

**UNITED STATES BANKRUPTCY COURT
Eastern District of California**

Honorable Christopher D. Jaime
1200 I Street, Suite 200
Modesto, California

PRE-HEARING DISPOSITIONS COVER SHEET

DAY: TUESDAY

DATE: September 24, 2024

CALENDAR: 1:00 P.M. CHAPTER 13

Each matter on this calendar will have one of three possible designations: No Ruling, Tentative Ruling, or Final Ruling. These instructions apply to those designations.

No Ruling: All parties will need to appear at the hearing unless otherwise ordered.

Tentative Ruling: If a matter has been designated as a tentative ruling it will be called. The court may continue the hearing on the matter, set a briefing schedule, or enter other orders appropriate for efficient and proper resolution of the matter. The original moving or objecting party shall give notice of the continued hearing date and the deadlines. The minutes of the hearing will be the court's findings and conclusions.

Final Ruling: Unless otherwise ordered, there will be no hearing on these matters and no appearance is necessary. The final disposition of the matter is set forth in the ruling and it will appear in the minutes. The final ruling may or may not finally adjudicate the matter. If it is finally adjudicated, the minutes constitute the court's findings and conclusions.

Orders: Unless the court specifies in the tentative or final ruling that it will issue an order, the prevailing party shall lodge an order within seven (7) days of the final hearing on the matter.

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Christopher D. Jaime
Bankruptcy Judge
Modesto, California

September 24, 2024 at 1:00 p.m.

1. [24-90205](#)-B-13 THERESA/GUADALUPE SOLIS MOTION TO DISMISS CASE
[LGT](#)-2 David S. Henshaw 8-27-24 [[42](#)]

Final Ruling

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to deny without prejudice the motion to dismiss case.

The Chapter 13 Trustee ("Trustee") moves to dismiss the case on grounds that the Debtors have caused unreasonable delay that is prejudicial to creditors since Debtors have failed to set a hearing for an amended plan, failed to file a complete plan, failed to make plan payments, and failed to accurately file Schedule E/F.

The Debtors filed a second amended plan with a confirmation hearing set for October 15, 2024. Debtors also filed amended schedules on September 11, 2024. Therefore, the issues raised by the Trustee are resolved.

Cause does not exist to dismiss this case. The motion is denied and the case will not be dismissed.

The motion is ORDERED DENIED WITHOUT PREJUDICE for reasons stated in the minutes.

The court will issue an order.

September 24, 2024 at 1:00 p.m.

2. [24-90234](#)-B-13 FABRICIO VASQUEZ CONTINUED OBJECTION TO
[AP-1](#) David C. Johnston CONFIRMATION OF PLAN BY
Thru #4 NATIONSTAR MORTGAGE LLC
6-28-24 [[28](#)]

CONTINUED TO 11/05/24 AT 1:00 P.M. AT SACRAMENTO COURTROOM TO BE HEARD AFTER THE
CONTINUED MEETING OF CREDITORS SET FOR 10/31/24.

Final Ruling

No appearance at the September 24, 2024, hearing is required. The court will issue an
order.

3. [24-90234](#)-B-13 FABRICIO VASQUEZ CONTINUED OBJECTION TO
[LGT-1](#) David C. Johnston CONFIRMATION OF PLAN BY LILIAN
G. TSANG
6-28-24 [[32](#)]

CONTINUED TO 11/05/24 AT 1:00 P.M. AT SACRAMENTO COURTROOM TO BE HEARD AFTER THE
CONTINUED MEETING OF CREDITORS SET FOR 10/31/24.

Final Ruling

No appearance at the September 24, 2024, hearing is required. The court will issue an
order.

4. [24-90234](#)-B-13 FABRICIO VASQUEZ CONTINUED OBJECTION TO
[PPR-1](#) David C. Johnston CONFIRMATION OF PLAN BY BMO
BANK, N.A.
6-14-24 [[23](#)]

CONTINUED TO 11/05/24 AT 1:00 P.M. AT SACRAMENTO COURTROOM TO BE HEARD AFTER THE
CONTINUED MEETING OF CREDITORS SET FOR 10/31/24.

Final Ruling

No appearance at the September 24, 2024, hearing is required. The court will issue an
order.

5. [24-90450](#)-B-13 SALVADOR RAMIREZ
T. Mark O'Toole

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
8-30-24 [[23](#)]

DEBTOR DISMISSED: 09/06/24

Final Ruling

The case having previously been dismissed, the Order to Show Cause is discharged as moot with no sanctions ordered.

The order to show cause is ORDERED DISCHARGED AS MOOT for reasons stated in the minutes.

The court will issue an order.

6. [24-90060](#)-B-13 LUIS/ANGELA OLIVEIRA CONTINUED OBJECTION TO
[LGT](#)-1 David C. Johnston CONFIRMATION OF PLAN BY LILIAN
Thru #7 G. TSANG
3-26-24 [[24](#)]

DEBTORS DISMISSED: 08/29/24

Final Ruling

The case having been dismissed, the continued objection to confirmation is overruled as moot.

The objection to confirmation is ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will issue an order.

7. [24-90060](#)-B-13 LUIS/ANGELA OLIVEIRA CONTINUED OBJECTION TO
[RAS](#)-1 David C. Johnston CONFIRMATION OF PLAN BY
DEUTSCHE BANK NATIONAL TRUST
COMPANY
3-12-24 [[21](#)]

DEBTORS DISMISSED: 08/29/24

Final Ruling

The case having been dismissed, the continued objection to confirmation is overruled as moot.

The objection to confirmation is ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will issue an order.

8. [24-90384](#)-B-13 STEPHEN/MASHELL GUGEL CONTINUED OBJECTION TO
[LGT](#)-1 Christian J. Younger CONFIRMATION OF PLAN BY LILIAN
G. TSANG
8-28-24 [[18](#)]

Final Ruling

This matter was continued from September 17, 2024, to allow any party in interest to file a response by 5:00 p.m. Friday, September 20, 2024. Debtors filed an opposition stating that they have filed a motion to value collateral with a hearing set for October 15, 2024.

Therefore, the court's conditional ruling at dkt. 30 and the continued hearing on September 24, 2024, are vacated. This matter will be continued to October 15, 2024, at 1:00 p.m., to be heard in conjunction with the motion to value collateral.

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

The court will issue an order.