

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

Honorable Christopher D. Jaime  
Robert T. Matsui U.S. Courthouse  
501 I Street, Sixth Floor  
Sacramento, California

**PRE-HEARING DISPOSITIONS COVER SHEET**

**DAY: TUESDAY**

**DATE: June 3, 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  
Sacramento, California

**June 3, 2025 at 1:00 p.m.**

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1. [25-20600](#)-B-13 RANDY/CONCEPTION BARRETTO MOTION TO BE EXCUSED FROM  
[BSH](#)-2 Brian S. Haddix COMPLIANCE WITH LOCAL  
BANKRUPTCY RULE 3015-1 (D) (1)  
4-28-25 [[29](#)]

MATTER RESOLVED BY ORDER FILED 5/27/25. NO APPEARANCE NECESSARY.

2. [24-20702](#)-B-13 CRAIG GILMORE  
[LGT](#)-3 G. Michael Williams

CONTINUED MOTION TO DISMISS  
CASE  
3-11-25 [[109](#)]

### **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). Debtor Craig Gilmore ("Debtor") filed a declaration on May 21, 2025.

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

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

The Chapter 13 Trustee moves to dismiss this case on grounds that Debtor is delinquent in plan payments and has not confirmed a plan. This is an unreasonable delay that is prejudicial to creditors. 11 U.S.C. § 1307(c)(1).

The Trustee's office has confirmed that Debtor is current under the plan. A review of the court's docket shows that the most recently filed amended plan was on January 15, 2025, and it was denied confirmation on March 4, 2025. Given the aforementioned, the Debtor shall have until July 1, 2025, to file, set for confirmation hearing, and serve an amended plan. If an amended plan is not filed and set for hearing, the case shall be dismissed on the Trustee's ex parte application.

The motion to dismiss case is conditionally denied.

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

The court will issue an order.

3. [25-20506](#)-B-13 RODOLFO BENAVIDES  
[LGT](#)-1 Pro Se

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY TRUSTEE  
LILIAN G. TSANG  
3-24-25 [[19](#)]

CONTINUED TO 7/08/25 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS  
SET FOR 7/02/25.

**Final Ruling**

No appearance at the June 3, 2025, hearing is required. The court will issue an order.

4. [25-21306](#)-B-13 CYNTHIA COVINGTON  
[LGT](#)-1 James L. Keenan

OBJECTION TO CONFIRMATION OF  
PLAN BY LILIAN G. TSANG  
5-2-25 [[18](#)]

### **Final Ruling**

The *initial* Chapter 13 Plan filed March 23, 2025, is not confirmable and the objection is not one that may be resolved in the confirmation order. Nevertheless, because this is the *initial* Chapter 13 Plan, the procedure in Local Bankr. R. 3015-1(c)(4) applies.

The court's decision is to **continue the hearing to June 10, 2025, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan.**

First, the plan does not provide for the payment of equal monthly amounts to allowed secured claims. 11 U.S.C. § 1325(a)(5)(B)(iii)(I). Aryming Asset Management LLC has filed a secured claim, for the second deed of trust, in the amount of \$269,760.38 indicating pre-petition arrears of \$180,043.94 and a post-petition mortgage payment of \$903.90. Claim 2-1. The attachment to the proof of claim indicates a maturity date of October 1, 2035. Accordingly, the pre-petition arrears of \$180,043.94 need to be provided for in the plan and conduit payments need to be made as a Class 1 claim. Debtor's plan is not feasible as proposed.

Second, the plan is not feasible due to the speculative nature of Debtor obtaining a refinance of her mortgage by month 37. Debtor has not provided any evidence that she can obtain a refinance of her mortgage or in an amount sufficient to comply with the terms of the plan.

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

### **Conditional Nature of this Ruling**

Because the objection has been filed, set, and served under Local Bankruptcy Rules 3015-1(c)(4) and 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on June 6, 2025, to file and serve a response to the objection(s). See Local Bankr. R. 3015-1(c)(4), 9014-1(f)(2)(C). Any response shall be served on the Chapter 13 Trustee, the Debtor, the Debtor's attorney, and/or the attorney for the objecting party by facsimile or email.

If no response is timely filed and served, the objection will be deemed sustained 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 June 10, 2025, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on June 10, 2025, at 1:00 p.m.

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

The court will issue an order.

5.     [25-90108](#)-B-13   TODD KOVACS                   MOTION TO BE EXCUSED FROM  
      [BSH](#)-3            Brian S. Haddix           COMPLIANCE WITH LOCAL  
  BANKRUPTCY RULE 3015-1(D)(1) ON  
  GROUNDS OF INCONSISTENCY WITH  
  11 U.S.C. &#167; 1324 AND FRBP  
  9029(A)  
  4-28-25 [[28](#)]

MATTER RESOLVED BY ORDER FILED 6/02/25. NO APPEARANCE NECESSARY.

6. [25-21323](#)-B-13 RANATEJBIR THIND  
[LGT](#)-1 Scott M. Johnson

OBJECTION TO CONFIRMATION OF  
PLAN BY LILIAN G. TSANG  
5-1-25 [[14](#)]

CONTINUED TO 7/08/25 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS  
SET FOR 7/02/25.

**Final Ruling**

No appearance at the June 3, 2025, hearing is required. The court will issue an order.

**Final Ruling**

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(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. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

The court will issue an order.



8. [25-21233](#)-B-13 MITZELA/JOSHUA PACHECO OBJECTION TO CONFIRMATION OF  
[LGT](#)-1 Michael K. Moore PLAN BY LILIAN G, TSANG  
5-1-25 [[21](#)]

CONTINUED TO 6/17/25 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS SET FOR 6/12/25.

## Final Ruling

No appearance at the June 3, 2024, hearing is required. The court will issue an order.

9. [25-21245](#)-B-13 ERIC/DEBRA BONILLA OBJECTION TO CONFIRMATION OF  
[LGT](#)-1 Peter G. Macaluso PLAN BY LILIAN G. TSANG  
**Thru #10** 5-5-25 [[19](#)]

CONTINUED TO 7/08/25 AT 1:00 P.M. FOR EVIDENTIARY HEARING. NO APPEARANCE AT THE 6/03/25 HEARING IS REQUIRED.

10. [25-21245](#)-B-13 ERIC/DEBRA BONILLA MOTION TO VALUE COLLATERAL OF  
[PGM](#)-1 Peter G. Macaluso SIERRA CENTRAL CREDIT UNION  
5-6-25 [[22](#)]

CONTINUED TO 7/08/25 AT 1:00 P.M. FOR EVIDENTIARY HEARING. NO APPEARANCE AT THE 6/03/25 HEARING IS REQUIRED.

11. [25-21059](#)-B-13 JONATHAN GOBERT AND LUIS CONTINUED OBJECTION TO  
[LGT](#)-1 OTERO CONFIRMATION OF PLAN BY LILIAN  
Robert L. Goldstein G. TSANG  
4-22-25 [[20](#)]

CONTINUED TO 7/08/25 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS  
SET FOR 7/02/25.

**Final Ruling**

No appearance at the June 3, 2025, hearing is required. The court will issue an order.

12. [24-23167](#)-B-13 VALERY ALEXANDER-THOMAS MOTION TO BE EXCUSED FROM  
[BSH](#)-1 Brian S. Haddix COMPLIANCE  
4-28-25 [[64](#)]

MATTER RESOLVED BY ORDER FILED 6/02/25. NO APPEARANCE NECESSARY.

13. [25-90167](#)-B-13 HAROLD EMMONS AMENDED MOTION TO BE EXCUSED  
[BSH](#)-1 Brian S. Haddix FROM COMPLIANCE  
4-28-25 [[32](#)]

MATTER RESOLVED BY ORDER FILED 6/02/25. NO APPEARANCE NECESSARY.

14. [25-21168](#)-B-13 JILL ARRINGTON OBJECTION TO CONFIRMATION OF  
[LGT](#)-1 Kathleen H. Crist PLAN BY LILIAN G. TSANG  
5-2-25 [[15](#)]

CONTINUED TO 6/17/25 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS  
SET FOR 6/12/25.

**Final Ruling**

No appearance at the June 3, 2024, hearing is required. The court will issue an order.

15. [24-24569](#)-B-13 GARY DIETRICH CONTINUED MOTION TO CONFIRM  
[EJS](#)-1 Eric John Schwab PLAN  
3-20-25 [[34](#)]

HEARING CONTINUED TO 6/10/25 AT 1:00 P.M. AT SACRAMENTO COURTROOM TO PROVIDE DEBTOR ADDITIONAL TIME TO BECOME CURRENT WITH PLAN PAYMENTS UNDER THE AMENDED PLAN.

THE CHAPTER 13 TRUSTEE SHALL FILE A SUPPLEMENTAL DECLARATION BY 6/06/25 AS TO WHETHER THE DEBTOR IS CURRENT AND ISSUES ARE RESOLVED.

**Final Ruling**

No appearance at the June 3, 2024, hearing is required. The court will issue an order.

16. [25-21371](#)-B-13 DYNESE HORACE AND OBJECTION TO CONFIRMATION OF  
[LGT-1](#) LAWRENCE WILLIAMS PLAN BY LILIAN G. TSANG  
**Thru #17** Harry D. Roth 5-1-25 [[17](#)]

### **Final Ruling**

The *initial* Chapter 13 Plan filed March 30, 2025, is not confirmable and the objection is not one that may be resolved in the confirmation order. Nevertheless, because this is the *initial* Chapter 13 Plan, the procedure in Local Bankr. R. 3015-1(c)(4) applies.

The court's decision is to **continue the hearing to June 10, 2025, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan.**

First, Debtors' plan has not been signed by Debtor, Joint Debtor or Debtors' counsel as required under Local Rule 9004-1(c)(1)(A), (B).

Second, the Debtor will not be able to make all payments under the plan and comply with the plan. 11 U.S.C. § 1325(a)(6). Monthly payments to secured creditors total \$1,233.07 with Trustee compensation and expense. Debtors' plan payment is only \$1,209.14 per month. Accordingly, Debtors' plan is not feasible.

Third, feasibility of the plan depends on the filing and granting of motions to value collateral of American Honda Finance Corporation and Santander Consumer USA, Inc. Nothing has yet been filed by Debtors.

Fourth, no election regarding attorney compensation was made at Section 3.05 of the plan.

Fifth, the Disclosure of Compensation of Attorney for Debtor form filed on March 26, 2025, is incorrect. The form does not match the standardized form as provided on the Eastern District of California Court's website.

Sixth, the plan fails to provide for submission of all retirement loan maturity statements to the Chapter 13 Trustee as is necessary for execution of the plan. 11 U.S.C. § 1322(a).

Seventh, Debtors' income may be understated based on the most recent paystubs provided, and the Debtors' disposable income maybe actually be higher than shown on the Form 122C-1. Until Debtors file amended Form 122C-1 and/or provide six months of paystubs to clarify this discrepancy, it cannot be determined whether the plan was filed in good faith or if it pays in all of the Debtors' disposable income for the remaining term of the plan.

Eighth, Debtors' schedules are inaccurate since a mortgage payment, two vehicles, and retirement loan deductions are each listed twice on different schedules.

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

### **Conditional Nature of this Ruling**

Because the objection has been filed, set, and served under Local Bankruptcy Rules 3015-1(c)(4) and 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on June 6, 2025, to file and serve a response to the objection(s). See Local Bankr. R. 3015-1(c)(4), 9014-1(f)(2)(C). Any response shall be served on the Chapter 13 Trustee, the Debtors, the Debtors' attorney, and/or the attorney for the objecting party by facsimile or email.

If no response is timely filed and served, the objection will be deemed sustained 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 June 10, 2025, at 1:00 p.m. will be vacated.



If a response is timely filed and served, the court will hear the objection on June 10, 2025, at 1:00 p.m.

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

The court will issue an order.

17. [25-21371](#)-B-13 DYNESE HORACE AND OBJECTION TO CONFIRMATION OF  
[SKI](#)-1 LAWRENCE WILLIAMS PLAN BY SANTANDER BANK, N.A.  
Harry D. Roth 5-6-25 [[22](#)]

#### **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). No written reply has been filed to the objection.

Because the plan is not confirmable and the objection is not one that may be resolved in the confirmation order, further briefing is not necessary. See Local Bankr. R. 9014-1(f)(2)(C). The court has also determined that oral argument will not assist in the decision-making process or resolution of the objection. See Local Bankr. R. 9014-1(h), 1001-1(f). This matter will therefore be decided on the papers

The court's decision is to overrule as moot the objection and deny confirmation of the plan for reasons stated at Item #16, LGT-1.

The plan filed March 30, 2025, does not comply with 11 U.S.C. §§ 1322 and 1325(a).

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

The court will issue an order.

18. [24-21893](#)-B-13 LUCINDA/HENRY COLEMAN  
[LRR](#)-3 Le'Roy Roberson

AMENDED MOTION TO CONFIRM PLAN  
4-15-25 [[74](#)]

### **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. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

The court will issue an order.