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

June 23, 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 <u>no hearing on these matters and no appearance is necessary</u>. 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

June 23, 2026 at 1:00 p.m.

1.	24-21500-B-13 JBR-12	NATASHA JACKSON Jennifer B. Reichhoff	MOTION TO MODIFY PLAN 5-19-26 [167]

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, if confirmed, the plan payments will immediately be delinquent through month 24 by $1,000.04. Thus debtor will not be complying with the plan as required by 11 U.S.C. § 1325(a)(6).

Second, there are issues with the listed dividents paid to Class 2 claim holders. Class 2(A) claim holder, ILWU Credit Union, regarding the Dodge Challenger states "2014 Dodge $331.00 per month paid through March 2026; total paid $5,662.84." However, through March 2026, a total of $6,620.00 has been paid to the claim holder. Class 2(B) claim holder, ILWU Credit Union, regarding the 2021 Kia is listed as being paid $4,104.91". However, a total of $4,640.00 has been paid to the claim holder.

Last, the Plan at Section 7 provides that general unsecured creditors shall receive the federal rate of interest. However, the interest rate is not specified in the plan. Trustee requests that the order confirming plan specifies the interest rate.

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.

2. 26-22900-B-13 RK-1 STACY ESTANTINO Richard Kwun MOTION TO VALUE COLLATERAL OF CHRYSLER CAPITAL 5-22-26 [8]

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.

Te court's decision is to value the secured claim of Chrysler Capital at $5,760.00.

Debtor moves to value the secured claim of Chrysler Capital ("Creditor"). Debtor is the owner of a 2017 Chevrolet Equinox ("Vehicle"). Debtor seeks to value the Vehicle at a replacement value of $5,760.00 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).

Proof of Claim Filed

The court has reviewed the Claims Registry for this bankruptcy case. Claim No. 2 filed by Santander Consumer USA, Inc. d/b/a Chrysler Capital is the claim which may be the subject of the present motion.

Discussion

The lien on the Vehicle's title secures a purchase-money loan incurred on March 15, 2023, which is more than 910 days prior to filing of the petition, to secure a debt owed to Creditor with a balance of approximately $17,632.78. 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 $5,760.00. *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.

3. 23-20704-B-13 PEGGY/JOHNNY BOYNTON MOTION TO WAIVE SECTION 1328
MKM-1 Michael K. Moore CERTIFICATE REQUIREMENT, CONTINUE CASE ADMINISTRATION, SUBSTITUTE PARTY, AS TO JOINT DEBTOR
6-6-26 [46]

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's decision is to **continue the hearing to June 30, 2026, at 1:00 p.m., conditionally grant the motion**, substitute joint debtor Peggy Boynton to continue administration of the case, and waive the deceased Debtor's certification otherwise required for entry of a discharge.

Joint Debtor Peggy Boynton gives notice of the death of her husband and requests the court to substitute Peggy Boynton in place of Johnny Boynton all purposes within this Chapter 13 proceeding.

Discussion

Local Bankruptcy Rule 1016-1(b) allows the moving party to file a single motion, pursuant to Federal Rule of Civil Procedure 18(a) and Federal Rules of Bankruptcy Procedure 7018 and 9014(c), asking for the following relief:

> 1) Substitution as the representative for or successor to the deceased or legally incompetent debtor in the bankruptcy case [FED. R. CIV. P. 25(a), (b); FED. R. BANKR. P. 1004.1 & 7025];
>
> 2) Continued administration of a case under chapter 11, 12, or 13 [FED. R. BANKR. P. 1016];
>
> 3) Waiver of post-petition education requirement for entry of discharge [11 U.S.C. §§ 727(a)(11), 1328(g)]; and
>
> 4) Waiver of the certification requirements for entry of discharge in a Chapter 13 case, to the extent that the representative for or successor to the deceased or incompetent debtor can demonstrate an inability to provide such certifications [11 U.S.C. § 1328].

In sum, the deceased debtor's representative or successor must file a motion to substitute in as a party to the bankruptcy case. The representative or successor may also request a waiver of the post-petition education, and a waiver of the certification requirement for entry of discharge "to the extent that the representative for or successor to the deceased or incompetent debtor can demonstrate an inability to provide such certifications." LBR 1016-1(b)(4).

Based on the evidence submitted, the court will grant the relief requested, specifically to substitute Peggy Boynton for Johnny Boynton as successor-in-interest, and to waive the § 1328 and financial management requirements for Johnny Boynton. The continued administration of this case is in the best interests of all parties and no opposition being filed by the Chapter 13 Trustee or any other parties in interest.

Conditional Nature of this Ruling

Because the motion has been filed, set, and served under Local Bankruptcy Rules 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on June 26, 2026, to file and serve a response or objection. *See* Local Bankr. R. 9014-1(f)(2)(C). Any response or objection 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 or objection 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 June 30, 2026, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the motion on June 30, 2026, at 1:00 p.m.

The motion is ORDERED CONDITIONALLY GRANTED and CONTINUED to June 30, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

4. 26-21005-B-13 CRAIG/JULIA PONCE MOTION TO CONFIRM PLAN
PLC-3 Peter L. Cianchetta 5-6-26 [33]

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 court determines that the resolution of this matter does not require oral argument. *See* Local Bankr. R. 9014-1(h).

The court's decision is to deny the motion to confirm as moot and overrule the objection as moot.

Subsequent to the filing of the Trustee's objection, the Debtors filed a new modified plan on June 3, 2026. The confirmation hearing for the modified plan is scheduled for July 7, 2026. The earlier plan filed May 6, 2026, is not confirmed.

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

The court will issue an order.

5. 25-26509-B-13 MRL-1 | RICARDO MENDEZ Candace Y. Brooks | MOTION FOR COMPENSATION BY THE LAW OFFICE OF LIVIAKIS LAW FIRM FOR CANDACE Y. BROOKS, DEBTORS ATTORNEY(S) 5-12-26 [16]

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 **continue the motion to June 30, 2026 at 1:00 p.m.**

Livaikis Law Firm("Applicant"), the attorney to Chapter 13 Debtor, makes a request for the allowance of a flat fee of $4,000.00 in fees and $400.00 in expenses. The firm's fee in the amount of $4,000.00 was paid post-petition by debtor's legal insurance company, Met Life.

Section 330(a) of the Bankruptcy Code authorizes "reasonable compensation for actual, necessary services" rendered by a trustee, examiner or professional person employed under § 327 or § 1103 and "reimbursement for actual, necessary expenses." 11 U.S.C. § 330(a)(1). Reasonable compensation is determined by considering all relevant factors. *See id.* § 330(a)(3).

However, the debtor's counsel has not filed any time tables, any declarations, or documents to show that this compensation is reasonable or what actual services have been preformed. While this is grounds to deny the motion without prejudice, the court will continue the motion to June 30, 2026, to allow counsel to supplement the motion with evidence showing that the fees are reasonable.

If no supplemental evidence is filed, the motion will be denied without prejudice. Counsel has until June 26, 2026, by 5:00 p.m. to file the supplemental documents.

The motion is ORDERED CONTINUED to June 30, 2026, at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

6. 25-25013-B-13 ANGELINA CAGER MOTION TO MODIFY PLAN
CRG-2 Carl R. Gustafson 5-5-26 [34]

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). The trustee filed opposition, but has since withdrawn it as all issues are resolved. 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. The trustee filed opposition, but has since withdrawn it as all issues have been resolved. 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.

7. 26-21914-B-13 LGT-1 | RAZEL RAVELO Peter G. Macaluso | OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG 5-21-26 [25]

Final Ruling

The *initial* Chapter 13 Plan filed April 8, 2026, 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 30, 2026, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan**.

The debtor has filed amended schedules which helps resolve some of the trustee's concerns, but there are still outstanding issues.

First, Debtor has failed to provide Trustee with a Class 1 Checklist or recent mortgage or other type statement for Class 1 claimant, Select Portfolio, as required by LBR 3015-1(b)(6). Without this document, the trustee is unable to determine the feasibility of the debtor's plan.

Second, Trustee has requested Debtor provide all payment advices for the period of October 20, 2025, through January 15, 2026, for Kaiser Permanente employer and the periods of October 4, 2025 through October 11, 2025, February 1, 2026, through February 14, 2026, and March 1, 2026, through March 31, 2026, for Dignity Health employer. Without these advices, the trustee cannot verify the income in Schedule I and Form 122C.

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 26, 2026, 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 30, 2026, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on June 30, 2026, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY SUSTAINED and CONTINUED to June 30, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

8.	26-22020-B-13 JCW-1 **Thru #9**	CHRISTOPHER BURIEL-TORREZ AND KLARISSA CRUZ Gregory J. Smith	OBJECTION TO CONFIRMATION OF PLAN BY SANTANDER BANK, N.A. 5-26-26 [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). All objections have been resolved and the court has determined that oral argument is not necessary. *See* Local Bankr. R. 1001-1(f), 9014-1(h). This matter will be decided on the papers. No appearance at the hearing is necessary.

The court's decision is to overrule the creditor's objection, however the plan is still not confirmable due to the issues mentioned in the trustee's objection, LGT-1.

The creditor raised concerns about the interest rate on the claim being less than 8.750%. The debtor has agreed to the interest rate of 8.750% and agreed to state it in the order confirming. For this reason, the objection will be overruled as all issues have been resolved.

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

The court will issue an order.

9.	26-22020-B-13 LGT-1	CHRISTOPHER BURIEL-TORREZ AND KLARISSA CRUZ Gregory J. Smith	OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G TSANG 5-22-26 [14]

Final Ruling

The *initial* Chapter 13 Plan filed April 10, 2026, 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 30, 2026, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan**.

First, many of the trustee's issues have been resolved by the debtor. However, the Debtors are delinquent in the amount of $3,640.00. An additional payment of $3,640.00 will be due on June 25, 2026. The Debtor does not appear to be able to make plan payments proposed and have not carried the burden of showing that the plan complies with 11 U.S.C. § 1325(a)(6). Further, the attorney fee dividend will not fund months 1 through 3. The plan can only afford to pay $384.56 for 11 months and then $122.45 for 49 months. This issue would also need to be resolved.

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 26, 2026, 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 30, 2026, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on June 30, 2026, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY SUSTAINED and CONTINUED to June 30, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

10.	20-24822-B-13 LGT-2	NORBERTO ROSARIO RIVERA Gregory J. Smith	CONTINUED MOTION UNDER RULE 3002-1(G)(4) TO DETERMINE FINAL CURE AND PAYMENT OF THE MORTGAGE CLAIM. RE: MCLP ASSET COMPANY, INC.. (CLAIM NO. 3) 3-24-26 [105]

Final Ruling

The stipulation filed on June 18, 2026, continuing the hearing on this motion is approved. The hearing is **continued to July 14, 2026, at 1:00 p.m.** Parties shall file a joint status report by July 10, 2026.

No appearance on June 23, 2026, at 1:00 p.m. is required.

The motion is ORDERED CONTINUED to July 14, 2026 at 1:00 p.m. for reasons stated in the minutes.

IT IS FURTHER ORDERED that the parties shall file a joint status report by July 10, 2026.

The court will issue an order.

11.	25-25325-B-13 LGT-1	JUAN ALVAREZ Pro Se	CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG 2-27-26 [105]

Final Ruling

CONTINUED TO 7/14/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS SET FOR 7/2/26.

The objection is ORDERED CONTINUED to July 14, 2026 at 1:00 p.m. for reasons stated in the minutes.

12. 25-22729-B-13 JUSTIN CHARON MOTION TO CONFIRM PLAN
DEF-2 David Foyil 4-23-26 [69]

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 second amended plan.

First, 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. Debtor's Form 122C-2 includes an expense of $1,700.00 for "Future Tax Liabilities". Debtor's Amended Schedule J at Line 16 includes an expense of $450.00 as Future Tax Liabilities. The trustee requests an amended Form 122C-2 that provides for the Debtor's actual expenses and allows the trustee to determine feasibility.

Second, the debtor is attempting to treat the Class 1 claim of JP Morgan Chase Bank for a mortgage payment inconsistently with the first amended plan. The second amended plan is attempting to start the Class 1 mortgage payment at month 14, despite having been paid through months 1 through 7. Trustee requests the order confirming plan reflects the Class 1 ongoing mortgage payments begin month 7 of the plan duration and continue through the duration of the Plan

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.

13. 26-23029-B-13 RANATEJBIR THIND MOTION TO EXTEND AUTOMATIC STAY
SMJ-1 Scott M. Johnson 6-8-26 [8]

Tentative 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 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 April 16, 2026, for failure to make plan payments (case no. 25-21323). 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 he fell behind on payments because his mother had passed away earlier this year and he had to go to India for the funeral and to take care of his mother's affairs. It caused debtor to have a decrease in income and was an unexpected expense.

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.

14. 26-21839-B-13 LGT-1 | DIANNIA LINDSEY Thomas L. Amberg | OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG 5-21-26 [14]

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) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar.

15. 26-22042-B-13 AARON BETTINGER OBJECTION TO CONFIRMATION OF
LGT-1 Mikalah Liviakis PLAN BY LILIAN G. TSANG
5-26-26 [12]

Final Ruling

The *initial* Chapter 13 Plan filed April 13, 2026, 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 30, 2026, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan**.

The Debtor is delinquent in the amount of $3,689.00. An additional payment of $3,689.00 will come due on June 25, 2026, shortly after the hearing on this matter. 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)

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 26, 2026, 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 30, 2026, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on June 30, 2026, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY SUSTAINED and CONTINUED to June 30, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

16.	23-20649-B-13 DPC-1	ROBERT FENILI Mary Ellen Terranella	MOTION TO DISMISS CASE AND/OR MOTION TO CONVERT CASE FROM CHAPTER 13 TO CHAPTER 7 5-26-26 [32]

Final Ruling

The Chapter 13 Trustee having filed a notice of withdrawal of its motion, the motion is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar.

17. 26-21863-B-13 TARUN ANAND OBJECTION TO CONFIRMATION OF
LGT-1 Kathleen H. Crist PLAN BY LILIAN G. TSANG
5-26-26 [15]

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) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar.

18. 26-21970-B-13 LGT-1 | AMARI DAVISON Pro Se | OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG 5-22-26 [30]

Final Ruling

CONTINUED TO 6/30/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS SET FOR 6/18/26.

The objection is ORDERED CONTINUED to June 30, 2026 at 1:00 p.m. for reasons stated in the minutes.

19. 26-23085-B-13 RAFAEL MARQUEZ MOTION TO EXTEND AUTOMATIC STAY
CRG-1 Carl R. Gustafson 6-1-26 [8]

Tentative 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 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 March 18, 2026, for failure to make plan payments (case no. 24-25400). 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 he was unable to keep up with payments due to unexpected health issues and expenses. Debtor has proposed a new plan and has presented an increase in income. Debtor is also planning to surrender his vehicle and believes he is capable of keeping up with plan payments.

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.

20.	26-21888-B-13 LGT-1	WILLIAM GANAWAY Pro Se	OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG 5-21-26 [16]

Final Ruling

CONTINUED TO 6/30/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS SET FOR 6/18/26.

The objection is ORDERED CONTINUED to June 30, 2026 at 1:00 p.m. for reasons stated in the minutes.

21. 21-90496-B-13 SUZANNE NIETO MOTION TO SET ASIDE DISMISSAL
NAR-1 Natali A. Ron OF CASE
5-29-26 [86]

DEBTOR DISMISSED: 05/14/26

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 and continue the matter to June 30, 2026 at 1:00 p.m.**

Debtor moves to vacate the order dismissing this Chapter 13 case. The Chapter 13 case was dismissed on May 14, 2026, due to delinquency. Debtor had made two plan payments which she believed would cure the default. However, her case was dismissed due to delinquency.

Discussion

Federal Rule of Civil Procedure 60(b)(1), applicable by Federal Rule of Bankruptcy Procedure 9024, permits the court to relieve a party from a final judgment or order for "mistake, inadvertence, surprise, or excusable neglect[.]" Fed. R. Civ. P. 60(b)(1); Fed. R. Bankr. P. 9024. Relief for excusable neglect is governed by the *Pioneer-Briones* factors, *i.e.*, (1) the danger of prejudice to any non-moving party if the dismissal is vacated; (2) the length of delay and the potential impact of that delay on judicial proceeding; (3) the reason for the delay, including whether the delay was within the reasonable control of the movant; and (4) whether the debtor's conduct was in good faith. *Pioneer Inv. Servs. v. Brunswick Assocs. Ltd. P'ship*, 507 U.S. 380, 395 (1993); *Briones v. Riviera Hotel & Casino*, 116 F.3d 379, 381 (9th Cir. 1997).

Danger of prejudice to creditors is minimal. Debtor moved quickly after this case was dismissed to set aside the dismissal order. Vacating dismissal will not delay these proceedings since the Debtor is prepared to begin making monthly plan payments and is prepared to file a motion to modify to become current. And there is no indication of any bad faith by the Debtor.

Therefore, the Debtor's motion to vacate the order dismissing this Chapter 13 case will be granted, the dismissal order at dkt. 84 vacated, and this case ordered reinstated. Further, by vacating the dismissal order which caused the automatic stay of 11 U.S.C. § 362(a) to terminate, upon entry of the order vacating the dismissal order, the automatic stay of § 362(a) is revived for all purposes and as to all parties in interest - but only upon entry of the order vacating the dismissal order and for acts occurring thereafter. *State Bank of Southern Utah v. Gledhill (In re Gledhill)*, 76 F.3d 1070, 1079-1080 and n.8 (10th Cir. 1996); *Ramirez v. Whelen (In re Ramirez)*, 188 B.R. 413, 416 (9th Cir. BAP 1995) ("Occasionally, it might suffice to revive the stay by way of motion for reconsideration under Federal Rules of Civil Procedure 59(e) or 60(b), which are applicable in bankruptcy by virtue of Federal Rules of Bankruptcy Procedure 9021 and 9023 [sic].") (Klein, J., concurring).

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, June 26, 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 June 30, 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 June 30, 2026, at 1:00 p.m.

The motion is ORDERED CONDITIONALLY GRANTED and CONTINUED to June 30, 2026 at 1:00 p.m. for reasons stated in the minutes.

22. 24-25197-B-13 DENISE REES MOTION TO CONFIRM PLAN
PGM-8 Peter G. Macaluso 5-19-26 [155]

Final Ruling

The Chapter 13 Trustee having filed a notice of withdrawal of its objection and there being no other opposition to the motion, the fifth amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed. The matter is removed from calendar.

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.