

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Thomas C. Holman  
Bankruptcy Judge  
Sacramento, California

July 15, 2014 at 9:31 A.M.

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1.     [14-25251](#)-B-7     AMBER CLAYCOMB                     MOTION FOR RELIEF FROM  
          JBC-1   AUTOMATIC STAY  
   6-25-14 [[13](#)]  
  
          REZA YAZDI VS.

**Tentative Ruling:** This is a properly filed motion under LBR 9014-1(f)(2). Opposition may be presented at the hearing. Therefore, the court issues no tentative ruling on the merits of the motion.

2.     [13-34754](#)-B-11     CIELO VINEYARDS &                     MOTION FOR RELIEF FROM  
          WSS-1                     WINERY, LLC                     AUTOMATIC STAY  
   6-6-14 [[95](#)]  
  
          PALAKA HOLDINGS, LLC VS.

**Tentative Ruling:** This is a properly filed motion under LBR 9014-1(f)(2). Opposition may be presented at the hearing. Therefore, the court issues no tentative ruling on the merits of the motion.

3.     [14-26275](#)-B-7     TAMMY WARREN                     MOTION FOR RELIEF FROM  
   AUTOMATIC STAY  
   6-26-14 [[11](#)]  
  
          KENNETH ELLIOTT VS.

**Tentative Ruling:** Because the movant's notice of hearing (Dkt. 16) does not state whether written opposition to the motion is required, the court treats the motion as one filed under LBR 9014-1(f)(2). Opposition may be presented at the hearing. Therefore, the court issues no tentative ruling on the merits of the motion.

4. [14-23785](#)-B-7 HENRY HERNANDEZ  
MBB-1

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
6-5-14 [[18](#)]

BANK OF AMERICA, N.A. VS.

**Disposition Without Oral Argument:** This motion is unopposed. The court issues the following abbreviated ruling.

The motion is granted in part. The automatic stay is modified as to the debtor and the estate pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) in order to permit the movant to foreclose on the real property located at 6135 Seyferth Way, Sacramento, California (APN 118-0260-044-0000) (the "Property") and to obtain possession of the Property following the sale, all in accordance with applicable non-bankruptcy law. The 14-day period specified in Fed. R. Bankr. P. 4001(a)(3) is waived. Except as so ordered, the motion is denied.

Movant alleges without dispute that the debtor has failed to make twenty-two (22) mortgage payments. Movant further alleges without dispute that there is no equity in the Property and the Property is not necessary to an effective reorganization or rehabilitation in this chapter 7 case. The debtor has filed a statement of intention to surrender the Property.

The court will issue a minute order.