

**UNITED STATES BANKRUPTCY COURT**

Eastern District of California

Honorable Thomas C. Holman  
Bankruptcy Judge  
Sacramento, California

**July 22, 2014 at 9:31 A.M.**

1. [14-26066](#)-B-13 CONSUELO VEGA  
RCO-1

FEDERAL HOME LOAN MORTGAGE  
CORPORATION VS.

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
6-19-14 [[18](#)]

**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) in order to permit the movant to obtain possession of the real property located at 115 Mari Court, Vallejo, California (the "Property") in accordance with applicable non-bankruptcy law. The court awards no fees or costs. The 14-day period specified in Fed. R. Bankr. P. 4001(a)(3) is not waived. Except as so ordered, the motion is denied.

Cause for modification of the automatic stay exists because movant acquired title to the Property at a pre-petition foreclosure sale and neither the estate nor the debtor has any interest in the Property, other than a bare possessory interest.

Because the movant has not established that it is the holder of an allowed secured claim, the court awards no fees and costs. 11 U.S.C. § 506(b).

The court will issue a minute order.

2. [14-26579](#)-B-13 JAMES POWE

FARID HASHIM VS.  
CASE DISMISSED 7/7/14

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
7-7-14 [[11](#)]

**Tentative Ruling:** The motion is dismissed as moot. The bankruptcy case was dismissed by order entered July 7, 2014 (Dkt. 13), and the automatic stay as to the debtor and the bankruptcy estate with respect to the real property located at 4408 36th Street, Sacramento, California terminated on that date. The movant already has the relief that he seeks by this

motion.

The court will issue a minute order.

3. [14-25382](#)-B-13 CRYSTAL ZAMORA-ALMARAZ MOTION FOR RELIEF FROM  
APN-1 AUTOMATIC STAY  
6-20-14 [[14](#)]  
  
SANTANDER CONSUMER USA, INC.  
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 against the estate and the debtor pursuant to 11 U.S.C. § 362 (d)(1) in order to permit the movant to obtain possession of its collateral, a 2012 Dodge Ram (VIN 1C6RD7GT7CS290807) (the "Collateral"), to dispose of it pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. The 14-day period specified in Fed. R. Bankr. P. 4001(a)(3) is ordered waived. Except as so ordered, the motion is denied.

The movant alleges without dispute that the debtor is one month in post-petition default of the obligation secured by the Collateral. The debtors' proposed plan does not propose treatment for the movant's secured claim. The foregoing fails to provide movant with adequate protection. The movant alleges without dispute that it is presently in possession of the Collateral. These facts constitute grounds for relief from the automatic stay.

The court will issue a minute order.

4. [14-25291](#)-B-13 LEO VAUGHN MOTION FOR RELIEF FROM  
PD-1 AUTOMATIC STAY  
6-13-14 [[13](#)]  
  
FEDERAL NATIONAL MORTGAGE  
ASSOCIATION VS.

**Tentative Ruling:** The motion is dismissed as moot. This case was automatically dismissed by operation of 11 U.S.C. § 521(i) as of 12:01 a.m. on July 8, 2014, due to the debtor's failure to timely file all of the documents required by 11 U.S.C. § 521(a)(1), taking into account the automatic extension of time allowed by Fed. R. Bankr. P. 9006(a)(1)(C). The court awards no fees and costs.

The movant already has the relief it seeks by this motion. The court awards no fees and costs because the movant has not established that it is the holder of an allowed secured claim. 11 U.S.C. § 506(b).

The court will issue a minute order.