re Jenkins*, 406 B.R. 817 (Bankr. N.D. Ind. 2009) ("the term 'trustee' in 11 U.S.C. § 327(e) is to be read as 'Chapter 13 debtor'").

However, a majority of courts hold that § 327 applies only when Chapter 13 trustees seek to employ professionals and it is inapplicable to the employment of professionals by Chapter 13 debtors. *See e.g., In re Gilliam*, 582 B.R. 459, 465-66 (Bankr. N.D. Ill. 2018) (§ 327 does not apply to Chapter 13 debtors); *In re Scott*, 531 B.R. 640, 644-45 (Bankr. N.D. Miss. 2015) (nothing suggests that "trustee" in § 327(e) means debtor); *In re Jones*, 505 B.R. 229, 231 (Bankr. E.D. Wis. 2014) ("[A]n individual chapter 13 debtor ... is not a 'trustee' for purposes of § 327."); *In re Maldonado*, 483 B.R. 326, 330 (Bankr. N.D. Ill. 2012) (§ 327 does not apply to debtors in Chapter 13 cases); *In re Tirado*, 329 B.R. 244, 250 (Bankr. E.D. Wis. 2005) ("Therefore, § 327 of the Bankruptcy Code simply does not apply to chapter 13 debtors who seek to employ professionals.").

The majority consider the limitation of § 327 to a "trustee" and the omission of reference to Chapter 13 debtors significant. As the court in *Tirado* explained in the context of the debtor's request to employ a professional to assist the debtor in the sale of real property:

[Section] 327 does not apply to the employment of attorneys or other professionals by a chapter 13 debtor. Section 327 applies to trustees, and, pursuant to § 1107 of the Bankruptcy Code, when § 327 refers to the trustee, the reference includes the

debtor in possession. [Internal citation omitted].

Each subsection of § 327 either focuses on the trustee or excludes chapter 13. See 11 U.S.C. §§ 327(a) (“the trustee ... may employ ...”); 327(b) (“the trustee may retain or replace ...”); 327(c) (“In a case under chapter 7, 12, or 11 of this title ...”); 327(d) (“the court may authorize the trustee to act as attorney or accountant”); 327(e) (“The trustee ... may employ ...”); and 327(f) (“The trustee may not employ ...”). Congress, through the use of plain and unambiguous language, has limited the scope of § 327 to trustees. Although chapter 11 debtors in possession have also been included under § 327 via § 1107, and chapter 12 debtors must comply with § 327 pursuant to § 1203, there is no corresponding section of chapter 13 making § 327 applicable to chapter 13 debtors.

Therefore, § 327 of the Bankruptcy Code simply does not apply to chapter 13 debtors who seek to employ professionals. The requirements of § 327 would be triggered by a chapter 13 trustee’s application to employ a professional, but in this case, [the professional’s] services were rendered to the Debtor, not the Trustee. For, unlike chapter 11 and 12 in which the debtor in possession has the same rights and duties when selling property and employing professionals as a trustee, ‘the [chapter 13] debtor shall have, *exclusive of the trustee*, the rights and powers of a trustee [to use, sell, or lease property].’ 11 U.S.C. § 1303 (emphasis supplied).

Tirado, 329 B.R. at 250.

This court has previously followed the majority and found that § 327 is inapplicable to a Chapter 13 debtor’s request to employ a professional to assist the debtor in the sale of his residence. *See e.g., In re Slagle*, No. 18-27555 (Bankr. E.D. Cal. 2018) (Dkts. 49, 52); *In re Fonseca*, No. 16-28212 (Dkts. 42, 43) In so doing, the court applied *Tirado’s* reasoning. Doing so is consistent with *Smith v. Yncera (In re Yncera)*, 2009 WL 7751418, *5 n.15 (9th Cir. BAP June 26, 2009), in which the BAP noted there is nothing in the Bankruptcy Code that specifically requires real estate professionals in Chapter 13 cases to be employed by order of the court or for the court to approve their compensation.

The court has considered the pros and cons of each approach to arrive at a result that is consistent with the plain language of § 327 in particular and the intent of the Bankruptcy Code generally. And so in that regard, the court finds *Tirado’s* reasoning and the majority position to be the better and better reasoned approach. Accordingly, the court concludes that it is not necessary for the Debtor’s real estate professional(s) employment to be approved under § 327 in order to permit the real estate professional to assist the Debtor in the sale of the Property.

The motion is ORDERED DENIED as unnecessary.

The court will prepare an order.

11. [24-22936](#)-B-13 DANIELLE GRAYBILL MOTION TO SELL
[BLG-2](#) Chad M. Johnson 3-24-26 [[28](#)]

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 to sell and continue the matter to April 21, 2026, at 1:00 p.m.**

The Bankruptcy Code permits Chapter 13 debtor to sell property of the estate after a noticed hearing. 11 U.S.C. §§ 363(b) and 1303 (which allows debtor to sell). Debtors proposes to sell property described as 10833 Glenhaven Way, Rancho Cordova, California ("Property").

Proposed purchasers Olena Ivanov and Andrei Ivanov have agreed to purchase the Property for \$635,000.00. A total broker's commission of 4.5% will be shared between the seller's broker and the buyer's broker.

Based on the evidence before the court, the court determines that the proposed sale is in the best interest of the estate. The motion is conditionally granted.

Debtor's attorney shall submit an order consistent with the Trustee's standard sale language. The order shall be approved by the Trustee.

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 17, 2026, to file and serve an opposition or other response to the motion. See Local Bankr. R. 3007-1(b)(2). 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 21, 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 21, 2026, at 1:00 p.m.

12. [25-23841](#)-B-12 SILVERDALE FARMS, INC.
[CAE-1](#)
Thru #13

CONTINUED STATUS CONFERENCE RE:
VOLUNTARY PETITION
7-25-25 [[1](#)]

No Ruling

13. [25-23841](#)-B-12 SILVERDALE FARMS, INC.
[DCJ-3](#)

MOTION TO CONFIRM CHAPTER 12
PLAN
2-27-26 [[72](#)]

No Ruling

Final Ruling

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rules 3015-1(d)(2), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 3015(g). 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 permit the requested modification and not confirm the modified plan.

First, the plan fails to specify a cure of the pre-petition arrearage owed to U.S. Bank, N.A. in Class 1 through February 2026 in the amount of \$1,168.00. Additionally, the debtors' plan fails to bring current the claim of Class 2 creditor Americredit Financial Services, Inc.. Debtor is delinquent \$1,094.30 through February 2026. The plan does not comply with 11 U.S.C. § 1325(a)(1).

Second, U.S. Bank N.A. has been classified as a Class two claim when it should be labeled as a Class 1 claim. Class 2 claims are defined as "secured claims that are modified by this plan, or that have matured or will mature before the plan is completed." U.S. Bank has a secured mortgage that matures after the plan duration. As such, the plan cannot be confirmed until U.S. Bank's claim is properly classified.

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

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

The court will issue an order.

15. [26-20545](#)-B-13 BRYAN BABCOCK
[LGT-1](#) Gregory J. Smith

OBJECTION TO CONFIRMATION OF
PLAN BY LILIAN G. TSANG
3-12-26 [[17](#)]

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). A 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.

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 Calculation of Disposable Income (Form 122C-2) shows that the Debtor's monthly disposable income is \$1,142.68. Debtor is proposing to pay \$775.00 in monthly plan payments. The plan does not provide for all of debtor's projected disposable income to be applied to unsecured creditors under the plan.

All other issues appear to have been resolved by the debtors response stating 1) an attorney fee application will be filed with the court, 2) requested Schedules I and J have been filed with the court, and 3) requested amended Schedules A/B have been filed.

The plan filed February 2, 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.

16. [26-20555](#)-B-13 FRED A COOKSIE
[LGT-1](#) Peter G. Macaluso

OBJECTION TO CONFIRMATION OF
PLAN BY LILIAN G. TSANG
3-12-26 [[13](#)]

WITHDRAWN BY M.P.

Final Ruling

The Chapter 13 Trustee having filed a notice of withdrawal of its objection, the objection is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) (when opposing party has not yet served an answer) or 41(a)(2) (dismissal at the plaintiff's request only by court order, on terms that the court considers proper) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar.

There being no other objection to confirmation, the plan filed February 2, 2026, will be confirmed.

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

IT IS FURTHER ORDERED that the plan is CONFIRMED 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. [24-90659](#)-B-13 MICHEL/KHANNA SARO MOTION TO MODIFY PLAN
[FAT-2](#) Flor De Maria A. Tataje 3-3-26 [[44](#)]

Final Ruling

The motion has 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). 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 permit the requested modification and confirm the modified plan.

11 U.S.C. § 1329 permits a debtor to modify a plan after confirmation. The Debtors have filed evidence in support of confirmation. No opposition to the motion was filed by the Chapter 13 Trustee or creditors. The modified plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329, 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.

18. [24-25474](#)-B-13 WALTER JEFFERSON
[JCK-2](#) Gregory J. Smith

MOTION TO MODIFY PLAN
3-4-26 [[45](#)]

Final Ruling

The motion has 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). 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 permit the requested modification and confirm the modified plan.

11 U.S.C. § 1329 permits a debtor to modify a plan after confirmation. The Debtor has filed evidence in support of confirmation. No opposition to the motion was filed by the Chapter 13 Trustee or creditors. The modified plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329, 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.

19. [25-23077](#)-B-13 DENNIS MILLER MOTION TO AVOID LIEN OF
[NAR-2](#) Natali A. Ron STRATEGIC FUNDING SOURCE, INC.
Thru #20 3-6-26 [[48](#)]

Final Ruling

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

The court's decision is to grant the motion to avoid lien.

This is a request for an order avoiding the judicial lien of Strategic Funding Source, Inc. ("Creditor") against the Debtor's property commonly known as 2171 Spring View Court, Tracy, California ("Property").

A judgment was entered against Debtor in favor of Creditor in the amount of \$184,831.50. An abstract of judgment was recorded with San Joaquin County on June 6, 2024, which encumbers the Property.

Pursuant to the Debtor's Schedule A, the Property has an approximate value of \$448,300.00 as of the date of the petition. Debtor has claimed an exemption pursuant to Cal. Civ. Proc. Code § 704.730 in the amount of \$114,517.72 on Schedule C. All other liens recorded against the Property total \$333,782.28.

After application of the arithmetical formula required by 11 U.S.C. § 522(f)(2)(A), there is no equity to support the judicial lien. Therefore, the fixing of this judicial lien impairs the Debtor's exemption of the real property and its fixing is avoided subject to 11 U.S.C. § 349(b)(1)(B).

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

The court will issue an order.

20. [25-23077](#)-B-13 DENNIS MILLER OBJECTION TO NOTICE OF
[NAR-3](#) Natali A. Ron POSTPETITION MORTGAGE FEES,
EXPENSES, AND CHARGES
2-27-26 [[44](#)]

Final Ruling

Introduction

Before the court is a Objection to Notice of Postpetition Fees, Expenses, and Charges of the Village at Summergate Association filed by debtor Dennis Jay Miller ("Debtor"). The Village at Summergate Association ("HOA") filed an opposition. No reply was timely filed.

The court has reviewed the objection, opposition, and all related documents and exhibits. 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 court's decision is to strike the objection, sustain the objection in part, and overrule the objection in part.

Background and Discussion

Debtor objects to late fees, attorney's fees, and costs claimed in a Rule 3002.1 notice the HOA filed on January 29, 2026. These charges totals \$3,269.40. They consist of late fees of \$328.80 (\$54.80 x 6 months), attorney's fees of \$2,920.50, and costs of \$20.00. The HOA asserts the charges are reasonable and permissible under state law.

The primary problem here is that the HOA's opposition is filed and signed by attorney Alyssa B. Klausner. Ms. Klausner is not admitted to the bar of the Eastern District of California. See

<https://www.caed.uscourts.gov/AttorneyLookupPublic/attorneyLookupByJson.aspx?lastname=Klausner&firstName=> (when viewed on April 8, 2026).¹ Consequently, Ms. Klausner is prohibited from practicing-and thence from filing-in the Eastern District of California Bankruptcy (and District) Court(s). See Local Dist. Ct. R. 180(b); Local Bankr. R. 1001-1(c) (making Local Dist. Ct. R. 180 applicable in bankruptcy proceedings). The HOA's opposition is therefore **STRICKEN**.

With the HOA's opposition stricken, Debtor's objection is unopposed. However, the absence of an opposition does not necessarily mean relief will automatically be granted. See *Rivas-Almendarez v. Holder*, 362 Fed.Appx. 606 (9th Cir. 2010). The request for relief must still be meritorious. *Nunez v. Nunez (In re Nunez)*, 196 B.R. 150, 156 (9th Cir. BAP 1996); *In re Millspaugh*, 302 B.R. 90, 95 (Bankr. D. Idaho 2003). The objection has merit.

A. Late Fees

The late fees are disallowed. The late fees appear to be for the period from July 16, 2025, through December 20, 2025.

Debtor filed the first amended plan on September 8, 2025. When filed, that became the effective plan. See 11 U.S.C. § 1323(b). The first amended plan was confirmed on November 5, 2025. It controls the treatment of the HOA's Class 1 claim.

The issue here with regard to the late fee is not the amount of the monthly payment the HOA receives from the Chapter 13 Trustee ("Trustee"). Rather, the issue apparently concerns the timing of the monthly payment the HOA receives from the Trustee.

Section 3.07(c)(7) of the first amended plan states as follows: "**Post-petition monthly payments made by Trustee and received by the holder of a Class 1 claim shall be applied as if the claim was current** and no arrearage existed on the date the case was filed." Docket 22 at p.3 (emphasis added). To the extent postpetition payments the HOA receives from the Trustee must be applied as if it they are current, those payments cannot be late regardless of when the Trustee makes the payment or when the HOA receives it.

Notably, the HOA did not object to confirmation of the first amended plan. More precisely, it did not object to the timing provision which treats the Trustee's payment of a Class 1 claim as current regardless of when it is made or received. The HOA is bound by the terms of the confirmed first amended plan.² See 11 U.S.C. § 1327(a); see

¹The court confirmed this with the Clerk of the District Court.

²Although not before the court, failure to apply payments in the manner required by the confirmed first amended plan may subject the HOA to liability under 11 U.S.C. § 524(i) if Debtor completes payments and receives a discharge. See *In re Wells Fargo Bank v. Valdellon*, 665 B.R. 420 (9th Cir.

also *Bullard v. Blue Hills Bank*, 575 U.S. 496, 502 (2015).

B. Attorney's Fees

The attorney's fees are also disallowed.

First, as noted above, Ms. Klausner is not admitted to the bar of the Eastern District of California. It is therefore not reasonable to allow Ms. Klausner-or her client-to benefit financially for services provided in a district in which she is not admitted to practice. All attorney's fees are therefore disallowed on this basis.

Second, Ms. Klausner's hourly rate of \$495.00 is not a reasonable hourly rate for a similar attorney in a Chapter 13 case filed in this district. See *In re Lupekha*, 2024 WL 1146610 (Bankr. E.D. Cal., March 14, 2024).

Third, at a very minimum, the attorney's fees charged for the proof of claim are facially unreasonable. These fees total \$1,287.00. At an hourly rate of \$495.00, the court is expected to believe it took Ms. Klausner 2.6 hours to prepare a proof of claim. The court has reviewed the HOA's proof claim and the assertion it required 2.6 hours to prepare is not at all credible. The proof of claim form is a three-page standardized official fill-in-the blank form. It includes an attachment of account information readily available to the HOA and its attorney. It does not take almost three hours to complete. The attorney's fees for the proof of claim specifically are disallowed on this alternate and independent basis.

C. Costs

The \$20.00 Pacer cost is reasonable. This cost is allowed and it is not dependent on admission to practice in this district.

Conclusion

For the foregoing reasons, Debtor's objection is **SUSTAINED IN PART** and **OVERRULED IN PART**. The objection is **SUSTAINED** as to late fees and attorney's fees which are **DISALLOWED** in their entirety. The objection is **OVERRULED** as to Pacer costs which are **ALLOWED** in the amount of \$20.00.

The court will enter an appropriate order.

21. [26-20583](#)-B-13 DAVID WOODS
[LGT](#)-1 Arete Kostopoulos

OBJECTION TO CONFIRMATION OF
PLAN BY LILIAN G. TSANG
3-16-26 [[18](#)]

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.

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.

The court's decision is to grant the motion to extend automatic stay.

Debtor seeks to have the automatic stay extended beyond 30 days pursuant to 11 U.S.C. § 362(c)(3). This is the Debtor's second bankruptcy petition pending in the past 12 months. The Debtor's prior bankruptcy case was dismissed on November 6, 2025, based on the Trustee's objection to plan confirmation and a recommendation of dismissal. (case no. 25-15127-HLB, Nevada). Therefore, pursuant to 11 U.S.C. § 362(c)(3)(A), the provisions of the automatic stay end in their entirety 30 days after filing of the petition. See e.g., *Reswick v. Reswick (In re Reswick)*, 446 B.R. 362 (9th Cir. BAP 2011) (stay terminates in its entirety); accord *Smith v. State of Maine Bureau of Revenue Services (In re Smith)*, 910 F.3d 576 (1st Cir. 2018). This motion was set for hearing within 30 days of the filing of the instant case. 11 U.S.C. § 362(c)(3)(B).

Discussion

Upon motion of a party in interest and after notice and hearing, the court may order the provisions extended beyond 30 days if the filing of the subsequent petition was in good faith. 11 U.S.C. § 362(c)(3)(B). The subsequently filed case is presumed to be filed in bad faith if there has not been a substantial change in the financial or personal affairs of the debtor since the dismissal of the next most previous case under chapter 7, 11, or 13. *Id.* at § 362(c)(3)(C)(i)(III). The presumption of bad faith may be rebutted by clear and convincing evidence. *Id.* at § 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, 209-210 (2008).

Debtor asserts that his prior case failed due to the fact that it was not managed by him. Debtor was in a rehabilitation facility for the duration of his previous bankruptcy proceeding. The preceding action was filed on behalf of the Debtor by a family member who had power of attorney over the Debtor during his rehabilitation. Debtor has since been released from rehabilitation, has obtained new employment opportunities, and believes that this case will result in a fully preformed plan.

The Debtor has sufficiently rebutted, by clear and convincing evidence, 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 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 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.

First, the plan will take approximately 92 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 Debtor is delinquent in the amount of \$1,108.36. 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).

Third, 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 trustee is unable to determine debtors disposable income due to inaccuracies in the Calculation of Disposable Income (Form 122C-2). Due to the inaccuracies listed in the trustees opposition, dkt. no. 46, feasibility is unable to be determined by the trustee.

Fourth, there are inaccuracies with the payment of fees to debtor's attorney. Section 3.05 of Debtors' first amended plan filed March 9, 2026, reflects fees of \$2,500.00 paid prior to the filing of the case and \$15,500.00 to be paid through the plan for a total of \$18,000.00.

Dkt. no. 34. However, Debtors' amended Disclosure of Compensation of Attorney for Debtor filed March 30, 2026 reflected fees of \$2,500.00 paid prior to the filing of the case and a balance of just \$10,320.00 for a total of \$12,820.00. Dkt. no. 44. Due to this, the trustee is unable to determine feasibility and whether the plan provides for excess fees.

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

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

The court will issue an order.

24. [26-21291](#)-B-13 DONNETTE DESANTIS
[RJ-1](#) Richard L. Jare

MOTION TO VALUE COLLATERAL OF
CAPITAL ONE AUTO FINANCE
3-17-26 [7]

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 value the secured claim of Capital One Auto Finance at \$4,250.00.

Debtor moves to value the secured claim of Capital One Auto Finance ("Creditor"). Debtor is the owner of a 2016 Nissan Altima ("Vehicle"). Debtor seeks to value the Vehicle at a replacement value of \$4,250.00 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 lien on the Vehicle's title secures a purchase-money loan incurred in March 2017, which is more than 910 days prior to filing of the petition, to secure a debt owed to Creditor with a balance of approximately \$25,000.00. Therefore, the Creditor's claim secured by a lien on the asset's title is under-collateralized. The Creditor's secured claim is determined to be in the amount of \$4,250.00. See 11 U.S.C. § 506(a). The valuation motion pursuant to Fed. R. Civ. P. 3012 and 11 U.S.C. § 506(a) is granted.

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

The court will issue an order.

25. [25-23794](#)-B-13 AUDEL/MERRYCLAIRE
[DAB](#)-4 VALENCIA
David A. Boone

MOTION TO CONFIRM PLAN
3-6-26 [[57](#)]

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.

26. [24-25197](#)-B-13 DENISE REES
[PGM](#)-4 Peter G. Macaluso

OBJECTION TO CLAIM OF FRANCHISE
TAX BOARD, CLAIM NUMBER 4
2-25-26 [[110](#)]

Final Ruling

The Debtor having filed a notice of withdrawal of its objection, the objection is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar.

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

The court will issue an order.

27. [25-20616](#)-B-13 TEOFILO RIVERA AND KARA CONTINUED MOTION TO INCUR DEBT
[JCK-1](#) DOMINGUEZ RIVERA 3-6-26 [[60](#)]
Gregory J. Smith

Final Ruling

This matter was continued from April 7, 2026, to allow any party in interest to file a response by 5:00 p.m. Friday, April 10, 2026. Nothing was filed. Therefore, the court's conditional ruling at dkt. 75, granting the motion, shall become the court's final decision. The continued hearing on April 14, 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.

28. [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

This matter was continued from April 7, 2026, to allow any party in interest to file a response by 5:00 p.m. Friday, April 10, 2026. Nothing was filed. Therefore, the court's conditional ruling at *dk.* 52, granting the motion, shall become the court's final decision. The continued hearing on April 14, 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.