UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher M. Klein
Bankruptcy Judge
Sacramento, California

July 14, 2026 at 11:00 a.m.

Unless otherwise ordered, all matters before the Honorable Christopher M. Klein shall be simultaneously: (1) **In Person**, at Sacramento Courtroom #35, (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/CourtAppearances. 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.

1.	26-22200-C-13 DPC-1	RAJ KAPADIA Pro Se	OBJECTION TO CONFIRMATION OF PLAN BY DAVID P. CUSICK 6-10-26 [14]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 34 days' notice was provided. Dkt. 17.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), filed a status report and represents that the debtor has corrected some issues but continues to oppose confirmation of the Chapter 13 plan on the basis that:

1. Proof of service of the amended plan and a motion to confirm plan has not been filed;

2. Plan is not feasible;

3. Plan fails the liquidation test;

4. Debtor has not filed complete Scheduled I & J; and

5. Debtor has not made a plan payment.

DISCUSSION

The debtor has not demonstrated the plan is feasible because the plan terms may require a higher payment than what is proposed and debtor has not completed Schedules I & J. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

The debtor has non-exempt assets totaling $378,480.00. The plan provides for a ten percent dividend to unsecured claims, which is less than the percent dividend necessary to meet the liquidation test. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(4).

The debtor is $308.30 delinquent in plan payments. Declaration, Dkt. 16. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. *See* 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Objection is sustained.

2. 26-20605-C-13 ROBERT SIMON MOTION TO CONFIRM PLAN
MOH-1 Michael Hays 5-12-26 [37]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 47 days' notice was provided. Dkt. 42.

The Motion to Confirm is denied.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 40) filed on May 22, 2026.

Chapter 13 Trustee filed an Opposition (Dkt. 43) on June 30, 2026, opposing confirmation on the following grounds:

1. Debtor cannot afford the plan payments;

2. The attorney's fees in the plan are not defined;

3. The proof of service shows that the Plan, notice, motion and declaration were served on May 28, but the motion and notice were filed on the docket on May 12.

DISCUSSION

The debtor has not demonstrated the plan is feasible because the plan terms requires periodic higher step payments, which net income is not supported by the debtor's Schedules I & J. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, Robert Simon, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

3. 26-20607-C-13 JOHN SPENCER MOTION TO CONFIRM PLAN
PGM-1 5-27-26 [68]
DEBTOR DISMISSED: 06/09/26

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 48 days' notice was provided. Dkt. 79.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Confirm is denied as moot.

A review of the docket shows the case was dismissed on June 9, 2026. Therefore, this Motion is denied as moot.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, John Spencer, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied as moot.

4. 26-22407-C-13 DPC-1 | JASON/NEOMA WARD Nikki Farris | OBJECTION TO CONFIRMATION OF PLAN BY DAVID P. CUSICK 6-15-26 [19]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 29 days' notice was provided. Dkt. 22.

Upon review of the Motion and supporting pleadings, and the files in this case, the court has determined that oral argument will not be of assistance in ruling on the Motion.

The Objection to Confirmation of Plan is overruled as moot.

The Chapter 13 trustee filed this Objection to Confirmation to the Plan (dkt. 3) filed on April 29, 2026. Before the Trustee filed his objection, the debtor filed an amended plan and corresponding Motion to Confirm, making this Objection moot. Dkt. 14, 17.

Therefore, the Objection is overruled.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Objection to the Chapter 13 Plan filed by the Chapter 13 trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Objection is overruled as moot.

5. 26-22407-C-13 JASON/NEOMA WARD MOTION TO CONFIRM PLAN
NF-1 Nikki Farris 6-12-26 [14]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that only 32 days' notice was provided. Dkt. 18.

The Motion to Confirm is denied.

The debtors filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 17) filed on June 12, 2026.

Chatper 13 Trustee filed an Opposition (Dkt. 23) on June 30, 2026, opposing confirmation on the following grounds:

1. Debtors are unable to make plan payments;

2. The plan does not include tax refunds in excess of $2,000.00

DISCUSSION

The plan mathematically requires a payment of $1,415.00 per month, which is greater than the debtors' monthly net income of $1,180.53.

The debtor has not demonstrated the plan is feasible because the plan terms require a higher payment than the debtors' income. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Confirm filed by the debtors, Jason and Neoma Ward, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is denied, and the plan is not confirmed.

6.	26-23209-C-13 TLA-1	DANIEL/MARY JANE SANTIAGO Thomas Amberg	MOTION TO VALUE COLLATERAL OF ONEMAIN FINANCIAL GROUP, LLC 6-10-26 [10]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

An order approving stipulation was entered on July 7, 2026 (dkt. 23) which resolved this matter.

7. 26-23409-C-13 SIAN HOLLANDS MOTION TO EXTEND AUTOMATIC STAY
PGM-1 Peter Macaluso 6-26-26 [8]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 18 days' notice was provided. Dkt. 12.

The Motion to Extend the Automatic Stay is granted.

Sian Hollands ("Debtor") seeks to have the provisions of the automatic stay provided by 11 U.S.C. § 362(a) extended beyond thirty days in this case. This is Debtor's second bankruptcy petition pending in the past year. Debtor's prior bankruptcy case was dismissed on April 9, 2026, after Debtor was unable to confirm an amended plan and had become delinquent. Order, Bankr. E.D. Cal. No. 25-23437, Dkt. 73. Therefore, pursuant to 11 U.S.C. § 362(c)(3)(A), the provisions of the automatic stay end as to Debtor thirty days after filing of the petition.

Here, Debtor states that the instant case was filed in good faith and explains that the previous case was dismissed because he was unable to work because of radiation treatments for his cancer. Debtor represents his cancer treatments are completed and he is ready to return to work.

Upon motion of a party in interest and after notice and hearing, the court may order the provisions extended beyond thirty days if the filing of the subsequent petition was filed in good faith. 11 U.S.C. § 362(c)(3)(B). As this court has noted in other cases, Congress expressly provides in 11 U.S.C. § 362(c)(3)(A) that the automatic stay **terminates as to Debtor**, and nothing more. In 11 U.S.C. § 362(c)(4), Congress expressly provides that the automatic stay **never goes into effect in the bankruptcy case** when the conditions of that section are met. Congress clearly knows the difference between a debtor, the bankruptcy estate (for which there are separate express provisions under 11 U.S.C. § 362(a) to protect property of the bankruptcy estate) and the bankruptcy case. While terminated as to Debtor, the plain language of 11 U.S.C. § 362(c)(3) is limited to the automatic stay as to only Debtor. The subsequently filed case is presumed to be filed in bad faith if one or more of Debtor's cases was pending within the year preceding filing of the instant case. *Id.* § 362(c)(3)(C)(i)(I). The presumption of bad faith may be rebutted by clear and convincing evidence. *Id.* § 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, 209–10 (2008). An important indicator of good faith is a realistic prospect of success in the second case, contrary to the failure of the first case. *See, e.g.*, *In re Jackola*, No. 11-01278, 2011 Bankr. LEXIS 2443, at *6 (Bankr. D. Haw. June 22, 2011) (citing *In re Elliott-Cook*, 357 B.R. 811, 815–16 (Bankr. N.D. Cal. 2006)). Courts consider many factors—including those used to determine good faith

under §§ 1307(c) and 1325(a)—but the two basic issues to determine good faith under § 362(c)(3) are:

A. Why was the previous plan filed?

B. What has changed so that the present plan is likely to succeed?

In re Elliot-Cook, 357 B.R. at 814-15.

Debtor has sufficiently rebutted 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 court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Extend the Automatic Stay filed by Sian Hollands having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is granted, and the automatic stay is extended pursuant to 11 U.S.C. § 362(c)(3)(B) for all purposes and parties, unless terminated by operation of law or further order of this court.

8. 26-20011-C-13 NASSER/RANIA ERAKAT MOTION TO CONFIRM PLAN
WLG-2 Michael Reid 6-2-26 [42]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 42 days' notice was provided. Dkt. 48.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Confirm is granted.

The debtors filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 46) filed on June 2, 2026.

The Chapter 13 trustee filed a non-opposition on June 30, 2026. Dkt. 49.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Confirm filed by the debtors, Nasser and Ranian Erakat, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is granted, the Amended Chapter 13 Plan (Dkt. 46) meets the requirements of 11 U.S.C. §§ 1322 and 1325(a), and the plan is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

9. 26-20811-C-13 VERNON DAVIS MOTION TO CONFIRM PLAN
PGM-2 Peter Macaluso 6-2-26 [43]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 42 days' notice was provided. Dkt. 51.

The Motion to Confirm is denied.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 47) filed on June 2, 2026.

Chapter 13 Trustee filed an Opposition (Dkt. 52) on June 10, 2026, opposing confirmation on the following grounds:

1. Debtor did not attach a statement for property or business income.

The debtor replied that he has now filed the statement as requested by the Trustee. Dkt. 55.

DISCUSSION

The Chapter 13 Trustee argues that Debtor has failed to file a statement of gross business income and expenses attached to Schedule I. Line 8a of Schedule I requires Debtor to "[a]ttach a statement for each property and business showing gross receipts, ordinary and necessary business expenses, and the total monthly net income." Debtor is required to submit that statement and cooperate with the Chapter 13 Trustee. 11 U.S.C. § 521(a)(3). Debtor has not provided the required attachment.

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Confirm filed by the debtor, Vernon Daavis, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is denied, and the plan is not confirmed.

10. 26-20911-C-13 GEORGINA MARTINEZ MOTION TO DISMISS CASE
GB-1 Mark Shmorgon 6-16-26 [20]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

This matter is continued to July 28, 2026 at 11:00 a.m., per the request of the parties (dkt. 33). No appearance necessary.

11. 25-20612-C-13 DPC-3 | DAVID/JENNIFER OROZCO Scott Johnson | CONTINUED MOTION TO DISMISS CASE 2-20-26 [89]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 92.

The Motion to Dismiss is granted, and the case is dismissed.

At the prior hearing, it was agreed to continue the hearing because the debtor may still be on a military deployment.

The Chapter 13 Trustee filed this Motion To Dismiss arguing that cause for dismissal exists because the debtor is $7,210.00 delinquent in plan payments, which is supported by declaration. Dkt. 91.

Debtors filed an opposition (Dkt. 93) on March 17, 2026, asserting that debtors intended to make a payment to be caught up, but debtors have not made the payment and counsel has been unable to reach debtors. Counsel is now seeking a continuance.

Failure to maintain plan payments constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1). Furthermore, the court finds that dismissal, and not conversion, is in the best interest of creditors and the Estate. The Motion is granted, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion to Dismiss is granted, and the case is dismissed, the court having found that dismissal, and not conversion, is in the best interest of creditors and the Estate.

12. 25-23813-C-13 DPC-1 | TIFFANY DAVIS Mo Mokarram | CONTINUED MOTION TO DISMISS CASE 5-14-26 [18]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days’ notice. The Proof of Service shows that 46 days’ notice was provided. Dkt. 21.

The Motion to Dismiss is granted, and the case is dismissed.

The Motion was continued from June 29, 2026, because debtor was still delinquent in plan payments but had asserted she was making the June payment.

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is $2,500.00 delinquent in plan payments, which is supported by declaration. Dkt. 20.

Debtor filed an opposition (Dkt. 22) on June 2, 2026, asserting that debtor will be current on or before the hearing.

Failure to maintain plan payments constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1). Furthermore, the court finds that dismissal, and not conversion, is in the best interest of creditors and the Estate. The Motion is granted, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion to Dismiss is granted, and the case is dismissed, the court having found that dismissal, and not conversion, is in the best interest of creditors and the Estate.

13. 26-22313-C-13 DPC-1 | JASON STOLZ Michael Hays | OBJECTION TO CONFIRMATION OF PLAN BY DAVID P. CUSICK 6-8-26 [23]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 36 days' notice was provided. Dkt. 26.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor has not filed all income tax returns.

DISCUSSION

The debtor has not filed all required tax returns. 11 U.S.C. §§ 1308, 1325(a)(9). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

14. 26-20814-C-13 TONDALAY WEBB AMENDED MOTION TO CONFIRM PLAN
MOH-1 Michael Hays 5-29-26 [27]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 46 days' notice was provided. Dkt. 31.

The Motion to Confirm is denied.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 29) filed on May 29, 2026.

Chapter 13 Trustee filed an Opposition (Dkt. 32) on June 30, 2026, opposing confirmation on the following grounds:

1. Debtor is delinquent in plan payments;

2. Plan is overextended;

3. Debtor has not provided all tax returns; and

4. Debtor has not amended the Schedule J.

DISCUSSION

The debtor is $6,163.00 delinquent in plan payments. Declaration, Dkt. 38. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. *See* 11 U.S.C. § 1325(a)(6).

Because the payment is less than necessary to pay all claims, the plan will take 68 months to complete. That is reason to deny confirmation. 11 U.S.C. § 1322(d).

The debtor has not provided the trustee with all required tax returns. 11 U.S.C. § 521(e)(2)(A)(i); FED. R. BANKR. P. 4002(b)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, Tondalay Webb, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

15. 26-22124-C-13 HUGO PACHECO OBJECTION TO CONFIRMATION OF
DPC-1 Eric Schwab PLAN BY DAVID P. CUSICK
6-9-26 [12]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 35 days' notice was provided. Dkt. 15.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), filed a status report asserting the debtor had resolved some issues but still opposes confirmation of the Chapter 13 plan on the basis that:

1. The plan is overextended.

DEBTOR'S NON-OPPOSITION

The debtor filed an non-opposition on June 30, 2026, asserting he will be filing an amended plan. Dkt. 18.

DISCUSSION

Because the claims, attorney's fees and trustee fees are greater than the plan payment, the plan will take 69 months to complete. That is reason to deny confirmation. 11 U.S.C. § 1322(d).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Objection is sustained.

16. 26-22524-C-13 PRESTON RHEA — OBJECTION TO CONFIRMATION OF PLAN BY HARLEY-DAVIDSON
KMM-1 Peter Macaluso — 6-18-26 [20]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that xx days' notice was provided. Dkt. 23.

The Objection to Confirmation of Plan is sustained.

Creditor Harley-Davidson ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. The interest on Creditor's claim is too low.

DEBTOR'S OPPOSITION

Debtor filed a response on July 7, 2026, asserting the debtor and Creditor have agreed on an interest rate on the claim. Dkt. 24.

DISCUSSION

Creditor opposes confirmation on the basis that the plan proposes paying its claim at 4% interest. Creditor argues that this interest rate is outside the limits authorized by the Supreme Court in *Till v. SCS Credit Corp.*, 541 U.S. 465 (2004). In *Till*, a plurality of the Court supported the "formula approach" for fixing post-petition interest rates. *Id.* Courts in this district have interpreted *Till* to require the use of the formula approach. *See In re Cachu*, 321 B.R. 716 (Bankr. E.D. Cal. 2005); *see also Bank of Montreal v. Official Comm. of Unsecured Creditors (In re American Homepatient, Inc.)*, 420 F.3d 559, 566 (6th Cir. 2005) (*Till* treated as a decision of the Court). Even before *Till*, the Ninth Circuit had a preference for the formula approach. *See Cachu*, 321 B.R. at 719 (citing *In re Fowler*, 903 F.2d 694 (9th Cir. 1990)).

The court agrees with the court in *Cachu* that the correct valuation of the interest rate is the prime rate in effect at the commencement of this case plus a risk adjustment. Because the creditor has only identified risk factors common to every bankruptcy case, the court fixes the interest rate as the prime rate in effect at the commencement of the case, 6.75%, plus a 1.25% risk adjustment, for a 8.00% interest rate.

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by Harley-Davidson, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

17. 26-22524-C-13 PGM-1 | PRESTON RHEA, Peter Macaluso | MOTION TO VALUE COLLATERAL OF OPERATING ENGINEERS FEDERAL CREDIT UNION 6-3-26 [12]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 42 days' notice was provided. Dkt. 16.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of Operating Engineers Federal Credit Union's ("Creditor") claim secured by the debtor's property commonly known as a 2022 Jeep Gladiator (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was $16,000.00. Declaration, Dkt. 14.

DISCUSSION

Upon review of the record, the court finds the value of the Property is $16,000.00. There are no senior liens encumbering the Property. Therefore, Creditor's secured claim is determined to be $16,000.00. 11 U.S.C. § 506(a).

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Value Collateral and Secured Claim filed by the debtor having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion pursuant to 11 U.S.C. § 506(a) is granted, and the claim of Operating Engineers Federal Credit Union ("Creditor") secured by property commonly known as 2022 Jeep Gladiator (the "Property") is determined to be a secured claim in the amount of

$16,000.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

18.	23-23225-C-13 DPC-2	ANDREY PENKOV Daniel Repp	CONTINUED MOTION TO DISMISS CASE 4-7-26 [76]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 49 days' notice was provided. Dkt. 79.

The Motion to Dismiss is granted, and the case is dismissed.

The motion was continued at the prior hearing after debtor's counsel represented he was going to file a motion to modify.

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is $6,091.75 delinquent in plan payments, which is supported by declaration. Dkt. 78.

Trustee further asserts that debtor has not provided postpetition tax returns as required by the confirmation order.

Trustee represents the estate includes $249,238.76 in non-exempt assets, but recommends dismissal rather than conversion.

Debtor filed an opposition (Dkt. 80) on May 1, 2026, asserting that debtor is current and actually has a surplus on payments. Debtor also contends that the tax returns have been provided to the Trustee.

Failure to maintain plan payments constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1). Furthermore, the court finds that dismissal, and not conversion, is in the best interest of creditors and the Estate. The Motion is granted, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion to Dismiss is granted, and the case is dismissed, the court having found that

dismissal, and not conversion, is in the best interest of creditors and the Estate.

19. 25-26325-C-13 JENNIFER HALL CONTINUED MOTION TO DISMISS CASE
DPC-1 Mo Mokarram 5-14-26 [16]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 46 days' notice was provided. Dkt. 19.

The Motion to Dismiss is granted, and the case is dismissed.

At the prior hearing the Trustee represented that debtor was still delinquent in plan payments.

The Chapter 13 Trustee filed this Motion To Dismiss arguing that cause for dismissal exists because the debtor is $1,300.00 delinquent in plan payments, which is supported by declaration. Dkt. 16.

Debtor filed an opposition (Dkt. 20) on June 2, 2026, asserting that debtor will be current on or before the hearing.

Failure to maintain plan payments constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1). Furthermore, the court finds that dismissal, and not conversion, is in the best interest of creditors and the Estate. The Motion is granted, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion to Dismiss is granted, and the case is dismissed, the court having found that dismissal, and not conversion, is in the best interest of creditors and the Estate.

20. 22-22726-C-13 DPC-1 — JEREMY MCGHEE — Mo Mokarram — OBJECTION TO CLAIM OF DARRIN DENNIS, CLAIM NUMBER 13 5-26-26 [35]

Tentative Ruling:

The Motion has been set on Local Rule 3007-1(b)(1) procedure which requires 44 days' notice. The Proof of Service shows that 49 days' notice was provided. Dkt. 39.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Objection to Proof of Claim is sustained, and the claim is disallowed in its entirety.

The Chapter 13 trustee filed this Objection arguing that Proof of Claim, No. 13, filed by Darrin Dennis was filed late and should be disallowed. The Trustee represents that the Claimant may not have been notified of the filing of this case to timely file a proof of claim.

The deadline for filing proofs of claim in this case is January 3, 2023. Notice of Bankruptcy Filing and Deadlines, Dkt. 10. The Proof of Claim subject to this Objection was filed February 12, 2026.

Based on the evidence before the court, the court finds the creditor's claim was filed untimely. The Objection to the Proof of Claim is sustained, and the claim is disallowed in its entirety.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Objection to Claim filed in this case by the Chapter 13 trustee, Lilian G. Tsang, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Objection to Proof of Claim Number 13 of Darrin Dennis is sustained, and the claim is disallowed in its entirety.

21. 26-23527-C-13 ANGEL/KARINA GARCIA MOTION TO VALUE COLLATERAL OF
RJ-1 Richard Jare TRAVIS CREDIT UNION
6-30-26 [10]

Thru #22

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 14 days' notice was provided. Dkt. 16.

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of Travis Credit Union's ("Creditor") claim secured by the debtor's property commonly known as a 2023 Tesla Y (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was $19,700.00. Declaration, Dkt. 12.

DISCUSSION

The lien on the Vehicle's title secures a purchase-money loan incurred on November 2023, which is more than 910 days prior to filing of the petition. 11 U.S.C. § 1325(a)(9)(hanging paragraph).

Upon review of the record, the court finds the value of the Property is $19,700.00. There are no senior liens encumbering the Property. Therefore, Creditor's secured claim is determined to be $19,700.00. 11 U.S.C. § 506(a).

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Value Collateral and Secured Claim filed by the debtor having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion pursuant to 11 U.S.C. § 506(a) is granted, and the claim of Travis Credit Union ("Creditor") secured by property commonly known as 2023 Tesla Y (the "Property") is determined to be a secured claim in the amount of $19,700.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

22. 26-23527-C-13 RJ-2 | ANGEL/KARINA GARCIA Richard Jare | MOTION TO VALUE COLLATERAL OF CONSUMER PORTFOLIO SERVICES, INC 7-1-26 [13]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 14 days' notice was provided. Dkt. 17.

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of Consumer Portfolio Services' ("Creditor") claim secured by the debtor's property commonly known as a 2017 Hyundai Elantra (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was $3,700.00. Declaration, Dkt. 15.

DISCUSSION

The lien on the Vehicle's title secures a purchase-money loan incurred on October 15, 2023, which is more than 910 days prior to filing of the petition. 11 U.S.C. § 1325(a)(9)(hanging paragraph).

Upon review of the record, the court finds the value of the Property is $3,700.00. There are no senior liens encumbering the Property. Therefore, Creditor's secured claim is determined to be $3,700.00. 11 U.S.C. § 506(a).

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Value Collateral and Secured Claim filed by the debtor having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion pursuant to 11 U.S.C. § 506(a) is granted, and the claim of Consumer Portfolio Services ("Creditor") secured by property commonly known as 2017 Hyundai Elantra (the "Property") is determined to be a secured claim in the amount of $3,700.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

23. 25-26528-C-13 DPC-2 | JEFFREY MORGAN Patricia Wilson | CONTINUED MOTION TO DISMISS CASE 5-19-26 [35]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 41 days' notice was provided. Dkt. 38.

The Motion to Dismiss is denied without prejudice.

At the prior hearing debtor's counsel indicated she had filed an amended plan. There was some confusion over whether an amended plan been filed or not.

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor has not filed an amended plan since the court denied confirmation of the Chapter 13 plan on April 7, 2026.

A review of the docket shows the debtor filed a plan and corresponding Motion To Confirm on June 27, 2026. Dkts. 40, 44.

Because it appears debtor is actively prosecuting the case, the Motion is denied without prejudice.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, Lillian Tsang, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion to Dismiss is denied without prejudice.

24. 26-20128-C-13 DPC-2 | JESSE/JOLENE LAVINE Peter Macaluso | CONTINUED MOTION TO DISMISS CASE 5-19-26 [32]

Thru #25

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 41 days' notice was provided. Dkt. 35.

The Motion to Dismiss is granted, and the case is dismissed.

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor has not filed an amended plan since the court denied confirmation of the Chapter 13 plan on March 27, 2026.

Debtor filed an opposition (Dkt. 36) on June 16, 2026, asserting that debtor has received a trial load modification and a hearing on a motion to approve modification will be set for July 14, 2026.

A review of the docket confirms the proposed Chapter 13 plan was denied confirmation, and no plan is set for confirmation hearing. Dkt. 26.

Debtors filed a response on July 7, 2026, asserting they have signed an amended plan that will be filed, set and served. Dkt. 49.

Failure to confirm a plan constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1). Furthermore, the court finds that dismissal, and not conversion, is in the best interest of creditors and the Estate. The Motion is granted, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion to Dismiss is granted, and the case is dismissed, the court having found that dismissal, and not conversion, is in the best interest of creditors and the Estate.

25.	26-20128-C-13 PGM-1	JESSE/JOLENE LAVINE Peter Macaluso	MOTION TO APPROVE LOAN MODIFICATION 6-17-26 [37]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that only 27 days' notice was provided. Dkt. 41.

The Motion to Enter into a Trial Loan Modification is granted.

Debtors filed this Motion seeking authority to enter into a trial loan modification agreement with Shellpoint Mortgage Servicing.

The proposed trial load modification requires 3 monthly payments of $4,327.90 beginning July 1, 2026 through September 1, 2026. Additionally, debtor seeks to have the Trustee suspend payments to Shellpoint during the trial period and lowering the plan payment to $200 for those three months.

OPPOSITION

The Chapter 13 Trustee filed opposition to the lowering of the plan payments to $200 per month for July, August, and September. The Trustee asserts that the confirmed plan calls for monthly payments of $5,500.00 and the trial loan modifications payment of $4,327,90, thus any plan payment reduction to less than $1,222.10 would not be in good faith.

The court finds that the proposed credit, based on the unique facts and circumstances of this case, is reasonable. There being no opposition to the trial loan modification and the terms being reasonable, the Motion is granted, except for that the monthly plan payments for July, August, and September shall be no less than $1,222.10.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Enter into a Trial Loan Modification filed by Jesse and Jolene Lavine having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is granted. The debtor's counsel shall prepare an appropriate order granting the Motion, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved submit the proposed order to the court.

26.	26-22128-C-13 DPC-1	SHERI ECKERT Muoi Chea	OBJECTION TO CONFIRMATION OF PLAN BY DAVID P. CUSICK 6-9-26 [24]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The trustee having filed a Notice of Dismissal, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) and Federal Rules of Bankruptcy Procedure 9014 and 7041, **the Objection to Confirmation was dismissed without prejudice, the matter is removed from the calendar, and the Chapter 13 Plan filed on April 28, 2026, is confirmed.**

Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

27.	26-20129-C-13 DPC-1	NIKKETA GREEN Scott Johnson	CONTINUED MOTION TO DISMISS CASE 5-14-26 [34]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 46 days' notice was provided. Dkt. 37.

The Motion to Dismiss is granted, and the case is dismissed.

The prior hearing was continued because the debtor asserted she had a payment pending and another bonus that was about to be paid that would bring the debtor current.

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is $1,140.00 delinquent in plan payments, which is supported by declaration. Dkt. 36.

Debtor filed an opposition (Dkt. 39) on June 16, 2026, asserting that debtor was temporarily on FMLA taking care of her mother, but will be receiving a bonus that will allow her to bring payments current.

Failure to maintain plan payments constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1). Furthermore, the court finds that dismissal, and not conversion, is in the best interest of creditors and the Estate. The Motion is granted, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion to Dismiss is granted, and the case is dismissed, the court having found that dismissal, and not conversion, is in the best interest of creditors and the Estate.

28.	25-24731-C-13 TLA-1	ADRIAN ALARAS AND DONNA DELA CRUZ-ALARAS Thomas Amberg	MOTION TO MODIFY PLAN 6-1-26 [23]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 43 days' notice was provided. Dkt. 28.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Modify Plan is granted.

The debtors filed this Motion seeking to modify the terms of the confirmed plan pursuant to 11 U.S.C. § 1329.

The Chapter 13 trustee filed a non-opposition on June 24, 2026. Dkt. 30.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329. The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Modify Plan filed by the debtors, Adrian Alaras and Donna Dela Cruz-Alaras, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is granted, the Modified Chapter 13 Plan (Dkt. 27) meets the requirements of 11 U.S.C. §§ 1322, 1325(a), and 1329, and the plan is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

29.	25-25531-C-13 BDK-2	DASHENA WILLIAMS Peter Macaluso	CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY QUALITY FIRST HOME IMPROVEMENT, INC. 12-1-25 [46]

Thru #31

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The objection was continued from February 24, 2026 before being transferred from Dept. A.

The Objection to Confirmation of Plan is xxxxxxxxx

Creditor Quality First Home Improvement, Inc. ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. The plan undervalues the secured portion of the claim; and

2. Reduces the interest rate from 10% to 4%.

DEBTOR'S OPPOSITION

Debtor filed an Opposition (Dkt. 55) asserting that debtor will pay the full amount of the claim. Additionally, debtor contends that the interest to be paid is determined by the Supreme Court's holding in Till, and that the proper interest rate is 8%. Finally, debtor asserts the plan is feasible and complies with §§ 1322 & 1325.

DISCUSSION

At the hearing xxxxxxxxx

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by Quality First Home Improvement, Inc., having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is xxxxxxxxx

30. 25-25531-C-13 DASHENA WILLIAMS MOTION TO RECONSIDER
BDK-3 Peter Macaluso 6-12-26 [120]

No Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 127.

The Motion to Reconsider is xxxxxxxx

Quality First Home Improvement, Inc. ("Creditor") filed this Motion seeking reconsideration of this court's Order (Dkt. 105) sustaining debtor's objection to claim that avoided Creditor's judgment lien to the extent that the lien was based upon a breach of contract judgment. Creditor seeks reconsideration on the basis that the order does not address the controlling legal framework governing claim allowance.

OPPOSITION

Debtor filed opposition (Dkt. 134) opposing the motion on the basis that it does not identify any new evidence, any intervening change in law, or any manifest error.

REPLY

Creditor filed a reply (Dkt. 144) on July 7, 2026, asserting the debtor's opposition confirms that the question here is what authority permitted the court to separate the judgment into a secured claim of $34,000.00 and an unsecured claim of $127,541.77.

APPLICABLE LAW

Section 502(j) and Federal Rule of Bankruptcy Procedure 3008, governs the reconsideration of an order allowing or disallowing a claim and allows a party in interest to move for reconsideration for cause.

When a motion for reconsideration is filed within the time to appeal, "the motion is analogous to a motion for a new trial or to alter or amend the judgment pursuant to FRCP 59 as incorporated by Rule 9023." In re Wylie, 349 B.R. 204, 209 (9th Cir. BAP 2006). But, when reconsideration is sought after the time to appeal has expired, "the motion is subject to the constraints of FRCP 60(b) as incorporated by Rule 9024." Id.

Creditor filed this motion pursuant to Rule 3008 on June 12, 2026, which is 14 days and within the applicable appeal period.

On a motion under FRCP 59, movant must present newly discovered evidence, demonstrate clear error, or show an intervening change in controlling law. In re Clinton, 449 B.R. 79, 83 (9th Cir. BAP 2011).

DISCUSSION

At the hearing xxxxxxxxxx

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Reconsider filed by Quality First Home Improvement, Inc. having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is xxxxxxxxxx

31. 25-25531-C-13 RAS-1

DASHENA WILLIAMS
Peter Macaluso

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY TOWD POINT MORTGAGE TRUST 2022-3, U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION
12-1-25 [53]

No Tentative Ruling:

The Motion has been set on Local Rule 3007-1(b)(1) procedure which requires 44 days' notice. The Proof of Service shows that 55 days' notice was provided. Dkt. 75.

The Objection to Proof of Claim is xxxxxxx

Debtor objects to Proof of Claim No. 2 of Quality First Home Improvement, Inc. ("Creditor") in the amount of $161,541.77, which is said to be secured in the amount of $105,322.60 and unsecured in the amount of $56,219.17. Debtor asserts the lien originated in the amount of $34,000.00 and is secured and the balance, which consists of fees, costs, and interest, are unsecured.

TRUSTEE'S RESPONSE

Chapter 13 Trustee, David Cusick, filed a response (Dkt. 82) representing that a plan has not yet been confirmed, debtor is current in plan payments, Creditor's claim is listed as a Class 2A, and if the plan is confirmed the plan is funded to pay Creditor's claim.

OPPOSITION

Creditor filed opposition (Dkt. 84) asserting that its claim represents a contract debt that has been litigated and awarded and not the original mechanic's lien amount.

Creditor represent that debtor sought to avoid the lien in debtor's prior Chapter 7, which was denied because although the mechanic's lien was reduced to an abstract of judgment the lien remained a statutory lien that is not subject to § 522(f)(1)(A). Case No. 24-23040, dkt. 78.

Additionally, Creditor contends that this is just a collateral attack on the state court judgment because debtor unsuccessfully appealed the state court judgment and the judgment is now final.

RESPONSE

Debtor filed a response (dkt. 88) on March 17, 2026 standing by her previous assertions that the mechanic's lien is secured up to the original amount and the balance, which consists of fees, costs and interests, is unsecured.

DEBTOR'S SUPPLEMENTAL BRIEF

After the prior hearing, debtor filed a supplemental brief. Dkt. 97. Debtor asserts the following in support of the objection:

(1) In the prior Chapter 7 it was determined that the lien is a statutory lien even though it has been reduced to a recorded abstract of judgment;

(2) The lien cannot be enlarged by attorney's fees, litigation costs, and later arising obligations;

(3) Merger doctrine does not apply to statutory liens;

(4) The unsecured portion of the lien was discharged in the Chapter 7 case;

(5) The claim does not comply with FRBP 3001(c) because the writing attached to the claim does not support the amount claimed; and

(6) Alternatively, if the unsecured portion is accepted, it must be bifurcated.

CREDITOR'S SUPPLEMENTAL BRIEF

Creditor filed a supplemental brief after the prior hearing. Creditor asserts the following in opposition to the objection:

(1) Creditor's claim is judgment based and cannot be relitigated, reallocated, or reduced by recharacterizing its components;

(2) Debtor incorrectly collapses the two distinct inquiries required under § 502 and § 506;

(3) The objection is a collateral attack on the final state court judgment;

(4) The mechanic's lien and judgment exist independently;

(5) The prior Chapter 7 discharge only eliminates the debtor's in personam liability, but does not extinguish the underlying debt;

(6) Debtor's argument only focuses on personal enforceability against debtor and ignores enforceability against property of the estate;

(7) The state court judgment supports the claim;

(8) Debtor's merger argument supports the existence of the claim; and

(9) Any limitation on the claim must be determined under § 506, not § 502.

DEBTOR'S SUR-REPLY

Debtor filed a sur-reply (dkt. 99) on May 7, 2026. Debtor asserts that § 502(b)(1) makes enforceability of the claim the controlling standard and under California law the judgment beyond the $34,000 is unenforceable.

Debtor contends that Creditor's asserted procedure reverses the statutory order for determining secured claims under § 502 and § 506. Debtor asserts that Creditor's argument that this is a collateral attack on the judgment fails as a matter of law, and Creditor has not carried its burden demonstrating the validity of its claim.

DISCUSSION

Section 502(a) provides that a claim supported by a Proof of Claim is allowed unless a party in interest objects. Once an objection has been filed, the court may determine the amount of the claim after a noticed hearing. 11 U.S.C. § 502(b). The party objecting to a proof of claim has the burden of presenting substantial evidence to overcome the prima facie validity of a proof of claim, and the evidence must be of probative force equal to that of the creditor's proof of claim. Wright v. Holm (In re Holm), 931 F.2d 620, 623 (9th Cir. 1991); see also United Student Funds, Inc. v. Wylie (In re Wylie), 349 B.R. 204, 210 (9th Cir. BAP 2006). Substantial evidence means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion, and requires financial information and factual arguments. In re Austin, 583 B.R. 480, 483 (8th Cir. BAP 2018). Notwithstanding the prima facie validity of a proof of claim, the ultimate burden of persuasion is always on the claimant. In re Holm, 931 F.2d at p. 623.

Once a party has objected to a proof of claim, the creditor asserting the claim may not withdraw the claim except on order of the court. Fed. R. Bankr. P. 3006.

At the hearing xxxxxxxxxx

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Objection to Claim filed in this case by the debtor, Dashena Williams, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Objection to Proof of Claim Number 2 of Quality First Home Improvement, Inc. is xxxxxxxx

32.	26-22532-C-13 DPC-1	STEPHEN COOK Pro Se	OBJECTION TO CONFIRMATION OF PLAN BY DAVID P. CUSICK 6-17-26 [25]

Thru #35

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 28.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor did not appear at the Meeting of Creditor;

2. Debtor has not provides copies of pay advices or tax returns;

3. Debtor has not provided a photo identification and proof of Social Security number;

4. Plan fails the liquidation test;

5. Debtor's income is insufficient to make plan payments; and

6. Creditor with a secured claim has an objection.

DISCUSSION

Debtor did not appear at the Meeting of Creditors held pursuant to 11 U.S.C. § 341. Appearance is mandatory. *See* 11 U.S.C. § 343. Attempting to confirm a plan while failing to appear and be questioned by the Chapter 13 Trustee and any creditors who appear represents a failure to cooperate. *See* 11 U.S.C. § 521(a)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not provided the trustee with all required pay advices. 11 U.S.C. § 521(a)(1)(B)(iv); FED. R. BANKR. P. 4002(b)(2)(A). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not provided the trustee with all required tax returns. 11 U.S.C. § 521(e)(2)(A)(i); FED. R. BANKR. P. 4002(b)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has non-exempt assets because he has incorrectly claimed 100% of market value of assets, which is not available under California law. The plan provides for a zero percent dividend to unsecured claims, which is less than the percent dividend necessary to meet the liquidation test. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(4).

The plan proposes a payment of $1,963.74 per month, but debtor's monthly net income according to his Schedules is $871.79. Therefore, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Objection is sustained.

33. 26-22532-C-13 JCW-1 — STEPHEN COOK, Pro Se — OBJECTION TO CONFIRMATION OF PLAN BY TD BANK, N.A. 6-4-26 [17]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 40 days' notice was provided. Dkt. 20.

The Objection to Confirmation of Plan is sustained.

Creditor TD Bank, N.A. ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that the Plan does not pay the proper interest on Creditor's claim.

DISCUSSION

Creditor opposes confirmation on the basis that the plan proposes paying its claim at 0.0% interest. Creditor argues that this interest rate is outside the limits authorized by the Supreme Court in *Till v. SCS Credit Corp.*, 541 U.S. 465 (2004). In *Till*, a plurality of the Court supported the "formula approach" for fixing post-petition interest rates. *Id.* Courts in this district have interpreted *Till* to require the use of the formula approach. *See In re Cachu*, 321 B.R. 716 (Bankr. E.D. Cal. 2005); *see also Bank of Montreal v. Official Comm. of Unsecured Creditors (In re American Homepatient, Inc.)*, 420 F.3d 559, 566 (6th Cir. 2005) (*Till* treated as a decision of the Court). Even before *Till*, the Ninth Circuit had a preference for the formula approach. *See Cachu*, 321 B.R. at 719 (citing *In re Fowler*, 903 F.2d 694 (9th Cir. 1990)).

The court agrees with the court in *Cachu* that the correct valuation of the interest rate is the prime rate in effect at the commencement of this case plus a risk adjustment. Because the creditor has only identified risk factors common to every bankruptcy case, the court fixes the interest rate as the prime rate in effect at the commencement of the case, 6.75%, plus a 1.25% risk adjustment, for a 8.00% interest rate.

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Objection to the Chapter 13 Plan filed by TD Bank, N.A., having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Objection is sustained.

34. 26-22532-C-13 JCW-2 | STEPHEN COOK Pro Se | OBJECTION TO CONFIRMATION OF PLAN BY SANTANDER BANK, N.A. 6-17-26 [21]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 24.

The Objection to Confirmation of Plan is sustained.

Creditor Santander Bank, N.A. ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that the Plan does not pay the proper interest on Creditor's claim.

DISCUSSION

Creditor opposes confirmation on the basis that the plan proposes paying its claim at 0.0% interest. Creditor argues that this interest rate is outside the limits authorized by the Supreme Court in *Till v. SCS Credit Corp.*, 541 U.S. 465 (2004). In *Till*, a plurality of the Court supported the "formula approach" for fixing post-petition interest rates. *Id.* Courts in this district have interpreted *Till* to require the use of the formula approach. *See In re Cachu*, 321 B.R. 716 (Bankr. E.D. Cal. 2005); *see also Bank of Montreal v. Official Comm. of Unsecured Creditors (In re American Homepatient, Inc.)*, 420 F.3d 559, 566 (6th Cir. 2005) (*Till* treated as a decision of the Court). Even before *Till*, the Ninth Circuit had a preference for the formula approach. *See Cachu*, 321 B.R. at 719 (citing *In re Fowler*, 903 F.2d 694 (9th Cir. 1990)).

The court agrees with the court in *Cachu* that the correct valuation of the interest rate is the prime rate in effect at the commencement of this case plus a risk adjustment. Because the creditor has only identified risk factors common to every bankruptcy case, the court fixes the interest rate as the prime rate in effect at the commencement of the case, 6.75%, plus a 1.25% risk adjustment, for a 8.00% interest rate.

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by Santander Bank, N.A., having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

35. 26-22532-C-13 KMM-1 | STEPHEN COOK Pro Se | OBJECTION TO CONFIRMATION OF PLAN BY HARLEY-DAVIDSON 6-18-26 [29]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 26 days' notice was provided. Dkt. 32.

The Objection to Confirmation of Plan is sustained.

Creditor Harley-Davidson ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan does not pay the proper interest on Creditor's claim; and

2. Debtor does not have sufficient income to make plan payments.

DISCUSSION

Creditor opposes confirmation on the basis that the plan proposes paying its claim at 0.0% interest. Creditor argues that this interest rate is outside the limits authorized by the Supreme Court in *Till v. SCS Credit Corp.*, 541 U.S. 465 (2004). In *Till*, a plurality of the Court supported the "formula approach" for fixing post-petition interest rates. *Id.* Courts in this district have interpreted *Till* to require the use of the formula approach. *See In re Cachu*, 321 B.R. 716 (Bankr. E.D. Cal. 2005); *see also Bank of Montreal v. Official Comm. of Unsecured Creditors (In re American Homepatient, Inc.)*, 420 F.3d 559, 566 (6th Cir. 2005) (*Till* treated as a decision of the Court). Even before *Till*, the Ninth Circuit had a preference for the formula approach. *See Cachu*, 321 B.R. at 719 (citing *In re Fowler*, 903 F.2d 694 (9th Cir. 1990)).

The court agrees with the court in *Cachu* that the correct valuation of the interest rate is the prime rate in effect at the commencement of this case plus a risk adjustment. Because the creditor has only identified risk factors common to every bankruptcy case, the court fixes the interest rate as the prime rate in effect at the commencement of the case, 6.75%, plus a 1.25% risk adjustment, for a 8.00% interest rate.

The plan proposes a payment of $1,963.74 per month, but debtor's monthly net income according to his Schedules is $871.79. Therefore, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by Harley-Davidson, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

36.	26-22233-C-13 DPC-1	PAUL/THERESA DEOCAMPO Marc Voisenat	OBJECTION TO DISCHARGE BY DAVID P. CUSICK 6-3-26 [23]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 41 days' notice was provided. Dkt. 26.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Objection to Discharge is sustained.

The Chapter 13 Trustee ("Objector") objects to Paul Deocampo's and Theresa Deocampo's ("Debtors") discharge in this case. Objector argues that Debtors are not entitled to a discharge in the instant bankruptcy case because Debtor previously received a discharge in a Chapter 7 case.

Debtors filed a Chapter 7 bankruptcy case on June 3, 2025. Case No. 25-22787. Debtors received a discharge on September 11, 2025. Case No. 25-22787, Dkt. 29.

The instant case was filed under Chapter 13 on April 21, 2026.

11 U.S.C. § 1328(f) provides that a court shall not grant a discharge if a debtor has received a discharge "in a case filed under chapter 7, 11, or 12 of this title during the 4-year period preceding the date of the order for relief under this chapter." 11 U.S.C. § 1328(f)(1).

Here, Debtors received a discharge under 11 U.S.C. § 727 on September 11, 2025, which is less than four years preceding the date of the filing of the instant case. Case No. 25-22787, Dkt. 29. Therefore, pursuant to 11 U.S.C. § 1328(f)(1), Debtors are not eligible for a discharge in the instant case.

Therefore, the Objection is sustained. Upon successful completion of the instant case, the case shall be closed without the entry of a discharge, and Debtor shall receive no discharge in the instant case.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to Discharge filed by David P. Cusick, the Chapter 13

Trustee ("Objector") having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that Objection to Discharge is sustained, and upon successful completion of the instant case, Case No. 26-22233, the case shall be closed without the entry of a discharge.

37. 26-22233-C-13 PAUL/THERESA DEOCAMPO OBJECTION TO CONFIRMATION OF
DPC-2 Marc Voisenat PLAN BY DAVID P. CUSICK
6-8-26 [28]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 36 days' notice was provided. Dkt. 31.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), filed a status update reporting that some of the initial issues in the objection have been resolved but continues to oppose confirmation of the Chapter 13 plan on the basis that:

1. Debtors have filed two plans at the same time;

2. Plan fails the liquidation test; and

3. Plan is overextended.

DISCUSSION

The debtor has non-exempt assets totaling $65,227.00. The plan provides for a zero percent dividend to unsecured claims, which is less than the one hundred percent dividend necessary to meet the liquidation test. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(4).

Because claims are greater than scheduled, the plan will take 68 months to complete. That is reason to deny confirmation. 11 U.S.C. § 1322(d).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

38. 25-26238-C-13 KENNETH VAVURIS CONTINUED MOTION TO DISMISS
DPC-2 Eric Schwab CASE
5-27-26 [81]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days’ notice. The Proof of Service shows that 33 days’ notice was provided. Dkt. 84.

The Motion to Dismiss is is denied without prejudice.

At the prior hearing debtor’s counsel represented he would be filing an amended plan.

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor has not filed an amended plan since the court denied confirmation of the Chapter 13 plan on March 24, 2026.

Debtor filed an opposition (Dkt. 85) on June 15, 2026, asserting that debtor will file a plan before the hearing.

A review of the docket shows the debtor filed an amended plan and corresponding Motion to Confirm on July 8, 2026. Dkts. 91, 93.

Because it appears debtor is actively prosecuting the case, the Motion is denied without prejudice.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion to Dismiss is denied without prejudice.

39. 25-26939-C-13 LSL-3

GARY/KATHLEEN TRIMBLE
Thomas Amberg

CONTINUED MOTION FOR RELIEF FROM AUTOMATIC STAY
5-13-26 [44]

CHRISTOPHER HARRISON, JULIE RENTNER, VS.

Final Ruling: No appearance at the July 14, 2026 hearing is required.

<u>This matter is removed from calendar, the motion having been granted on July 1, 2026. Dkt. 57.</u>

40. 23-20741-C-13 MICHAEL/SARAH DIXEY MOTION TO SELL
TLA-1 Thomas Amberg 6-16-26 [28]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 32.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Sell is granted.

Debtors filed this Motion pursuant to 11 U.S.C. §§ 363 and 1303 seeking to sell property commonly known as 606 Porter Drive, Roseville, California ("Property").

The proposed purchaser of the Property is Yesenia Silva, and the proposed purchase price is $502,500.00.

The Chapter 13 Trustee filed a statement on non-opposition on June 25, 2026. Dkt. 33.

DISCUSSION

At the time of the hearing, the court announced the proposed sale and requested that all other persons interested in submitting overbids present them in open court. At the hearing, the following overbids were presented in open court: xxxxxxxxxxxxxxx.

Based on the evidence before the court, the court determines that the proposed sale is in the best interest of the Estate because the proceeds from the sale will pay their creditors in full.

Broker's Commission

Movant has estimated that a five percent broker's commission from the sale of the Property will equal approximately $25,125.00. As part of the sale in the best interest of the Estate, the court permits Movant to pay the broker an amount not more than five percent commission.

Request for Waiver of Fourteen-Day Stay of Enforcement

Federal Rule of Bankruptcy Procedure 6004(h) stays an order granting a motion to sell for fourteen days after the order is entered, unless the court orders otherwise.

Movant has pleaded adequate facts and presented sufficient evidence to support the court waiving the fourteen-day stay of enforcement required under Federal Rule of Bankruptcy Procedure 6004(h), and this part of the requested relief is granted.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Sell Property filed by Michael and Sarah Dixey ("Movant"), having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is granted. The debtors' counsel shall prepare an appropriate order granting the Motion, transmit the proposed order to the Chapter 13 trustee for approval as to form, and if so approved submit the proposed order to the court.
>
> **IT IS FURTHER ORDERED** that Movant is authorized to pay a real estate broker's commission in an amount not more than five percent of the actual purchase price upon consummation of the sale.
>
> **IT IS FURTHER ORDERED** that the fourteen-day stay of enforcement provided in Federal Rule of Bankruptcy Procedure 6004(h) is waived for cause.

41. 26-21141-C-13 JOSEPH DEFAZIO AMENDED MOTION TO CONFIRM PLAN
Pro Se 6-12-26 [72]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. A Proof of Service has not been filed.

The Motion to Confirm is denied.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 55) filed on May 27, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 74) on June 30, 2026, opposing confirmation on the following grounds:

1. Debtor has failed to comply with the Local Rules;

2. Debtor has not provided any evidence supporting the motion;

3. Debtor has not provided a proof of service showing that the plan, notice, and motion were served on parties in interest;

4. The Meeting of Creditors has not been held;

5. Debtor is delinquent in plan payments;

6. The plan misclassifies a secured claim with arrears;

7. Not all claims are provided for in the plan;

8. Debtor has not accurately filed all Schedules and Forms and has not amended the Schedules and Forms; and

9. Plan fails the liquidation test.

AmeriCredit Financial Services, Inc. dba GM Financial filed an Opposition (Dkt. 79) on July 2, 2026, opposing confirmation on the following grounds:

1. The Plan does not fully provide for Creditor's claim.

DISCUSSION

The Local Rules include the specific procedures for filing plan and motion to confirm plan. See Local Rule 3015-1 and 9014-1. The debtor has not followed the procedures in the Local Rules for confirmation of the plan.

The Meeting of Creditors held pursuant to 11 U.S.C. § 341 because he has not provided all required documents. Attendance and compliance is mandatory. *See* 11 U.S.C. § 343. Attempting to confirm a plan while failing to appear and be questioned by the Chapter 13 Trustee and any creditors who appear represents a failure to cooperate. *See* 11 U.S.C. § 521(a)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor is $5,441.21 delinquent in plan payments. Declaration, Dkt. 75. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. *See* 11 U.S.C. § 1325(a)(6).

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim. Section 3.07 instructs that all delinquent secured claims that mature after completion of the plan are to be included in Class 1. Columbia Bank filed a Proof of Claim that represents that its claim includes an arrearage. Therefore, the claim must be included in Class 1 and not Class 4.

The debtor has non-exempt assets totaling $310,991.00. The plan provides for a zero percent dividend to unsecured claims, which is less than the percent dividend necessary to meet the liquidation test. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(4).

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

Notwithstanding whether the plan provides for the prepetition arrearage as Creditor argues, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Confirm filed by the debtor, Joseph DeFazio, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is denied, and the plan is not confirmed.

42. 26-22542-C-13 STACY TUCKER OBJECTION TO CONFIRMATION OF
DPC-1 Mary Ellen Terranella PLAN BY DAVID P. CUSICK
6-17-26 [15]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 18.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor has filed two non-identical plans; and

2. Debtor's attorney has been paid in full.

DISCUSSION

The debtor has filed two plans that are not identical without explanation in order to assist the Chapter 13 Trustee in determining the feasibility of the plan.

Local Rule 2016-1(c)(4) allows for debtor's counsel to be paid 25% of the flat fee when the petition is filed, another 25% when a plan is confirmed and that the Chapter 13 trustee shall pay debtor's counsel the remainder as equal monthly installments over the term of the plan. The plan and the disclosure of attorney compensation indicate debtor's counsel has been paid 100% of the fees prior to filing the petition, this is reason to deny confirmation.

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

43. 25-20543-C-13 MICHAELA HUGHES MOTION TO MODIFY PLAN
BLG-2 Chad Johnson 5-20-26 [62]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 55 days' notice was provided. Dkt. 67.

The Motion to Modify is denied.

The debtor filed this Motion seeking to confirm the Modified Chapter 13 Plan (Dkt. 64) filed on May 20, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 71) on June 30, 2026, opposing confirmation on the following grounds:

1. Debtor is delinquent in plan payments.

DISCUSSION

The debtor is $11,664.04 delinquent in plan payments. Declaration, Dkt. 72. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. *See* 11 U.S.C. § 1325(a)(6).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322, 1325(a), and 1329. The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Confirm filed by the debtor, Michaela Hughes, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is denied, and the plan is not confirmed.

44. 26-20844-C-13 ANGELA LOPES CONTINUED OBJECTION TO
DPC-2 Gerald Glazer CONFIRMATION OF PLAN BY DAVID P. CUSICK
4-7-26 [20]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Objection to Confirmation is dismissed without prejudice.

The trustee having filed an Ex Parte Motion to Dismiss the pending Objection on July 6, 2026, Dkt. 48; no prejudice to the responding party appearing by the dismissal of the Objection; the trustee having the right to request dismissal of the objection pursuant to Federal Rule of Civil Procedure 41(a)(2) and Federal Rules of Bankruptcy Procedure 9014 and 7041; and the dismissal being consistent with the opposition filed by the debtor ; **the Ex Parte Motion is granted**, Trustee's **Objection is dismissed without prejudice, the court removes this Objection from the calendar, and the Chapter 13 Plan filed on February 18, 2026, is confirmed.**

Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

45. 21-21745-C-13 MICHAEL/CAROL STANFORD Pro Se

Thru #48

CONTINUED MOTION FOR DISGORGEMENT OF UNAUTHORIZED POST-CONFIRMATION CHARGES AND ENFORCEMENT OF CONFIRMATION ORDER
4-20-26 [262]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 16 days' notice was provided. Dkt. 264.

The Motion for Disgorgement of Plan Payments is xxxxx.

Debtors Michael and Carol Stanford filed this Motion seeking disgorgement of plan payments under 11 U.S.C. § 105(a).

DISCUSSION

At the hearing xxxxxxxxxx

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion for Disgorgement filed by Michael and Carol Stanford ("Debtors") having been presented to the court, the case having been previously dismissed, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is xxxxxxxxxx

46. 21-21745-C-13 MICHAEL/CAROL STANFORD CONTINUED MOTION TO CORRECT TRUSTEE'S MISINTERPRETATION OF CLAIM AMOUNT AND TO DISALLOW OVERPAYMENT AND CLAIM TRANSFER 11-18-25 [195]

Pro Se

No Tentative Ruling:

The Motion has been set on Local Rule 3007-1(b)(1) procedure which requires 44 days' notice. The motion was set by order of the court. Dkts. 232 & 250.

The Objection to Proof of Claim is xxxxxxxxx

At the prior hearing on May 5, the court orderd the parties to mediation. Walter Dahl, court appointed mediator under the BDRP program, filed a status report on June 30, 2026. Mr. Dahl reports that he was able to convene a mediation session via conference call on June 22, 2026. Mr. Dahl represents that debtors have now filed subsequent motions and a Statement Regarding Mediator Conduct and Procedural Deficiencies at docket #302. Mr. Dahl asserts that it now appears appropriate for his appointment as mediator to be terminated.

Debtors Michael and Carol Stanford filed this motion on November 18, 2025. Dkt. 195. Now-retired Judge Clement deemed this motion an Objection to Proof of Claim No. 6, and ordered the matter to be heard at a later time. Dkt. 232. Additionally, secured creditors and the Chapter 13 Trustee were ordered to file opposition no later than February 4, 2026.

OPPOSITION

The Chapter 13 Trustee filed opposition (dkt. 239) on February 3, 2026 representing that creditor Planet Home Lending (claimant on Proof of Claim No. 6) initially objected to plan confirmation, which was sustained on July 21, 2021. Later, debtors obtained confirmation of an amended plan on June 29, 2022, which provided for Planet Home's claim as Class 2A claim in the estimated amount of $282,783.02 to be paid at 8.5%. Planet Home's claim was listed on the Notice of Filed Claims that was served on the debtors. Planet Home's claim was later amended on July 26, 2024 down to $252,983.73.

The Trustee asserts he did as the Plan called for and paid the claim with interest.

Planet Home Lending, LLC filed opposition (dkt. 242) on February 3, 2026. Planet Home asserts that the Trustee paid exactly what the Code requires and there was no overpayment.

Planet Home contends that its Proof of Claim included accrued prepetition interest, and did not include postpetition interest. Planet Home contends that the amount of interest paid - $61,220.88 - accurately reflects the application of contract interest rate to a steadily declining principal balance over the forty-one month payment period.

Select Portfolio Servicing, Inc. ("SPS") filed opposition (dkt. 246) on February 4, 2026. SPS asserts that the objection is untimely and the debtors' lack standing to object to assignments of claim. Additionally, SPS contends that the correct amount was paid on the claim, including the amount of interest paid.

SUPPLEMENTAL MOTION

Debtors filed a supplemental motion for sanctions on April 13, 2026. Dkt. 257. Debtors assert sanctions are proper here because the servicers continued to collect payments after the loan had been paid in full, failed to properly credit plan payments, did not investigate disputes, did not correct account errors after notice, and caused financial and emotional harm to debtors.

Debtors seek damages, including actual damages of $62,000, administration expenses of $300-$500, pro se time and litigation effort of $6,000, emotional distress damages of $5,000-$15,000, and punitive damages of $10,000-$15,000.

SUPPLEMENTAL OPPOSITION

Select Portfolio Servicing, Inc. filed supplemental opposition on April 21, 2026. Dkt. 265. SPS asserts that it only received three months of payments from the Trustee. And of that a small amount was interest, and of that a portion of it was interest on interest.

Additionally, SPS asserts that a plan cannot now be modified, and debtors are not entitled to sanctions because it did not willfully violate a court's order and complied with the confirmed plan.

DISCUSSION

Section 502(a) provides that a claim supported by a Proof of Claim is allowed unless a party in interest objects. Once an objection has been filed, the court may determine the amount of the claim after a noticed hearing. 11 U.S.C. § 502(b). It is settled law in the Ninth Circuit that the party objecting to a proof of claim has the burden of presenting substantial evidence to overcome the prima facie validity of a proof of claim, and the evidence must be of probative force equal to that of the creditor's proof of claim. Wright v. Holm (In re Holm), 931 F.2d 620, 623 (9th Cir. 1991); see also United Student Funds, Inc. v. Wylie (In re Wylie), 349 B.R. 204, 210 (B.A.P. 9th Cir. 2006). Substantial evidence means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion, and requires financial information and factual arguments. In re Austin, 583 B.R. 480, 483 (B.A.P. 8th Cir. 2018). Notwithstanding the prima facie validity of a proof of claim, the ultimate burden of persuasion is always on the claimant. In re Holm, 931 F.2d at p. 623.

Once a party has objected to a proof of claim, the creditor asserting the claim may not withdraw the claim except on order of the court. Fed. R. Bankr. P. 3006.

It appears to this court, that the debtors are arguing that the claim should not have included any interest, and/or, they should not have to pay any interest on the claim through the plan.

A review of the confirmed plan shows that the amount of the claim was to be paid with interest at 8.50%. Section 1327(a) states, "The provisions of a confirmed plan bind the debtor and each creditor, whether or not the claim of such creditor is provided for by the plan, and whether or not such creditor has objected to, has accepted, or has rejected the plan." 11 U.S.C. § 1327(a).

The Chapter 13 Trustee has represented he paid the claim just as the plan calls for. The debtor is bound by the terms of the confirmed plan.

At the hearing xxxxxxxxx

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Objection to Claim filed in this case by the Michael and Carol Stanford, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Objection to Proof of Claim Number 6 of Planet Home Lending, LLC is xxxxxxxxxx

47. 21-21745-C-13 MICHAEL/CAROL STANFORD MOTION TO DISGORGE FEES
Pro SE 6-25-26 [292]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 19 days' notice was provided. Dkt. 296.

The Motion for Disgorgement of Overpayments is xxxxx.

Debtors Michael and Carol Stanford filed this Motion seeking disgorgement of plan payments under 11 U.S.C. § 105(a).

DISCUSSION

At the hearing xxxxxxxxxx

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion for Disgorgement filed by Michael and Carol Stanford ("Debtors") having been presented to the court, the case having been previously dismissed, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is xxxxxxxxxx

48.   21-21745-C-13   MICHAEL/CAROL STANFORDOBJECTION TO CLAIM OF SELECT
Pro Se   PORTFOLIO SERVICING, INC.,
CLAIM NUMBER 6
6-25-26 [293]

No Tentative Ruling:

The Motion has been set on Local Rule 3007-1(b)(2) procedure which requires 30 days' notice. The Proof of Service shows that only 19 days' notice was provided. Dkt. 296.

The Objection to Proof of Claim is xxxxxxxxx

Debtors Michael and Carol Stanford ("Debtors") filed this motion on June 25, 2026. Dkt. 293. Debtors seek reconsideration of the order allowing Proof of Claim #6 filed by Planet Home Lending pursuant to Rule 3008 and § 502(j).

Debtors assert that claimant miscalculated the interest component of its claims.

DISCUSSION

Section 502(a) provides that a claim supported by a Proof of Claim is allowed unless a party in interest objects. Once an objection has been filed, the court may determine the amount of the claim after a noticed hearing. 11 U.S.C. § 502(b). It is settled law in the Ninth Circuit that the party objecting to a proof of claim has the burden of presenting substantial evidence to overcome the prima facie validity of a proof of claim, and the evidence must be of probative force equal to that of the creditor's proof of claim. Wright v. Holm (In re Holm), 931 F.2d 620, 623 (9th Cir. 1991); see also United Student Funds, Inc. v. Wylie (In re Wylie), 349 B.R. 204, 210 (B.A.P. 9th Cir. 2006). Substantial evidence means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion, and requires financial information and factual arguments. In re Austin, 583 B.R. 480, 483 (B.A.P. 8th Cir. 2018). Notwithstanding the prima facie validity of a proof of claim, the ultimate burden of persuasion is always on the claimant. In re Holm, 931 F.2d at p. 623.

Once a party has objected to a proof of claim, the creditor asserting the claim may not withdraw the claim except on order of the court. Fed. R. Bankr. P. 3006.

It appears to this court, that the debtors are arguing that the claim should not have included any interest, and/or, they should not have to pay any interest on the claim through the plan.

A review of the confirmed plan shows that the amount of the claim was to be paid with interest at 8.50%. Section 1327(a) states, "The provisions of a confirmed plan bind the debtor and each creditor, whether or not the claim of such creditor is provided for by the plan, and whether or not such creditor has objected to, has accepted, or has rejected the plan."

11 U.S.C. § 1327(a).

The Chapter 13 Trustee has represented he paid the claim just as the plan calls for. The debtor is bound by the terms of the confirmed plan.

At the hearing xxxxxxxxxx

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to Claim filed in this case by Michael and Carol Stanford, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection to Proof of Claim Number 6 of Planet Home Lending, LLC is xxxxxxxxxx

49. 25-22345-C-13 ELMER CRESPIN ZAMORACONTINUED MOTION TO DISMISS
DPC-4 Peter Macaluso CASE
3-11-26 [71]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 41 days' notice was provided. Dkt. 74.

The Motion to Dismiss is granted, and the case is dismissed.

Since the prior hearing, debtor's counsel filed a status report (Dkt. 83) asserting debtor has received a permanent loan modification and requests one more continuance to file a motion to approve load modification.

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is $6,185.00 delinquent in plan payments, which is supported by declaration. Dkt. 73.

Debtor filed opposition (dkt. 77) on May 12, 2026, asserting that he assumes two separate loan modifications will be granted.

Failure to maintain plan payments constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1). Furthermore, the court finds that dismissal, and not conversion, is in the best interest of creditors and the Estate. The Motion is granted, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion to Dismiss is granted, and the case is dismissed, the court having found that dismissal, and not conversion, is in the best interest of creditors and the Estate.

50. 25-23045-C-13 LADONNA GREEN CONTINUED MOTION TO DISMISS CASE
DPC-1 Candace Brooks 4-17-26 [26]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 39 days' notice was provided. Dkt. 29.

The Motion to Dismiss is granted, and the case is dismissed.

At the prior hearing, the Trustee represented that debtor was still delinquent and the motion was continued to see if debtor had made the payment to become current.

The Chapter 13 Trustee filed this Motion To Dismiss arguing that cause for dismissal exists because the debtor is $6,732.00 delinquent in plan payments, which is supported by declaration. Dkt. 28.

Debtor filed an opposition (Dkt. 30) on May 5, 2026, asserting that debtor will be current on or before the hearing.

Failure to maintain plan payments constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1). Furthermore, the court finds that dismissal, and not conversion, is in the best interest of creditors and the Estate. The Motion is granted, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion to Dismiss is granted, and the case is dismissed, the court having found that dismissal, and not conversion, is in the best interest of creditors and the Estate.

51. 25-20746-C-13 JOHN/KRISTEN FIORICA CONTINUED MOTION TO DISMISS
DPC-3 Mark Shmorgon CASE
5-19-26 [57]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 41 days' notice was provided. Dkt. 60.

The Motion to Dismiss is granted, and the case is dismissed.

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is $3,122.26 delinquent in plan payments, which is supported by declaration. Dkt. 59.

Debtor filed an opposition (Dkt. 61) on June 12, 2026, asserting that debtor will be current on or before the hearing.

Failure to maintain plan payments constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1). Furthermore, the court finds that dismissal, and not conversion, is in the best interest of creditors and the Estate. The Motion is granted, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion to Dismiss is granted, and the case is dismissed, the court having found that dismissal, and not conversion, is in the best interest of creditors and the Estate.

52. 26-21848-C-13 DENISE AUSTIN MOTION FOR RELIEF FROM
ALG-1 Anthony Egbase AUTOMATIC STAY
6-15-26 [28]

RONALD J. ZINNER, TRUSTEE OF THE RONALD J. ZINNER LIVING TRUST VS.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 29 days' notice was provided. Dkt. 34.

The Motion for Relief from the Automatic Stay is granted.

Ronald J. Zinner, Trustee of the Ronald J. Zinner Living Trust dated August 7, 2000; Jay M. Weiss, Trustee of the Jay M. Weiss Surivors Trust UD October 3, 2009; Forge Truste Co. CFBO: Kent Mark, Kitselman IRA Account #404536; and Forge Trust Co CFBO: Nancy Diane Kitselman IRA Account #404548, as Beneficiary ("Movant") filed this Motion seeking relief from the automatic stay as to the debtor's property commonly known as 4304 Birdseye Way, Elk Grove, CA (the "Property").

Movant argues cause for relief from stay exists pursuant to 11 U.S.C. § 362(d)(1) because the loan has fully matured and debtor is substanitially delinquent. Declaration, Dkt. 32. Movant also argues cause exists pursuant to 11 U.S.C. § 362(d)(1) because there is insufficient equity to adequately protect Movant. Movant asserts that taking the debtor's the value of the property of $565,000.00 and total debt secured by the Property of $468,527.12, leaves equity of $96,472.88 and with additional costs of sale of $45,200, leaves only $51,272.88.

Movant also argues cause exists pursuant to 11 U.S.C. § 362(d)(1) because the filing of the petition was not in good faith because the debtor allegedly cannot file a confirmable plan.

TRUSTEE'S RESPONSE

The Chapter 13 Trustee filed a response (Dkt. 39) on June 18, 2026, asserting he does not oppose the motion. The Trustee represents he has filed a motion to dismiss case because the debtor has not filed a motion to confirm.

DEBTOR'S OPPOSITION

Debtor filed an Opposition on July 7, 2026. Dkt. 43. Debtor asserts that debtor has filed an amended plan that resolves all of the Movant's issues. Debtor contends that the plan provides that debtor will sell or refinance the Property and pay Movant's claim in full.

DISCUSSION

Upon review of the record, the court finds cause for relief from stay exists pursuant to 11 U.S.C. § 362(d)(1) because the debtor is delinquent on the fully matured loan.

Language vacating stay

Based on the foregoing, the Motion is granted. The court shall issue an order terminating and vacating the automatic stay to allow Movant, and its agents, representatives and successors, and all other creditors having lien rights against the Property, to repossess, dispose of, or sell the asset pursuant to applicable nonbankruptcy law and their contractual rights, and for any purchaser, or successor to a purchaser, to obtain possession of the asset.

Request for Waiver of Fourteen-Day Stay of Enforcement

Federal Rule of Bankruptcy Procedure 4001(a)(3) stays an order granting a motion for relief from the automatic stay for fourteen days after the order is entered, unless the court orders otherwise. Movant requests, for no particular reason, that the court grant relief from the Rule as adopted by the United States Supreme Court. With no grounds for such relief specified, the court will not grant additional relief merely stated in the prayer.

Movant has not pleaded adequate facts and presented sufficient evidence to support the court waiving the fourteen-day stay of enforcement required under Federal Rule of Bankruptcy Procedure 4001(a)(3), and this part of the requested relief is not granted.

No other or additional relief is granted by the court.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion for Relief from the Automatic Stay filed by Ronald J. Zinner, Trustee of the Ronald J. Zinner Living Trust dated August 7, 2000; Jay M. Weiss, Trustee of the Jay M. Weiss Surivors Trust UD October 3, 2009; Forge Truste Co. CFBO: Kent Mark, Kitselman IRA Account #404536; and Forge Trust Co CFBO: Nancy Diane Kitselman IRA Account #404548, as Beneficiary ("Movant") having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the automatic stay provisions of 11 U.S.C. § 362(a) are vacated to allow Movant, its agents, representatives, and successors, and trustee under the trust deed, and any other beneficiary or trustee, and their respective agents and successors under any trust deed that is recorded against the real property commonly known as 4304 Birdseye Way, Elk Grove, California, ("Property") to secure an obligation to exercise any and all rights arising under the promissory note, trust deed, and applicable nonbankruptcy law to conduct a nonjudicial foreclosure sale and for the purchaser at any such sale to obtain possession

of the Property.

IT IS FURTHER ORDERED that the fourteen-day stay of enforcement provided in Federal Rule of Bankruptcy Procedure 4001(a)(3) is not waived for cause.

No other or additional relief is granted.

53. 26-22248-C-13 DOMINIQUE ENGEL OBJECTION TO DEBTOR'S CLAIM OF
DPC-1 Nicholas Deal EXEMPTIONS
6-9-26 [34]

No Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 35 days' notice was provided. Dkt. 37.

The Objection to Claimed Exemptions is xxxxxxxx

As an initial matter, a review of the docket shows a Notice of Death of the Debtor was filed on June 24, 2026. Dkt. 44.

The Chapter 13 trustee filed this Objection objects to the debtor's claimed exemptions pursuant to California Code of Civil Procedure § 704 because debtor claimed 100% of fair market value, which is not available under California Law.

Section 703.580 of the California Code of Civil Procedure allocates the burden of proof in state-law exemption proceedings. Cal. Civ. Proc. Code § 703.580(b); In re Tallerico, 532 B.R. 774, 780-89 (Bankr. E.D. Cal. 2015). The bankruptcy appellate panel in this circuit has concluded that "where a state law exemption statute specifically allocates the burden of proof to the debtor, Rule 4003(c) does not change that allocation." In re Diaz, 547 B.R. 329, 337 (B.A.P. 9th Cir. 2016). In this exemption proceeding in bankruptcy, therefore, the debtor bears the burden of proof.

At the hearing xxxxxxxxxx

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to Claimed Exemptions filed by Chapter 13 Trustee David Cusick having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that Objection is xxxxxxxxxxxx

54. 26-22248-C-13 DPC-2 | DOMINIQUE ENGEL Nicholas Deal | OBJECTION TO CONFIRMATION OF PLAN BY DAVID P. CUSICK 6-10-26 [38]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 34 days' notice was provided. Dkt. .

The Objection to Confirmation of Plan is xxxxxxxx

As an initial matter, a review of the docket shows a Notice of Death of the Debtor was filed on June 24, 2026. Dkt. 44.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor may not have the capacity to proceed as a debtor;

2. Debtor did not appear at the Meeting of Creditors

3. Plan is blank and not signed;

4. Trustee has an outstanding Objection to Exemptions;

5. Plan fails the liquidation test; and

6. Debtor is delinquent in plan payments.

DISCUSSION

At the hearing xxxxxxxxx

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is xxxxxxxx

55. 23-21250-C-13 ERIC/STEPHANIE HUTTON CONTINUED MOTION TO DISMISS CASE
DPC-5 Douglas Jacobs 5-19-26 [146]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days’ notice. The Proof of Service shows that 41 days’ notice was provided. Dkt. 149.

The Motion to Dismiss is granted, and the case is dismissed.

The prior hearing was continued to give the debtors additional time to become current in plan payments.

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is $5,363.09 delinquent in plan payments, which is supported by declaration. Dkt. 148.

Debtor filed an opposition (Dkt. 150) on June 4, 2026, asserting that debtor will be current on or before the hearing.

Failure to maintain plan payments constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1). Furthermore, the court finds that dismissal, and not conversion, is in the best interest of creditors and the Estate. The Motion is granted, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion to Dismiss is granted, and the case is dismissed, the court having found that dismissal, and not conversion, is in the best interest of creditors and the Estate.

56. 26-22852-C-13 DEBORAH/MARC SALVINO MOTION TO VALUE COLLATERAL OF
BLG-1 Chad Johnson HUNTINGTON BANK
6-8-26 [10]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 36 days' notice was provided. Dkt. 13.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of Huntington Bank's ("Creditor") claim secured by the debtor's property commonly known as a 2021 Heartland RV 241BH Sundance XLT Trailer (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was $14,750.00. Declaration, Dkt. 12.

The Chapter 13 Trustee filed non-opposition (dkt. 16) on June 11, 2026.

The Creditor filed non-opposition (dkt. 20) on July 6, 2026.

DISCUSSION

Upon review of the record, the court finds the value of the Property is $14,750.00. Therefore, Creditor's secured claim is determined to be $14,750.00. 11 U.S.C. § 506(a).

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Value Collateral and Secured Claim filed by the debtor having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion pursuant to 11 U.S.C. § 506(a) is granted, and the claim of Huntington Bank ("Creditor") secured by property commonly known as 2021

Heartland RV 241BH Sundance XLT Trailer (the “Property”) is determined to be a secured claim in the amount of $$14,750.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

57. 26-22961-C-13 KATHERINE HOOD MOTION TO VALUE COLLATERAL OF
WLG-1 Nicholas Wajda ONEMAIN FINANCIAL GROUP, LLC
6-4-26 [11]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 40 days' notice was provided. Dkt. 15.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of OneMain Financial Group, LLC's ("Creditor") claim secured by the debtor's property commonly known as a 2013 Ford Edge SE Sport Utility 4D (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was $5,608.00. Declaration, Dkt. 13.

DISCUSSION

Upon review of the record, the court finds the value of the Property is $5,608.00. Therefore, Creditor's secured claim is determined to be $5,608.00. 11 U.S.C. § 506(a).

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Value Collateral and Secured Claim filed by the debtor having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion pursuant to 11 U.S.C. § 506(a) is granted, and the claim of OneMain Financial Group, LLC ("Creditor") secured by property commonly known as 2013 Ford Edge SE Sport Utility 4D (the "Property") is determined to be a secured claim in the amount of $$5,608.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

58. 25-23565-C-13 GLEN/ELIF WILKINSMOTION TO MODIFY PLAN
TLA-1 Thomas Amberg 6-1-26 [27]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 43 days' notice was provided. Dkt. 32.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Modify Plan is granted.

The debtors filed this Motion seeking to modify the terms of the confirmed plan pursuant to 11 U.S.C. § 1329.

The Chapter 13 trustee filed a non-opposition on June 30, 2026. Dkt. 34.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329. The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Modify Plan filed by the debtors, Glen and Elif Wilkins, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is granted, the Modified Chapter 13 Plan (Dkt. 31) meets the requirements of 11 U.S.C. §§ 1322, 1325(a), and 1329, and the plan is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

59. 26-21467-C-13 JAMES/CHRISTINA FRANKMOTION TO CONFIRM PLAN
DPR-2 David Ritzinger 5-28-26 [56]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 47 days' notice was provided. Dkt. 62.

The Motion to Confirm is denied.

The debtors filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 61) filed on May 28, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 75) on June 30, 2026, opposing confirmation of the plan filed on March 24, 2026 at docket 12, which the court construes as opposing the plan filed on May 28, given the contents of the opposition refercing the May 28 plan, on the following grounds:

1. The plan does not provide details as to how debtors will make a $131,535.00 lump sum in month 11 of the plan.

RESPONSE

Debtors filed a response (Dkt. 78) on July 6, 2026, asserting the lump sum will come from proceeds from the sale of the debtors' residence.

DISCUSSION

The debtors have supplied insufficient information relating to the payment of the lump sum amount in month 11 of the plan to assist the Chapter 13 Trustee in determining the feasibility of the plan.

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtors, James Frank, Jr. and Christina Frank, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

60. 26-22367-C-13 RICHARD/PATRICIA BRADSHAW OBJECTION TO CONFIRMATION OF
DPC-1 Mikalah Liviakis PLAN BY DAVID P. CUSICK
6-15-26 [14]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 29 days' notice was provided. Dkt. 17.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. The Meeting of Creditors was unable to be conducted.

DISCUSSION

The Meeting of Creditors was unable to be held at the scheduled time. Until the Meeting is concluded, the Trustee is unable to determine if the plan is feasible. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

61. 26-20569-C-13 CHRISTOPHER LARSEN MOTION TO CONFIRM PLAN
MOH-1 Michael Hays 5-4-26 [25]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 34.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Confirm is denied as moot.

A review of the docket shows the case was dismissed on July 1, 2026. Therefore, this Motion is denied as moot.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Confirm filed by the debtor, Christopher Larsen, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is denied as moot.

62. 26-20270-C-13 ALEXANDER PEREZ CONTINUED MOTION TO CONFIRM PLAN
PGM-1 Peter Macaluso 5-1-26 [42]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 39 days' notice was provided. Dkt. 46.

The Motion to Confirm is denied.

The motion was continued from the prior hearing after debtor's counsel and the Trustee indicated they were working on resolving the Trustee's issues.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 44) filed on May 1.

The Chapter 13 Trustee filed an Opposition (Dkt. 48) on May 19, 2026, opposing confirmation on the following grounds:

1. Trustee is skeptical about what payments have and have not been made in the first four months of the case;

2. A co-signor may be making payments on vehicles;

3. The amount to be paid to unsecured creditors is unclear;

4. Debtor may, or may not, be able to afford the plan payments;

5. The plan fails the liquidation test.

The debtor filed an opposition (dkt. 55) on June 2, 2026, asserting that the debtor is current in plan payments and will provide whatever documents the Trustee is seeking.

DISCUSSION

The debtor has not supplied sufficient information relating to the debtor's income/expenses and payments to assist the Chapter 13 Trustee in determining the value of the feasibility of the plan.

The debtor may have improperly claimed an exemption under CCCP § 704.149 for personal injury damages. This amount may be non-exempt assets that are necessary to meet the liquidation test. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(4).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Confirm filed by the debtor, Alexander Perez, IV, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is denied, and the plan is not confirmed.

63. 26-21572-C-13 MICHAEL/MARTHEA CALDWELL ORDER TO SHOW CAUSE - FAILURE TO PAY FEES
26-2069 6-24-26 [9]
M&M FAMILY TRUST V. SCHOOLSFIRST FEDERAL CREDIT

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The court issued this Order to Show Cause because Plaintiff had not paid filing fee. Dkt. 9.

A review of the docket shows that the fee has now been paid. Therefore, the Order to Show Cause is discharged.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Order to Show Cause having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Order to Show Cause is discharged, no sanctions ordered, and the bankruptcy case shall proceed in this court.

64. 26-22472-C-13 ANGELITA/MARIO ABDALLAHOBJECTION TO CONFIRMATION OF
DPC-1 Seth Hanson PLAN BY DAVID P. CUSICK
6-16-26 [24]

Thru #66

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 27.

Upon review of the Motion and supporting pleadings, and the files in this case, the court has determined that oral argument will not be of assistance in ruling on the Motion.

The Objection to Confirmation of Plan is overruled as moot.

The Chapter 13 trustee filed this Objection To Confirmation on June 16, 2026. Thereafter, the debtor filed an amended plan and corresponding Motion To Confirm, making this Objection moot. Dkt. 35, 39.

Therefore, the Objection is overruled.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is overruled as moot.

65. 26-22472-C-13 ANGELITA/MARIO ABDALLAH OBJECTION TO CONFIRMATION OF
KMM-1 Seth Hanson PLAN BY WELLS FARGO BANK, N.A.
6-18-26 [31]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 26 days' notice was provided. Dkt. 34.

Upon review of the Motion and supporting pleadings, and the files in this case, the court has determined that oral argument will not be of assistance in ruling on the Motion.

The Objection to Confirmation of Plan is overruled as moot.

Creditor Wells Fargo Bank, N.A. dba Wells Fargo Auto filed this Objection To Confirmation on June 18. Thereafter, the debtor filed an amended plan and corresponding Motion To Confirm, making this Objection moot. Dkts. 35, 39.

Therefore, the Objection is overruled.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Objection to the Chapter 13 Plan filed by the Creditor Wells Fargo Bank, N.A. dba Wells Fargo Auto, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Objection is overruled as moot.

66. 26-22472-C-13 ANGELITA/MARIO ABDALLAH MOTION TO VALUE COLLATERAL OF
SLH-1 Seth Hanson WELLS FARGO BANK N.A.
6-8-26 [12]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 36 days' notice was provided. Dkt. 16.

The Motion to Value is granted.

A review of the case shows that debtor, Creditor and chapter 13 trustee has stipulated to the value of the vehicle at $24,840.00. An order approving stipulation has not been submitted.

The debtor filed this Motion seeking to value the portion of Wells Fargo Bank, N.A.'s ("Creditor") claim secured by the debtor's property commonly known as 2023 Tesla Model Y (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was $23,990.00. Declaration, Dkt. 14.

TRUSTEE'S RESPONSE

The Trustee filed a response on June 8, 2026, asserting the motion, supporting documents, and plan give differing models of the vehicle. Additionally, the motion does not give a date of purchase to evaluate whether the hanging paragraph of § 1325(a)(9) is applicable.

OPPOSITION

Wells Fargo Bank, N.A. filed opposition (Dkt. 28) on June 17, 2026, asserting value of the vehicle is $25,725.00.

DISCUSSION

Upon review of the record, the court finds the value of the Property is $24,840.00. There are no senior liens encumbering the Property. Therefore, Creditor's secured claim is determined to be $24,840.00. 11 U.S.C. § 506(a).

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Value Collateral and Secured Claim filed by the debtor having been presented to the court, and

upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion pursuant to 11 U.S.C. § 506(a) is granted, and the claim of Wells Fargo Bank, N.A. ("Creditor") secured by property commonly known as 2023 Tesla Model Y (the "Property") is determined to be a secured claim in the amount of $24,840.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

67. 26-21273-C-13 SAMSON VATAMANU CONTINUED MOTION TO DISMISS
DPC-2 Eric Gravel CASE
5-28-26 [34]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 37.

The Motion to Dismiss is is denied without prejudice.

At the prior hearing, debtor's counsel asserted he had filed a motion to confirm amended plan the weekend before the hearing.

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is $620.46 delinquent in plan payments, which is supported by declaration. Dkt. 36.

The Trustee also asserts debtor has not filed a motion to confirm plan or supporting documents.

Debtor filed an opposition (Dkt. 42) on June 13, 2026, asserting that debtor is current and will file a motion to confirm plan.

A review of the docket shows the debtor filed an amended plan and corresponding Motion To Confirm on June 28, 2029. Dkts. 44, 47.

Because it appears debtor is actively prosecuting the case, the Motion is denied without prejudice.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion to Dismiss is denied without prejudice.

68. 26-22273-C-13 GAUTAM SANWAL OBJECTION TO CONFIRMATION OF
DPC-2 Pro Se PLAN BY DAVID P. CUSICK
6-17-26 [45]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 48.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor has not provided copies of pay advices or tax returns;

2. Debtor has not provided a photo identification or proof of Social Security number;

3. Plan is not signed

4. Plan fails the liquidation test;

5. Documents are inaccurate and have not been amended; and

6. Debtor is delinquent in plan payments.

DISCUSSION

The debtor has not made any plan payments and is $12,150.00 delinquent in plan payments. Declaration, Dkt. 47. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. *See* 11 U.S.C. § 1325(a)(6).

The debtor has not provided the trustee with all required pay advices. 11 U.S.C. § 521(a)(1)(B)(iv); FED. R. BANKR. P. 4002(b)(2)(A). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not provided the trustee with all required tax returns. 11 U.S.C. § 521(e)(2)(A)(i); FED. R. BANKR. P. 4002(b)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

Because the debtor has not correctly claimed the exemptions on Schedule C he has non-exempt assets, which causes an unknown amount necessary to meet the liquidation test. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(4).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

69.	25-26376-C-13	JASON/CRYSTAL NICHOLSON	OBJECTION TO CONFIRMATION OF
	IJR-2	Douglas Jacobs	PLAN BY JEAN-PIERRE RUSHING 6-9-26 [114]

Final Ruling: No appearance at the July 14, 2026 hearing is required.

This matter is continued to July 28, 2026, at 11:00 a.m. to coincide with the debtor's motion to confirm amended plan.

70. 26-23478-C-13 SARETH SOK MOTION FOR RELIEF FROM
FWP-1 Pro Se AUTOMATIC STAY
6-19-26 [7]

PAO JARJABKA VS.

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 22 days' notice was provided. Dkt. 12.

The Motion for Relief from the Automatic Stay is denied without prejudice as moot.

The instant case was dismissed on July 6, 2026, for failure to timely file all documents. Dkt. 17.

The applicable Bankruptcy Code provision for the matter before the court is 11 U.S.C. § 362(c)(1) and (2). That section provides:

In relevant part, 11 U.S.C. § 362(c) provides:

> (c) Except as provided in subsections (d), (e), (f), and (h) of this section—
>
> (1) the stay of an act against property of the estate under subsection (a) of this section continues until such **property is no longer property of the estate;**
>
> (2) the stay of any other act under subsection (a) of this section continues until the earliest of—
>
> (A) the time the case is closed;
>
> (B) ***the time the case is dismissed***; or
>
> (C) if the case is a case under chapter 7 of this title concerning an individual or a case under chapter 9, 11, 12, or 13 of this title, the time a discharge is granted or denied;

11 U.S.C. § 362(c) (emphasis added).

When a case is dismissed, 11 U.S.C. § 349 discusses the effect of dismissal. In relevant part, 11 U.S.C. § 349 states:

> (b) Unless the court, for cause, orders otherwise, a dismissal of a case other than under section 742 of this title—
>
> (1) reinstates—

(A) any proceeding or custodianship superseded under section 543 of this title;

(B) any transfer avoided under section 522, 544, 545, 547, 548, 549, or 724(a) of this title, or preserved under section 510(c)(2), 522(i)(2), or 551 of this title; and

(C) any lien voided under section 506(d) of this title;

(2) vacates any order, judgment, or transfer ordered, under section 522(i)(1), 542, 550, or 553 of this title; and

(3) ***revests the property of the estate in the entity in which such property was vested immediately before the commencement of the case under this title.***

11 U.S.C. § 549(c) (emphasis added).

Therefore, as of July 6, 2026, the automatic stay as it applies to the Property, and as it applies to Debtor, was terminated by operation of law. At that time, the Property ceased being property of the bankruptcy estate and was abandoned, by operation of law, to Debtor.

The court shall issue an order confirming that the automatic stay was terminated and vacated as to Debtor and the Property on July 6, 2026.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion for Relief from the Automatic Stay filed by Pao Lan Jarjabka ("Movant") having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied without prejudice as moot.

71. 26-22379-C-13 BARBARA GAYTAN NAVARRO OBJECTION TO CONFIRMATION OF
DPC-1 Pro Se PLAN BY DAVID P CUSICK
6-17-26 [20]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 23.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor is delinquent in plan payments;

2. Plan is not feasible;

3. Debtor has not provided a signed declaration from her adult daughter attesting to the support that is being provided;

4. Debtor has not signed her petition, schedules, or SOFA.

DISCUSSION

The debtor is $1,420.16 delinquent in plan payments. Declaration, Dkt. 22. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. *See* 11 U.S.C. § 1325(a)(6).

The plan mathematically requires a payment of $1,762.75 per month, which is greater than the proposed $342.59 payment.

The debtor has not demonstrated the plan is feasible because claims filed in the case are greater than scheduled. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

A review of the documents shows that the debtor may have signed the petition, but did not sign the Schedules or SOFA. This is a requirement of all debtors filing a bankruptcy case. This is cause to deny confirmation.

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the

Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

72. 26-21081-C-13 RI HUANG MOTION TO CONFIRM PLAN
TBK-3 Taras Kurta 5-27-26 [28]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 49 days' notice was provided. Dkt. 32.

The Motion to Confirm is granted.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 30) filed on May 27, 2026.

Chapter 13 Trustee filed an Opposition (Dkt. 38) on June 30, 2026, opposing confirmation on the following grounds:

1. Plan does not include all of debtor's income.

The debtor filed a reply (Dkt. 41) on July 8, 2026, asserting that debtor proposes language in the order confirming plan that resolves the Trustee's issue.

DISCUSSION

The proposed language to be included in the order confirming appears to address and resolve the Trustee's issue.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Confirm filed by the debtor, Ri Huang, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is granted, the Amended Chapter 13 Plan (Dkt. 30) meets the requirements of 11 U.S.C. §§ 1322 and 1325(a), and the plan is confirmed. Counsel for the debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 trustee for approval as to form, and if so approved, the trustee will submit the proposed order to the court.

73. 25-22182-C-13 TABATHA ATKINS CONTINUED MOTION TO DISMISS CASE
DPC-2 Mark Shmorgon 4-17-26 [41]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 39 days' notice was provided. Dkt. 44.

The Motion to Dismiss is granted, and the case is dismissed.

At the prior hearings it was represented that debtor had made a payment that was pending in the Trustee's system.

The Chapter 13 Trustee filed this Motion to Dismiss arguing that cause for dismissal exists because the debtor is $460.00 delinquent in plan payments, which is supported by declaration. Dkt. 43.

Debtor filed an opposition (Dkt. 45) on April 21, 2026, asserting that debtor will be current on or before the hearing.

Failure to maintain plan payments constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1). Furthermore, the court finds that dismissal, and not conversion, is in the best interest of creditors and the Estate. The Motion is granted, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion to Dismiss is granted, and the case is dismissed, the court having found that dismissal, and not conversion, is in the best interest of creditors and the Estate.

74. 26-22084-C-13 KMM-1 | ELAINE CORPUZ Mikalah Liviakis | OBJECTION TO CONFIRMATION OF PLAN BY U.S. BANK TRUST NATIONAL ASSOCIATION 6-3-26 [12]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 41 days' notice was provided. Dkt. 15.

The Objection to Confirmation of Plan is overruled.

Creditor U.S. Bank Trust National Association ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan fails to cure the arrearage on the claim.

DEBTOR'S OPPOSITION

Debtor filed an Opposition on June 26, 2026. Dkt. 16. Debtor asserts that Creditor's Proof of Claim indicates that debtor was current with her principal and interest payments, and that Creditor can file a notice of mortgage change to adjust future payments for the change in escrow.

DISCUSSION

A review of Creditor's Proof of Claim (Claim No. 6) does show that debtor was current on the petition date, and it is only the change in future escrow payments that has created the shortage.

No other grounds for objection remaining, it appears the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Objection is overruled, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Objection to the Chapter 13 Plan filed by U.S. Bank Trust National Association, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Objection is overruled, and the debtor's Chapter 13 Plan (Dkt. 3), is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

75. 26-22385-C-13 RUSSELL BROWN OBJECTION TO CONFIRMATION OF
DPC-1 Michael Hays PLAN BY DAVID CUSICK
6-15-26 [16]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 29 days' notice was provided. Dkt. 19.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor has not amended his Schedule I to include his new job; and

2. Debtor has not provided the DSO checklist.

DISCUSSION

Debtor has started a new job, but has not filed an amended Schedule I, which may show the debtor's disposable income is higher. That is reason to deny confirmation. 11 U.S.C. § 1325(b)(1).

The debtor has not supplied the Domestic Support Obligations checklist to assist the Chapter 13 Trustee in determining the feasibility of the plan.

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

76. 26-20789-C-13 WILLIE WATSON MOTION FOR RELIEF FROM
HLG-1 Peter Macaluso AUTOMATIC STAY
6-2-26 [73]

EMMA WILLIAMS VS.

Thru #78

No Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 42 days' notice was provided. Dkt. 76.

The Motion for Relief from the Automatic Stay is xxxxx.

Jessica and Emma Williams ("Movant") filed this Motion seeking relief from the automatic stay as to the debtor's property without specifying address or description of the property.

Movant argues cause for relief from stay exists pursuant to 11 U.S.C. § 362(d)(1) because this is debtor's fourth petition, which was filed in bad faith in order to stop a foreclosure on his property.

DEBTOR'S OPPOSITION

Debtor filed an Opposition on June 30, 2026. Dkt. 87. Debtor asserts that the judgment against him was based on actions of his son. And, the previous cases were filed by Attorney George Jones who was authorized to file the case by Willie Watson.

Debtor's counsel contends that debtor could satisfy the judgment with a reverse mortgage or deed of trust that conveys the property upon his death.

TRUSTEE'S RESPONSE

The Chapter 13 Trustee filed a response asserting that it is not in the best interests of the debtor or estate to grant this motion at this time. The Trustee contends that the debtor should be given an opportunity to object to the claims filed and confirm a plan.

DISCUSSION

As an initial matter, the court notes that this is Movant's fourth out of five motions that have used the same docket control number. Local Rule 9014-1(c)(3) requires the attorney for the moving party to use the attorney's, or law firm's, initials followed by a number, with a new number for each new motion. The Local Rule provides an example of how this should be done.

Additionally, Movant's papers references Exhibits A-J, but a review of the docket does not show that any Exhibits were filed with this motion.

At the hearing xxxxxxxxx

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion for Relief from the Automatic Stay filed by Jessica and Emma Williams("Movant") having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the automatic stay provisions of 11 U.S.C. § 362(a) are xxxxxxxx

77. 26-20789-C-13 WILLIE WATSON OBJECTION TO CONFIRMATION OF
HLG-1 Peter Macaluso PLAN BY JESSICA WILLIAMS AND
EMMA LAVERNE WILLIAMS
6-4-26 [79]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 42 days' notice was provided. Dkt. 82.

The Objection to Confirmation of Plan is sustained.

Creditor Jessica and Emma Williams ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan does not provide for Creditor's claim; and

2. Plan was filed in bad faith;

DEBTOR'S OPPOSITION

Debtor filed an Opposition on June 16, 2026. Dkt. 86. Debtor asserts that he will be filing an objection to claim. Additionally, debtor contends that he has been financially abused by his son.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim. The Plan indicates that debtor will file an objection to claim, but at this point debtor has not done so.

Notwithstanding whether the plan provides for the claim as Creditor argues, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by Jessica and Emma Williams, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

78. 26-20789-C-13 WILLIE WATSON CONTINUED MOTION TO CONFIRM PLAN
PGM-1 Peter Macaluso 5-13-26 [56]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 62 days' notice was provided. Dkt. 60.

The Motion to Confirm is denied.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 59) filed on May 13, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 83) on June 8, 2026, opposing confirmation on the following grounds:

1. Plan relies on objections to claims that have not yet been filed; and

2. Plan fails the liquidation test.

DISCUSSION

The plan relies on Objections to Claims that have not yet been filed. Before the court enters an order on the Objections, the plan's feasibility is uncertain.

The debtor has non-exempt assets totaling $1,500,000.00. The plan provides for a 1.5% dividend to unsecured claims, which is less than the percent dividend necessary to meet the liquidation test. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(4).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Confirm filed by the debtor, Willie Watson, Sr., having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is denied, and the plan is not confirmed.

79. 26-21189-C-13 KIESHA HAGGERTY CONTINUED OBJECTION TO
EAT-1 Candace Brooks CONFIRMATION OF PLAN BY LAKEVIEW LOAN SERVICING, LLC
4-13-26 [20]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 26.

The Objection to Confirmation of Plan is sustained.

Since the prior hearing, debtor filed a status report (dkt. 45) asserting that debtor believes the objection has been resolved and Creditor would be filing a withdrawal of the objection. A review of the docket does not show the objection has been withdrawn yet.

Creditor Lakeview Loan Servicing, LLC ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan does not provide for Creditor's prepetition arrearages.

DEBTOR'S OPPOSITION

Debtor filed an Opposition on April 27, 2026. Dkt. 32. Debtor disputes that she owes prepetition arrearages on Creditor's claim.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

Notwithstanding whether the plan provides for the prepetition arrearage as Creditor argues, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Objection to the Chapter 13 Plan filed by Lakeview Loan Servicing, LLC, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Objection is sustained.

80.	23-24590-C-13 DPC-5	JON FENTON Randall Ensminger	CONTINUED MOTION TO DISMISS CASE 2-26-26 [170]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 54 days' notice was provided. Dkt. 173.

The Motion to Dismiss is granted, and the case is dismissed.

The prior hearing was continued because debtor represented that he was going to make a payment to be current and counsel would be filing a modified plan.

The Chapter 13 Trustee filed this Motion To Dismiss arguing that cause for dismissal exists because the debtor is $8,536.00 delinquent in plan payments, which is supported by declaration. Dkt. 172.

Failure to maintain plan payments constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1). Furthermore, the court finds that dismissal, and not conversion, is in the best interest of creditors and the Estate. The Motion is granted, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion to Dismiss is granted, and the case is dismissed, the court having found that dismissal, and not conversion, is in the best interest of creditors and the Estate.

81. 26-22091-C-13 RAMIRO VASQUEZ OBJECTION TO CONFIRMATION OF
DPC-1 Michael Hays PLAN BY DAVID P. CUSICK
6-8-26 [22]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 36 days' notice was provided. Dkt. 25.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor is delinquent in plan payments; and

2. Debtor has not provided copies of tax returns.

DISCUSSION

The debtor is $2,817.00 delinquent in plan payments. Declaration, Dkt. 24. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. *See* 11 U.S.C. § 1325(a)(6).

The debtor has not provided the trustee with all required tax returns. 11 U.S.C. § 521(e)(2)(A)(i); FED. R. BANKR. P. 4002(b)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Objection is sustained.

82. 26-21696-C-13 DPC-1 DARNELL/CHARLENE JOSEPH CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY DAVID P. CUSICK
5-19-26 [14]

DEBTORS DISMISSED: 06/26/26

Final Ruling: No appearance at the July 14, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 21 days' notice was provided. Dkt. 17.

The Objection to Confirmation of Plan is overruled as moot.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan is overextended;

2. Debtors have not filed all income tax returns; and

3. Debtor have not amended their Statement of Financial Affairs.

A review of the docket shows the case was dismissed on June 26, 2026. Therefore, this Objection is overruled as moot.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is overruled as moot.

83. 26-22298-C-13 DPC-1 | EDUARDO CASTELLANOS-CASTRO Mikalah Liviakis | OBJECTION TO CONFIRMATION OF PLAN BY DAVID P. CUSICK 6-16-26 [15]

Thru #84

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 18.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor has not provided copies of pay advices or tax returns.

DISCUSSION

The debtor has not provided the trustee with all required pay advices. 11 U.S.C. § 521(a)(1)(B)(iv); FED. R. BANKR. P. 4002(b)(2)(A). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not provided the trustee with all required tax returns. 11 U.S.C. § 521(e)(2)(A)(i); FED. R. BANKR. P. 4002(b)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Objection is sustained.

84.	26-22298-C-13 RH-1	EDUARDO CASTELLANOS-CASTRO Mikalah Liviakis	OBJECTION TO CONFIRMATION OF PLAN BY JPMORGAN CHASE BANK, NATIONAL ASSOCIATION 6-16-26 [19]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 22.

The Objection to Confirmation of Plan is sustained.

Creditor JPMorgan Chase Bank, National Association ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan does not provide for arrearages owed on Creditor's claim.

DEBTOR'S OPPOSITION

Debtor filed an Opposition on June 29, 2026. Dkt. 26. Debtor asserts he is current on his mortgage payment.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

Notwithstanding whether the plan provides for the prepetition arrearage as Creditor argues, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Objection to the Chapter 13 Plan filed by Creditor JPMorgan Chase Bank, National Association, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Objection is sustained.

85. 26-23499-C-13 PAUL/LAURA SMITHMOTION TO EXTEND AUTOMATIC STAY
DWL-1 Patricia Wilson 6-30-26 [9]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. Proof of Service has not been filed.

The Motion to Extend the Automatic Stay is granted.

Paul and Laura Smith ("Debtors") seek to have the provisions of the automatic stay provided by 11 U.S.C. § 362(a) extended beyond thirty days in this case. This is Debtor's second bankruptcy petition pending in the past year. Debtor's prior bankruptcy case was dismissed on April 21, 2026, after Debtor was unable to confirm a chapter 13 plan. Order, Bankr. E.D. Cal. No. 24-24823, Dkt. 80. Therefore, pursuant to 11 U.S.C. § 362(c)(3)(A), the provisions of the automatic stay end as to Debtor thirty days after filing of the petition.

Here, Debtors state that the instant case was filed in good faith and explains that the previous case was dismissed because they were unable to confirm a plan, but that the court noted the case was not filed in bad faith.

Upon motion of a party in interest and after notice and hearing, the court may order the provisions extended beyond thirty days if the filing of the subsequent petition was filed in good faith. 11 U.S.C. § 362(c)(3)(B). As this court has noted in other cases, Congress expressly provides in 11 U.S.C. § 362(c)(3)(A) that the automatic stay **terminates as to Debtor**, and nothing more. In 11 U.S.C. § 362(c)(4), Congress expressly provides that the automatic stay **never goes into effect in the bankruptcy case** when the conditions of that section are met. Congress clearly knows the difference between a debtor, the bankruptcy estate (for which there are separate express provisions under 11 U.S.C. § 362(a) to protect property of the bankruptcy estate) and the bankruptcy case. While terminated as to Debtor, the plain language of 11 U.S.C. § 362(c)(3) is limited to the automatic stay as to only Debtor. The subsequently filed case is presumed to be filed in bad faith if one or more of Debtor's cases was pending within the year preceding filing of the instant case. *Id.* § 362(c)(3)(C)(i)(I). The presumption of bad faith may be rebutted by clear and convincing evidence. *Id.* § 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, 209–10 (2008). An important indicator of good faith is a realistic prospect of success in the second case, contrary to the failure of the first case. *See, e.g.*, *In re Jackola*, No. 11-01278, 2011 Bankr. LEXIS 2443, at *6 (Bankr. D. Haw. June 22, 2011) (citing *In re Elliott-Cook*, 357 B.R. 811, 815–16 (Bankr. N.D. Cal. 2006)). Courts consider many factors—including those used to determine good faith

under §§ 1307(c) and 1325(a)—but the two basic issues to determine good faith under § 362(c)(3) are:

A. Why was the previous plan filed?

B. What has changed so that the present plan is likely to succeed?

In re Elliot-Cook, 357 B.R. at 814-15.

Debtors have sufficiently rebutted 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 court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Extend the Automatic Stay filed by Paul and Laura Smith having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is granted, and the automatic stay is extended pursuant to 11 U.S.C. § 362(c)(3)(B) for all purposes and parties, unless terminated by operation of law or further order of this court.

86. 26-23680-C-13 MARILYN BARZELAYMOTION TO EXTEND AUTOMATIC STAY
MS-1 Mark Shmorgon 7-1-26 [9]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that only 13 days' notice was provided. Dkt. 12.

The Motion to Extend the Automatic Stay is granted.

Marilyn Barzelay ("Debtor") seeks to have the provisions of the automatic stay provided by 11 U.S.C. § 362(a) extended beyond thirty days in this case. This is Debtor's second bankruptcy petition pending in the past year. Debtor's prior bankruptcy case was dismissed on May 29, 2026, after Debtor became delinquent in plan payments. Order, Bankr. E.D. Cal. No. 25-24493, Dkt. . Therefore, pursuant to 11 U.S.C. § 362(c)(3)(A), the provisions of the automatic stay end as to Debtor thirty days after filing of the petition.

Here, Debtor states that the instant case was filed in good faith and explains that the previous case was dismissed because debtor lost her caregiver position but has now secured a new stable caregiver position..

Upon motion of a party in interest and after notice and hearing, the court may order the provisions extended beyond thirty days if the filing of the subsequent petition was filed in good faith. 11 U.S.C. § 362(c)(3)(B). As this court has noted in other cases, Congress expressly provides in 11 U.S.C. § 362(c)(3)(A) that the automatic stay **terminates as to Debtor**, and nothing more. In 11 U.S.C. § 362(c)(4), Congress expressly provides that the automatic stay **never goes into effect in the bankruptcy case** when the conditions of that section are met. Congress clearly knows the difference between a debtor, the bankruptcy estate (for which there are separate express provisions under 11 U.S.C. § 362(a) to protect property of the bankruptcy estate) and the bankruptcy case. While terminated as to Debtor, the plain language of 11 U.S.C. § 362(c)(3) is limited to the automatic stay as to only Debtor. The subsequently filed case is presumed to be filed in bad faith if one or more of Debtor's cases was pending within the year preceding filing of the instant case. *Id.* § 362(c)(3)(C)(i)(I). The presumption of bad faith may be rebutted by clear and convincing evidence. *Id.* § 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, 209–10 (2008). An important indicator of good faith is a realistic prospect of success in the second case, contrary to the failure of the first case. *See, e.g.*, *In re Jackola*, No. 11-01278, 2011 Bankr. LEXIS 2443, at *6 (Bankr. D. Haw. June 22, 2011) (citing *In re Elliott-Cook*, 357 B.R. 811, 815–16 (Bankr. N.D. Cal. 2006)). Courts consider many factors—including those used to determine good faith

under §§ 1307(c) and 1325(a)—but the two basic issues to determine good faith under § 362(c)(3) are:

> A. Why was the previous plan filed?
>
> B. What has changed so that the present plan is likely to succeed?

In re Elliot-Cook, 357 B.R. at 814-15.

Debtor has sufficiently rebutted 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 court shall issue a minute order substantially in the following form holding that:

> Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.
>
> The Motion to Extend the Automatic Stay filed by Marilyn Barzelay having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,
>
> **IT IS ORDERED** that the Motion is granted, and the automatic stay is extended pursuant to 11 U.S.C. § 362(c)(3)(B) for all purposes and parties, unless terminated by operation of law or further order of this court.
>
> **IT IS ORDERED** that the Motion to extend the automatic stay, which terminates only as to Debtor pursuant to 11 U.S.C. § 362(c)(3)(A) thirty days after the commencement of this case, is denied. No determination is made by the court to the other provisions of 11 U.S.C. § 362(a) that apply to property of the bankruptcy estate.