

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

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

**PRE-HEARING DISPOSITIONS COVER SHEET**

**DAY: TUESDAY**

**DATE: May 27, 2025**

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

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

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

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

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

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

**UNITED STATES BANKRUPTCY COURT**

Eastern District of California

Honorable Christopher D. Jaime  
Bankruptcy Judge  
Modesto, California

**May 27, 2025 at 1:00 p.m.**

---

1. [25-90114](#)-B-13 KEVIN JORDAN MOTION TO DISMISS CASE  
[LGT](#)-1 David C. Johnston 4-21-25 [[24](#)]

**Final Ruling**

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Opposition was filed.

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

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

First, Debtor did not provide proof of identification or proof of social security number at the first meeting of creditors. Thus, the meeting of creditors was continued to May 28, 2025.

Second, documents are still missing from the Debtor including copies of all payment advices or other evidence of payment received within 60 days before the date of filing of the petition, copy of original valid picture ID, such as driver's license, proof of Debtor's complete social security number, by way of social security card or W-2 Form, monthly profit and loss statements for the full six months prior to filing, copies of the IRS Form 941, EDD for DE-6 and proof of payment for the quarter ending prior to the filing of the case, list of all inventory and equipment, current values, dates of purchase and values when purchased, list of any and all funds, accounts receivables, pending escrows, etc., owed to the business at the time of filing, and Business Case Questionnaire.

Third, the Disclosure of Compensation of Attorney for Debtor form filed February 18, 2025, is incorrect. The form does not match that of the form provided on the Eastern District of California court's website

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

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

The court will issue an order.

**May 27, 2025 at 1:00 p.m.**

2.     [25-90123](#)-B-13   VIOLETA SALCEDO                   MOTION TO DISMISS CASE  
          [LGT](#)-1           Flor De Maria A. Tataje           4-21-25 [[32](#)]

CONTINUED TO 6/17/25 AT 1:00 P.M. TO BE HEARD IN CONJUNCTION WITH THE MOTION TO CONFIRM PLAN.

**Final Ruling**

No appearance at the May 27, 2025, hearing is required. The court will issue an order.

3. [24-90724](#)-B-13 ERIC GUTIERREZ MOTION TO DISMISS CASE  
[LGT](#)-2 Simran Singh Hundal 4-21-25 [[25](#)]

**Final Ruling**

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). 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 grant the motion to dismiss case.

The Chapter 13 Trustee moves to dismiss case on grounds that Debtor failed to file a modified plan with notice to creditors. This is an unreasonable delay that is prejudicial to creditors. 11 U.S.C. § 1307(c)(1).

The Debtor filed a response stating that an amended plan and supporting documents will be filed prior to the hearing on this motion. A review of the court's docket shows that nothing was filed.

Therefore, cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will issue an order.

4. [24-90626](#)-B-13 DAVID FREITAS  
[LGT](#)-1 David C. Johnston

MOTION TO DISMISS CASE  
4-7-25 [[25](#)]

### **Final Ruling**

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Opposition was filed.

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

The court's decision is to deny without prejudice the motion to dismiss case.

The Chapter 13 Trustee ("Trustee") moves to dismiss case on grounds that Debtor failed to set a plan as required by the Order Extending Time to File Missing Documents. This is an unreasonable delay by the debtor that is prejudicial to creditors. 11 U.S.C. § 1307(c)(1).

Debtor filed a response stating that an amended plan together with a motion to confirm it has been filed and that the confirmation hearing is set for July 1, 2025. Debtor also states that he is current on plan payments. This resolves the issues raised by the Trustee.

Cause does not exist to dismiss this case. The motion is denied without prejudice.

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

The court will issue an order.

5. [25-90226](#)-B-13 MARITZA RIVERA  
Pro Se

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
5-2-25 [[21](#)]

**Final Ruling**

The Order to Show Cause will be discharged and the case will remain pending but the court will modify the terms of its order permitting the Debtor to pay the filing fee in installments.

The court granted the Debtor permission to pay the filing fee in installments. The Debtor failed to pay the \$79.00 installment when due on April 28, 2025. While the delinquent installment was paid on May 5, 2025, the fact remains that the court was required to issue an order to show cause to compel the payment. Therefore, as a sanction for the late payment, the court will modify its prior order allowing installment payments to provide that if a future installment is not received by its due date, the case will be dismissed without further notice or hearing.

The order to show cause is ORDERED DISCHARGED for reasons stated in the minutes and the case SHALL REMAIN PENDING.

IT IS FURTHER ORDERED that if a future installment is not received by its due date, the case will be dismissed without further notice or hearing.

The court will issue an order.

6. [24-90747](#)-B-13 JASON CLARK  
[LGT](#)-2 Joshua Sternberg

MOTION TO DISMISS CASE  
4-8-25 [[44](#)]

**Final Ruling**

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

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

Debtor is delinquent in the amount of \$9,849. Additionally, further payments will come due, specifically \$3,282 for April 25, 2025, and \$3,282 for May 25, 2025. A review of Debtor's schedules shows that there is no equity to be realized for the benefit of the estate.

Therefore, cause exists to dismiss this case. The motion is granted and the case is dismissed.

7. [25-90275](#)-B-13 YEKATERINA MAYORKIS  
Carl R. Gustafson

ORDER TO SHOW CAUSE FOR FAILURE  
TO UPDATE CONTACT INFORMATION  
IN PACER  
4-29-25 [[10](#)]

### **Final Ruling**

The order to show cause was issued due to a discrepancy between the email address for Debtor's counsel in PACER and on the petition.

Debtor's counsel Carl Gustafson ("Counsel") filed a response explaining that his email address on PACER is correct and that the omission of an email address from the voluntary petition was intentional because Counsel operates different emails in each district and for clients of various types (bankruptcy, student loan, creditors, etc.). Counsel states that having different email accounts allows him to better serve his clients.

Counsel also states that he has searched Local Bankruptcy Rule 5005.5-1(e) and other relevant rules and found none that require him to list his email address in the voluntary petition. Nevertheless, Counsel states that he has begun including his email address in future filings.

Separately, Counsel states that he has received notices and Orders to Show Cause ("OSC") as described above in many other cases. See dkt. 13, exh. A. Counsel wishes to address these identical deficiencies uniformly, and would welcome joint disposition of all outstanding notices and OSCs at the hearing. However, it would be inappropriate for this court to unilaterally resolve all other OSCs pending before other judges.

The court is satisfied with Counsel's explanation, and the order to show cause is therefore discharged with no further sanctions ordered.

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

The court will issue an order.



8. [25-90276](#)-B-13 VICTORIA GECSEK  
Pro Se

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
4-29-25 [[12](#)]

CASE DISMISSED: 05/02/25

**Final Ruling**

The case having been dismissed on May 2, 2025, for failure to timely file documents, the order to show cause is discharged as moot.

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

The court will issue an order.

9.     [25-90082](#)-B-13   MEL DIRIGE                               MOTION TO DISMISS CASE  
          [LGT](#)-1             David C. Johnston               4-21-25 [[18](#)]

**Final Ruling**

The Chapter 13 Trustee filed a motion to withdraw its pending motion, and it is consistent with the Debtor's opposition filed to the motion. The motion is therefore dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2) and Federal Rule of Bankruptcy Procedure 9014 and 7041. The case will proceed in this court.

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

The court will issue an order.

10. [24-90786](#)-B-13 MITCHELL/MARCELLA EICH MOTION TO DISMISS CASE  
[LGT](#)-1 David C. Johnston 4-7-25 [[27](#)]

**Final Ruling**

The Chapter 13 Trustee filed a motion to withdraw its pending motion, and it is consistent with the Debtor's opposition filed to the motion. The motion is therefore dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2) and Federal Rule of Bankruptcy Procedure 9014 and 7041. The case will proceed in this court.

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

The court will issue an order.

11. [24-90698](#)-B-13 GRISEL OLIVEROS  
[LGT](#)-2 Simran Singh Hundal

MOTION TO DISMISS CASE  
4-7-25 [[25](#)]

### **Final Ruling**

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Opposition was filed.

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

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

The Chapter 13 Trustee moves to dismiss case on grounds that Debtor failed to file a modified plan with notice to creditors. This is an unreasonable delay that is prejudicial to creditors. 11 U.S.C. § 1307(c)(1).

The Debtor filed a response and a review of the court's docket shows that an amended plan was filed on May 23, 2025, with a confirmation hearing set for July 10, 2025. This resolves the basis for dismissal of the case at this time.

Cause does not exist to dismiss this case. The motion is denied without prejudice and the case will remain pending.

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

The court will issue an order.