

**UNITED STATES BANKRUPTCY COURT**

Eastern District of California

Honorable Christopher D. Jaime  
Bankruptcy Judge  
Sacramento, California

**August 30, 2016 at 1:00 p.m.**

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1. [16-24006](#)-B-13 JOHN PUGH MOTION TO DISMISS CASE  
JPJ-1 John G. Downing 8-11-16 [[29](#)]

**Tentative Ruling:** Because less than 28 days' notice of the hearing was given, the Trustee's Motion to Dismiss Case is deemed brought pursuant to Local Bankruptcy Rule 9014-1(f)(2). Consequently, the Debtor, Creditors, the Trustee, the U.S. Trustee, and any other parties in interest were not required to file a written response or opposition to the motion. If any of these potential respondents appear at the hearing and offers opposition to the motion, the court will set a briefing schedule and a final hearing unless there is no need to develop the record further.

The court's decision is to dismiss the case.

First, the Debtor has not filed a certificate of completion from an approved nonprofit budget and credit counseling agency. The Debtor has not complied with 11 U.S.C. § 521(b)(1) and is not eligible for relief under the United States Bankruptcy Code pursuant to 11 U.S.C. § 190(h).

Second, the Debtor has not served upon the Trustee a Class 1 Checklist and Authorization to Release Information. The Debtor has not complied with 11 U.S.C. § 521(a)(3) and Local Bankr. R. 3015-1(b)(6). Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Third, the Debtor has not provided complete bank statements for the Wells Fargo Bank Account or the Bank of the West Bank Account for the time period of December 1, 2015, through May 31, 2016, in connection with Debtor's business Art of Pugh/Art of John Pugh Murals. It cannot be determined if the business is solvent and necessary for reorganization. The Debtor has not complied with 11 U.S.C. § 521.

Fourth, the Debtor has not filed, set for hearing, and served a motion to confirm the plan as required pursuant to Local Bankr. R. 3015-1(c)(3) and 3015-1(d)(1). Additionally, Fed. R. Bankr. P. 2002(b) and Local Bankr. R. 9014-1(f)(1)(B) combine to require 42 days' notice of a hearing to confirm a plan. The deadline set by 11 U.S.C. § 1324 will expire on September 18, 2016. The court cannot timely conduct a confirmation hearing. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

The court will enter an appropriate minute order.

**August 30, 2016 at 1:00 p.m.**

2. [13-35318](#)-B-13 KRISTEN GOODWIN-ALEXANDER MOTION TO DISMISS CASE  
JPJ-7 AND JOSEPH ALEXANDER 8-2-16 [[161](#)]  
Lucas B. Garcia

**Tentative Ruling:** The Trustee's Motion to Dismiss Case has been set for hearing on the notice required by Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(ii) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Opposition having been filed, the court will address the merits of the motion at the hearing.

The court's decision is to not dismiss the case.

The Debtors assert that they cured their delinquency on August 15, 2016. However, the Debtors were issued four Notices of Default and Applications to Dismiss Case in the past 12 months. Those notices were issued on July 28, 2015, October 27, 2015, January 27, 2016, and April 28, 2016. The Debtors state that the reason for the delinquency in plan payments was due to the death of Debtor's office manager and bookkeeper, who was responsible for staying up to date on bills, in November 2015. A second office manager was hired and subsequently fired due to lack of competency. A third office manager has been hired who is asserted to be very competent and Debtors state it is unlikely that payments will be missed in the future.

The court does not find the death of the first office manager or level of competency of subsequent office managers to be a valid excuse for the default in plan payments. The Debtors had already defaulted on two plan payments in July and October 2015 before the death of Debtor's first office manager. Additionally, the Debtors are hard-pressed to explain why the Debtor's office managers, non-debtors in this case, were and continue to be responsible for making plan payments in the Debtors' bankruptcy.

Since the Debtors have cured their delinquency, cause does not exist to dismiss this case. The motion is denied without prejudice and the case is not dismissed. However, given the number of notices of default that have been issued in this case, should the Debtors default on a future plan payment, the Debtors' case may be dismissed on the Trustee's ex parte application.

The court will enter an appropriate minute order.

**Final Ruling:** No appearance at the August 30, 2016, hearing is required.

The Trustee's Motion to Dismiss Case has been set for hearing on the 28-days' notice required by Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(ii) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. *See Law Offices of David A. Boone v. Derham-BuTrk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Therefore, the defaults of the respondent and other parties in interest are entered. Upon review of the record there are no disputed material factual issues and the matter will be resolved without oral argument. The court will issue its ruling from the parties' pleadings.

The court's decision is to dismiss the case.

First, the Debtor has not filed a certificate of completion from an approved nonprofit budget and credit counseling agency. The Debtor has not complied with 11 U.S.C. § 521(b)(1) and is not eligible for relief under the United States Bankruptcy Code pursuant to 11 U.S.C. § 190(h).

Second, the Debtor has not provided the Trustee with copies of payment advices or other evidence of income received within the 60-day period prior to the filing of the petition. The Debtor has not complied with 11 U.S.C. § 521(a)(1)(B)(iv).

Third, the Debtor has not provided the Trustee with a copy of an income tax return for the most recent tax year a return was filed. The Debtor has not complied with 11 U.S.C. § 521(e)(2)(A)(1). Additionally, the tax return must be provided to the Trustee seven days prior to the date first set for the meeting of creditors and, if not, the case shall be dismissed pursuant to 11 U.S.C. § 521(e)(2)(B) and (C). The meeting of creditors was held and concluded on July 7, 2016.

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

The court will enter an appropriate minute order.

4.     16-22826-B-13     DEBBIE BARKER                             COUNTER MOTION TO DISMISS CASE  
MRL-1                     Mikalah R. Liviakis                     8-5-16 [[35](#)]

**Tentative Ruling:** Because less than 28 days' notice of the hearing was given, the Trustee's Motion to Dismiss Case is deemed brought pursuant to Local Bankruptcy Rule 9014-1(f)(2). Consequently, the Debtor, Creditors, the Trustee, the U.S. Trustee, and any other parties in interest were not required to file a written response or opposition to the motion. If any of these potential respondents appear at the hearing and offers opposition to the motion, the court will set a briefing schedule and a final hearing unless there is no need to develop the record further.

The court's decision is to dismiss the case.

The Debtor has not served upon the Trustee a Class 1 Checklist and Authorization to Release Information. The Debtor has not complied with 11 U.S.C. § 521(a)(3) and Local Bankr. R. 3015-1(b)(6).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

The court will enter an appropriate minute order.

5.     [16-23830](#)-B-13     DIANA HANNA                             MOTION TO DISMISS CASE  
         JPJ-2             Mohammad M. Mokarram             7-28-16 [[19](#)]

DEBTOR DISMISSED: 07/30/2016

**Final Ruling:** No appearance at the August 30, 2016, hearing is required.

The case having previously been dismissed, the Motion is dismissed as moot.

The court will enter an appropriate minute order.

6.     [13-27034](#)-B-13   NANCY LOPEZ                                 MOTION TO DISMISS CASE  
         JPJ-5                 Scott J. Sagaria                         8-1-16 [[111](#)]

CONTINUED TO 10/04/16 AT 1:00 P.M. TO BE HEARD IN CONJUNCTION WITH MOTION TO  
CONFIRM THIRD MODIFIED PLAN.

**Final Ruling:** No appearance at the August 30, 2016, hearing is required.

7. [16-23636](#)-B-13 JENNIFER MIZE  
JPJ-2 Pro Se

MOTION TO DISMISS CASE  
7-15-16 [[32](#)]

DEBTOR DISMISSED: 07/26/2016

**Final Ruling:** No appearance at the August 30, 2016, hearing is required.

The case having previously been dismissed, the Motion is dismissed as moot.

The court will enter an appropriate minute order.

**Final Ruling:** No appearance at the August 30, 2016, hearing is required.

The Trustee's Motion to Dismiss Case has been set for hearing on the 28-days' notice required by Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(ii) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. *See Law Offices of David A. Boone v. Derham-BuTrk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Therefore, the defaults of the respondent and other parties in interest are entered. Upon review of the record there are no disputed material factual issues and the matter will be resolved without oral argument. The court will issue its ruling from the parties' pleadings.

The court's decision is to dismiss the case.

First, the Debtors did not appear at the meeting of creditors set for July 21, 2016, as required pursuant to 11 U.S.C. § 343. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Second, the Debtor is delinquent to the Chapter 13 Trustee in the amount of \$100.00, which represents the first payment that fell due July 25, 2016. By the time this matter is heard, an additional plan payment in the amount of \$100.00 will also be due. There is cause to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Third, the Debtor has not provided the Trustee with a copy of an income tax return for the most recent tax year a return was filed. The Debtor has not complied with 11 U.S.C. § 521(e)(2)(A)(1).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

The court will enter an appropriate minute order.



**Tentative Ruling:** Because less than 28 days' notice of the hearing was given, the Trustee's Motion to Dismiss Case is deemed brought pursuant to Local Bankruptcy Rule 9014-1(f)(2). Consequently, the Debtors, Creditors, the Trustee, the U.S. Trustee, and any other parties in interest were not required to file a written response or opposition to the motion. If any of these potential respondents appear at the hearing and offers opposition to the motion, the court will set a briefing schedule and a final hearing unless there is no need to develop the record further.

The court's decision is to dismiss the case.

First, the Debtors did not appear at the meeting of creditors set for July 7, 2016, and the continued meeting of creditors set for August 4, 2016, as required pursuant to 11 U.S.C. § 343. There is cause to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Second, the Debtors are delinquent to the Chapter 13 Trustee in the amount of \$8,350.00, which represents approximately 2 plan payments. By the time this matter is heard, an additional plan payment in the amount of \$4,175.00 will also be due. The Debtors have not made any plan payments since this petition was filed on May 27, 2016. There is cause to dismiss this case pursuant to 11 U.S.C. §§ 1307(c)(1) and (c)(4).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

The court will enter an appropriate minute order.

10. [16-23555](#)-B-13 CAMMY WOOD  
Jeffrey P. Guyton

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
8-4-16 [[55](#)]

DEBTOR DISMISSED: 08/05/2016

**Final Ruling:** No appearance at the August 30, 2016, hearing is required.

The case having previously been dismissed, the order to show cause is dismissed as moot.

The court will enter an appropriate minute order.

11. [15-28458](#)-B-13 DANIEL/BRITTANY CLARK  
JPJ-3 Rick Morin

MOTION TO CONVERT CASE FROM  
CHAPTER 13 TO CHAPTER 7, MOTION  
TO DISMISS CASE  
8-2-16 [[46](#)]

**Tentative Ruling:** The Trustee's Motion to Convert Case to a Chapter 7 Proceeding or in the Alternative Dismiss Case has been set for hearing on the notice required by Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(ii) is considered to be the equivalent of a statement of nonopposition. Cf. *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Opposition having been filed, the court will address the merits of the motion at the hearing.

The court's decision is to not convert this Chapter 13 case to a Chapter 7 and not dismiss this case.

This motion has been filed by Chapter 13 Trustee Jan Johnson ("Movant"). Movant asserts that the case should be converted based on the ground that the Debtors are delinquent in the amount of \$6,364.00, which represents approximately 2 plan payments. By the time this matter is heard, an additional plan payment in the amount of \$3,182.00 will also be due.

Additionally, this is the second time the Trustee has filed a Motion to Convert Case to a Chapter 7 Proceeding or in the Alternative Dismiss Case. The prior motion was heard on May 31, 2016, and denied because the Debtors became current by the date of the hearing. The Trustee asserts that the Debtors do not appear to be able to maintain monthly plan payments and have not taken any action to modify their plan in this case.

#### **Response by Debtors**

The Debtors respond by stating that they will be able to cure their delinquency by August 30, 2016, the date of this hearing, and that they intend to pay an extra month ahead to secure a payment cushion in the event of a shortfall in their monthly self-employment income, which is sometimes the case. The Declaration of Daniel Clark states that the Debtors recognize that they are obligated to make timely Chapter 13 payments each month and are trying their best to make the payments according to their Chapter 13 plan, but that the Debtor's construction jobs have delayed in their payments to Debtor's business this summer. The Debtors further state that if the court is not inclined to allow the Debtors to remain in a Chapter 13 due to their delinquent payment history, they request that the court instead dismiss their Chapter 13 case.

#### **Discussion**

Questions of conversion or dismissal must be dealt with a thorough, two-step analysis: "[f]irst, it must be determined that there is 'cause' to act[;] [s]econd, once a determination of 'cause' has been made, a choice must be made between conversion and dismissal based on the 'best interests of the creditors and the estate.'" *Nelson v. Meyer (In re Nelson)*, 343 B.R. 671, 675 (B.A.P. 9th Cir. 2006) (citing *Ho v. Dowell (In re Ho)*, 274 B.R. 867, 877 (B.A.P. 9th Cir. 2002)).

The Bankruptcy Code Provides:

[O]n request of a party in interest, and after notice and a hearing, the court shall convert a case under this chapter to a case under chapter 7 or dismiss a case under this chapter, whichever is in the best interests of creditors and the estate, for cause....

11 U.S.C. § 1307(c). The court engages in a "totality-of circumstances" test, weighing facts on a case by case basis in determining whether cause exists, and if so, whether conversion or dismissal is proper. *In re Love*, 957 F.2d 1350 (7th Cir. 1992). Bad

faith is not one of the enumerated grounds under 11 U.S.C. § 1307, but it is "cause" for dismissal or conversion. *Nady v. DeFrantz (In re DeFrantz)*, 454 B.R. 108, 113 FN.4, (B.A.P. 9th Cir. 2011), citing *Leavitt v. Soto (In re Leavitt)*, 171 F.3d 1219, 1224 (9th Cir. 1999).

Cause does not exist to convert or dismiss this case pursuant to 11 U.S.C. § 1307(c) if the Debtors are current on August 30, 2016, and provide payment for an extra month ahead to provide a payment cushion. However, the court recognizes that this is the second time the Trustee has had to file a Motion to Convert Case to a Chapter 7 Proceeding or in the Alternative Dismiss Case. Therefore, although this motion is denied without prejudice and the case is not converted or dismissed, should the Debtors become delinquent on a future plan payment, the case may be dismissed on the Trustee's ex parte application and the Debtors may proceed outside of bankruptcy to negotiate with their mortgage lender to save their home.

The court will enter an appropriate minute order.

12. [16-23766](#)-B-13 EDWARD GRINDROD ORDER TO SHOW CAUSE - FAILURE  
Thru #13 Scott D. Shumaker TO PAY FEES  
7-15-16 [[26](#)]

**Tentative Ruling:** The Order to Show Cause will be discharged and the case will remain pending but the court will modify the terms of its order permitting the Debtor to pay the filing fee in installments.

The court granted the Debtor permission to pay the filing fee in installments. The Debtor failed to pay the \$79.00 installment when due on July 11, 2016. While the delinquent installment was paid on August 1, 2016, the fact remains the court was required to issue an order to show cause to compel the payment. Therefore, as a sanction for the late payment, the court will modify its prior order allowing installment payments to provide that if a future installment is not received by its due date, the case will be dismissed without further notice or hearing.

The court will enter an appropriate minute order.

13. [16-23766](#)-B-13 EDWARD GRINDROD CONTINUED OBJECTION TO  
JPJ-1 Scott D. Shumaker CONFIRMATION OF PLAN BY JAN P.  
JOHNSON AND/OR MOTION TO  
DISMISS CASE  
7-27-16 [[28](#)]

**Tentative Ruling:** This matter was continued from August 16, 2016. The Trustee's Objection to Confirmation of the Chapter 13 Plan and Conditional Motion to Dismiss Case was originally filed at least 14 days prior to the hearing on the motion to confirm a plan. See Local Bankruptcy Rules 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). The Debtor, Creditors, the Trustee, the U.S. Trustee, and any other parties in interest may, at least 7 days prior to the date of the hearing, serve and file with the court a written reply to any written opposition. Local Bankruptcy Rule 9014-1(f)(1)(C). No written reply has been filed to the objection.

The court's decision is to sustain the objection and conditionally deny the motion to dismiss.

First, the Debtor is delinquent to the Chapter 13 Trustee in the amount of \$2,047.00, which represents the first plan payment due July 25, 2016. The Debtor does not appear to be able to make plan payments proposed and has not carried the burden of showing that the plan complies with 11 U.S.C. § 1325(a)(6).

Second, the Debtor has not served upon the Trustee a Class 1 Checklist and Authorization to Release Information. The Debtor has not complied with 11 U.S.C. § 521(a)(3) and Local Bankr. R. 3015-1(b)(6).

Third, the plan does not specify a cure of the post-petition arrearage owed to Seterus Inc. including a specific post-petition arrearage amount, interest rate, and monthly dividend.

The plan filed June 17, 2016, does not comply with 11 U.S.C. §§ 1322 and 1325(a). The objection is sustained and the plan is not confirmed.

Because the plan is not confirmable, the Debtor will be given a further opportunity to confirm a plan. But, if the Debtor is unable to confirm a plan within a reasonable period of time, the court concludes that the prejudice to creditors will be substantial and that there will then be cause for dismissal. If the Debtor has not confirmed a plan within 75 days, the case will be dismissed on the Trustee's ex parte application.

The court will enter an appropriate minute order.

14. [16-23567](#)-B-13 JENNY JOHNS  
Michael Benavides

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
8-5-16 [[24](#)]

**Tentative Ruling:** Oral argument may be presented by the parties at the scheduled hearing, where the parties shall address the issues identified in this tentative ruling and such other issues as are necessary and appropriate to the court's resolution of the matter. If the court's tentative ruling becomes its final ruling, the court will make the following findings of fact and conclusions of law.

The court's tentative decision is to sustain the Order to Show Cause and order the case dismissed.

The Order to Show Cause was issued due to Debtor's failure to pay \$77.00 due August 1, 2016. The court's docket reflects that the default has not been cured.

The court will enter an appropriate minute order.

15. [16-21768](#)-B-13 COLETTE MONTGOMERY  
George T. Burke

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
7-25-16 [[52](#)]

**Final Ruling:** No appearance at the August 30, 2016, hearing is required.

The court's decision is to discharge the Order to Show Cause and the case will remain pending.

The Order to Show Cause was issued due to Debtor's failure to pay \$77.00 due July 20, 2016. The court's docket reflects that the default was cured on July 26, 2016. The payment was the final installment.

The court will enter an appropriate minute order.

**Final Ruling:** No appearance at the August 30, 2016, hearing is required.

The Trustee's Motion to Dismiss Case has been set for hearing on the 28-days' notice required by Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(ii) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. *See Law Offices of David A. Boone v. Derham-BuTrk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Therefore, the defaults of the respondent and other parties in interest are entered. Upon review of the record there are no disputed material factual issues and the matter will be resolved without oral argument. The court will issue its ruling from the parties' pleadings.

The court's decision is to dismiss the case.

First, the Debtor is delinquent to the Chapter 13 Trustee in the amount of \$4,599.00, which represents approximately 3 plan payments. By the time this matter is heard, and additional plan payment in the amount of \$1,533.00 will also be due. There is cause to dismiss this case pursuant to 11 U.S.C. §§ 1307(c)(1) and (c)(4).

Second, the Debtor did not appear at the meeting of creditors set for June 2, 2016, and at the continued meeting of creditors set for July 7, 2016, as required pursuant to 11 U.S.C. § 343. Cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1).

Third, the Debtor has not provided the Trustee with copies of payment advices or other evidence of income received within the 60-day period prior to the filing of the petition. The Debtor has not complied with 11 U.S.C. § 521(a)(1)(B)(iv).

Fourth, the Debtor has not provided the Trustee with a copy of an income tax return for the most recent tax year a return was filed. The Debtor has not complied with 11 U.S.C. § 521(e)(2)(A)(1). Additionally, the tax return must be provided to the Trustee seven days prior to the date first set for the meeting of creditors and, if not, the case shall be dismissed pursuant to 11 U.S.C. § 521(e)(2)(B) and (C). The meeting of creditors was held and concluded on July 7, 2016.

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

The court will enter an appropriate minute order.



17. [13-24477](#)-B-7 HEATHER SIMMONS  
JPJ-4

MOTION TO DISMISS CASE  
8-2-16 [[26](#)]

CASE CONVERTED TO CH. 7 ON  
08/12/2016

**Final Ruling:** No appearance at the August 30, 2016, hearing is required.

The case having previously been dismissed, the Motion is dismissed as moot.

The court will enter an appropriate minute order.

18. [15-25582](#)-B-13 ASHWANI MAYER AND POOJA MOTION TO DISMISS CASE  
JPJ-2 VERMA 7-13-16 [[114](#)]  
Peter G. Macaluso

CONTINUED TO 10/11/2016 AT 1:00 P.M. TO BE HEARD IN CONJUNCTION WITH MOTION TO  
CONFIRM SECOND AMENDED PLAN.

**Final Ruling:** No appearance at the August 30, 2016, hearing is required.

19. [16-22885](#)-B-13 DEAN/RACHEL MOORE  
Thomas L. Amberg

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
8-8-16 [[17](#)]

**Tentative Ruling:** The Order to Show Cause will be discharged and the case will remain pending but the court will modify the terms of its order permitting the Debtor/s to pay the filing fee in installments.

The court granted the Debtors permission to pay the filing fee in installments. The Debtors failed to pay the \$77.00 installment when due on August 1, 2016. While the delinquent installment was paid on August 8, 2016, the fact remains the court was required to issue an order to show cause to compel the payment. Therefore, as a sanction for the late payment, the court will modify its prior order allowing installment payments to provide that if a future installment is not received by its due date, the case will be dismissed without further notice or hearing.

The court will enter an appropriate minute order.

20. [12-31288](#)-B-7      RAMONCITO/TERESITA LLANOS      MOTION TO DISMISS CASE  
JPJ-4      W. Scott de Bie      7-13-16 [[60](#)]

CASE CONVERTED TO CH. 7 ON  
07/27/2016

**Final Ruling:** No appearance at the August 30, 2016, hearing is required.

The case having previously been converted, the Motion is dismissed as moot.

The court will enter an appropriate minute order.

21. [16-22290](#)-B-13 JOSE PEREZ  
Pro Se

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
7-18-16 [[55](#)]

DEBTOR DISMISSED: 08/04/2016

**Final Ruling:** No appearance at the August 30, 2016, hearing is required.

The case having previously been dismissed, the order to show cause is dismissed as moot.

The court will enter an appropriate minute order.

22. [16-22094](#)-B-13 JEFFREY MAYHEW MOTION TO DISMISS CASE  
JPJ-2 Peter G. Macaluso 7-18-16 [[73](#)]

CONTINUED TO 10/11/2016 AT 1:00 P.M. TO BE HEARD IN CONJUNCTION WITH MOTION TO  
CONFIRM FIRST AMENDED PLAN.

**Final Ruling:** No appearance at the August 30, 2016, hearing is required.

23. [15-27199](#)-B-13 ELIZABETH FRAZIER MOTION TO DISMISS CASE  
JPJ-1 Marc A. Carpenter 8-2-16 [[22](#)]

CONTINUED TO 10/04/16 AT 1:00 P.M. TO BE HEARD IN CONJUNCTION WITH MOTION TO  
CONFIRM FIRST MODIFIED PLAN.

**Final Ruling:** No appearance at the August 30, 2016, hearing is required.