

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Ronald H. Sargis
Chief Bankruptcy Judge
Sacramento, California

June 16, 2021 at 2:00 p.m.

1. <u>21-21249</u>-E-7 JOHN/JEANANN MCCOY	STATUS CONFERENCE RE:
<u>21-2020</u>	COMPLAINT
MCCOY ET AL V. UNITED STATES	4-6-21 [<u>1</u>]

Plaintiff's Atty: Pro Se
Defendant's Atty: unknown

Adv. Filed: 4/6/21
Answer: none

1st Amd. Cmplt. Filed: 4/13/21
Reissued Summons: 4/14/21
Answer: none

Nature of Action: [no Adversary Proceeding Cover Sheet filed]

Notes:

The Status Conference is XXXXXXX

On April 6, 2021, John McCoy, in *pro se*, (Plaintiff-Debtor) filed a pleading identified to be the Complaint for this Adversary Proceeding titled:

PLAINTIFF IS FILING HIS CHAPTER 7
BANKRUPTCY PETITION TO CEASE
ALL COLLECTION ACTIVITIES ON THE
PART OF THE INTERNAL REVENUE
SERVICE AND THE CALIFORNIA
FRANCHISE TAX BOARD AS OF APRIL
7, 2021.

Dckt. 1.

On April 13, 2021, Plaintiff-Debtor filed a document that has been docketed as an Amended Complaint titled:

PLAINTIFF IS FILING HIS CHAPTER 7
BANKRUPTCY PETITION TO CEASE
ALL COLLECTION ACTIVITIES ON THE
PART OF THE INTERNAL REVENUE
SERVICE AND THE CALIFORNIA
FRANCHISE TAX BOARD AS OF APRIL
7, 2021.

Dckt. 8. A Reissued Summons was issued on April 14, 2021. No Certificate of Service has been filed.

The Amended Complaint is two pages in length, including the caption page, and stated that Plaintiff-Debtor has lost three properties worth over \$900,000, but the Internal Revenue Service will not acknowledge such losses. Further, that the Internal Revenue Service has ordered the California Franchise Tax Board to garnish co-debtor Jeanann McCoy's (who is not a party to this Adversary Proceeding) wages.

Nothing further is alleged as to the Internal Revenue Service or California Franchise Tax Board.

On April 19, 2021, the Chapter 7 bankruptcy case of John McCoy and Jeanann McCoy was dismissed. 21-21249; Order, Dckt. 23. The court denied without prejudice the Motion to Vacate Order Dismissing the Chapter 7 case. *Id.*; Dckt. 31.

It appears that there is no basis for this court to exercise federal court jurisdiction arising under 28 U.S.C. § 1334 to address a dispute between Debtor and the Internal Revenue Service.

At the Status Conference **XXXXXXX**

2. [10-22378-E-13](#) **DEREK/ALISA FREEMAN**
[21-2010](#)
FREEMAN ET AL V. HFC ET AL

CONTINUED STATUS CONFERENCE
RE: COMPLAINT
2-2-21 [\[1\]](#)

Plaintiff's Atty: Timothy J. Walsh
Defendant's Atty: unknown

Adv. Filed: 2/2/21
Answer: none

Nature of Action:
Validity, priority or extent of lien or other interest in property

Notes:
Continued from 5/19/21 by order of the court [Dckt 7]. Timothy J. Walsh, Esq. counsel for the Plaintiff, to appear telephonically at the continued Status Conference unless this Adversary Proceeding has been dismissed or the court continues it by final ruling.

The Status Conference is xxxxxxx
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SUMMARY OF COMPLAINT

The Complaint filed by Derek and Alisa Freeman ("Plaintiff-Debtor"), Dckt. 1, asserts that Plaintiff-Debtor valued Defendant's Secured Claim in Plaintiff-Debtor's Chapter 13 case at \$0.00, Plaintiff-Debtor's Chapter 13 Plan provided for the \$0.00 secured claim, that the Plan has been completed, and Plaintiff Debtor granted a discharge.

Plaintiff-Debtor asserts that Defendant's deed of trust is void and has not been reconveyed as required under applicable California law and the deed of trust itself.

SUMMARY OF ANSWER

No answer has been filed. No certificate of service has been filed by Plaintiff-Debtor.

FINAL BANKRUPTCY COURT JUDGMENT

Plaintiff-Debtor alleges in the Complaint that jurisdiction for this Adversary Proceeding exists pursuant to 28 U.S.C. §§ 1334 and 157, and that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(K) and (L). Complaint ¶ 3, Dckt. 1.

Continued Status Conference

Counsel for Plaintiff-Debtor did not appear at the May 19, 2021 Status Conference in this Adversary Proceeding. The Docket does not reflect that Plaintiff-Debtor is prosecuting this Adversary

Proceeding.

The court issued its order for Plaintiff-Debtor's counsel to appear at the continued hearing on June 16, 2021. Order, Dckt. 7. Nothing further has been filed in this Adversary Proceeding indicating that Plaintiff-Debtor is prosecuting this matter.

At the June 16, 2021 Status Conference, **XXXXXXX**

FINAL RULINGS

3. [15-20352-E-13](#) GREGORY/CLARICE BRIDGES STATUS CONFERENCE RE:
[21-2023](#) COMPLAINT
BRIDGES ET AL V. LONG BEACH 4-19-21 [[1](#)]
MORTGAGE CO. ET AL

Final Ruling: No appearance at the June 16, 2021 Status Conference is required.

Plaintiff's Atty: Peter G. Macaluso
Defendant's Atty: unknown

Adv. Filed: 4/19/21
Answer: none
Reissued Summons: 5/10/21

Nature of Action:
Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)

Notes:
Reissued Summons requested by attorney Peter G. Macaluso. Status conference set for 8/4/21 at 2:00 p.m. [Dckt 6]

<p>A Reissued Subpoena having been issued, the Status Conference has been continued to 2:00 p.m. on August 4, 2021.</p>
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