



UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable Jennifer E. Niemann
Hearing Date: Thursday, September 24, 2026
Department A – Courtroom #11
Fresno, California

Unless otherwise ordered, all matters before the Honorable Jennifer E. Niemann shall be simultaneously: (1) **In Person** at Courtroom #11, (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.

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INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

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, and all parties will need to appear at the hearing unless otherwise ordered. 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. 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 14 days of the final hearing on the matter.

THE COURT ENDEAVORS TO PUBLISH ITS RULINGS AS SOON AS POSSIBLE. HOWEVER, CALENDAR PREPARATION IS ONGOING AND THESE RULINGS MAY BE REVISED OR UPDATED AT ANY TIME PRIOR TO 4:00 P.M. THE DAY BEFORE THE SCHEDULED HEARINGS. PLEASE CHECK AT THAT TIME FOR POSSIBLE UPDATES.

1. [26-13108](#)-A-13 **IN RE: JOEY/MYKAILA TAYLOR**
[SSH-1](#)

MOTION TO AVOID LIEN OF NAJOLIA ENTERPRISES, INC DBA SERVPRO
8-25-2026 [\[19\]](#)

MYKAILA TAYLOR/MV
SIMRAN HUNDAL/ATTY. FOR DBT.
WITHDRAWN

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED.

Movant withdrew the motion on September 2, 2026. Doc. #33.

2. [26-13608](#)-A-13 **IN RE: ABEL VIGIL**
[SLH-1](#)

MOTION TO AVOID LIEN OF CITIBANK, N.A.
8-12-2026 [\[8\]](#)

ABEL VIGIL/MV
SETH HANSON/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. 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 Boone v. Derham-Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917-18 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Abel Vigil ("Debtor"), the debtor in this chapter 13 case, moves pursuant to 11 U.S.C. § 522(f) and Federal Rules of Bankruptcy Procedure 4003(d) and 9014 to avoid the judicial lien of Citibank, N.A. ("Creditor") on the residential

real property commonly referred to as 3253 Lemmons St., Riverbank, CA 95367 (the "Property"). Doc. #8; Schedule C, Doc. #1; Schedule D, Doc. #1.

In order to avoid a lien under 11 U.S.C. § 522(f)(1), the movant must establish four elements: (1) there must be an exemption to which the debtor would be entitled under § 522(b); (2) the property must be listed on the debtor's schedules as exempt; (3) the lien must impair the exemption; and (4) the lien must be either a judicial lien or a non-possessory, non-purchase money security interest in personal property listed in § 522(f)(1)(B). 11 U.S.C. § 522(f)(1); Goswami v. MTC Distrib. (In re Goswami), 304 B.R. 386, 390-91 (B.A.P. 9th Cir. 2003) (quoting In re Mohring, 142 B.R. 389, 392 (Bankr. E.D. Cal. 1992)).

Debtor filed the bankruptcy petition on July 31, 2026. Doc. #1. A judgment was entered against Debtor in the amount of \$4,842.42 in favor of Creditor on September 11, 2025. Ex. B, Doc. #10. The abstract of judgment was recorded pre-petition in Stanislaus County on December 11, 2025, as document number 2025-0061194. Ex. B, Doc. #10. The lien attached to Debtor's interest in the Property located in Stanislaus County. Doc. #8. The Property also is encumbered by a lien in favor of Mrc/united Wholesale M in the amount \$207,991.00. Schedule D, Doc. #1. Debtor claimed an exemption of \$340,000.00 in the Property under California Code of Civil Procedure § 704.730. Schedule C, Doc. #1. Debtor asserts a market value for the Property as of the petition date at \$535,700.00.¹ Schedule A/B, Doc. #1.

Applying the statutory formula:

Amount of Creditor's judicial lien		\$4,842.42
Total amount of all other liens on the Property (excluding junior judicial liens)	+	\$207,991.00
Amount of Debtor's claim of exemption in the Property	+	\$340,000.00
		\$552,833.42
Value of Debtor's interest in the Property absent liens	-	\$535,700.00
Amount Creditor's lien impairs Debtor's exemption		\$17,133.42

After application of the arithmetical formula required by § 522(f)(2)(A), the court finds there is insufficient equity to support Creditor's judicial lien. Therefore, the fixing of this judicial lien impairs Debtor's exemption in the Property and its fixing will be avoided.

Debtor has established the four elements necessary to avoid a lien under 11 U.S.C. § 522(f)(1). Accordingly, this motion is GRANTED. The proposed order shall state that Creditor's judicial lien is avoided on the subject Property only and include a copy of the abstract of judgment as an exhibit.

¹ While the moving papers list the value of the Property as \$537,700.00, Schedule A/B lists the value of the Property as \$535,700.00. Schedule A/B, Doc. #1; Motion, Doc #8. Accordingly, the court will use the value of the Property as listed in Schedule A/B.
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3. [24-11810](#)-A-13 **IN RE: KELLY HARMEL-BLED SOE**
[CAE-1](#)

ORDER TO SHOW CAUSE - FAILURE TO FILE DOCUMENTS RE: DISCLOSURE OF
ATTORNEY COMPENSATION
8-18-2026 [\[53\]](#)

DAVID CHUNG/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: The order to show cause will be vacated.

ORDER: The court will issue an order.

The record shows that the missing disclosure of compensation of attorney for debtor was filed on August 18, 2026. Doc. #54. Therefore, this order to show cause is VACATED.

4. [26-12410](#)-A-13 **IN RE: LATRICE GONZALEZ**
[LGT-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG
7-17-2026 [\[14\]](#)

LILIAN TSANG/MV
MOHAMMAD MOKARRAM/ATTY. FOR DBT.
RESPONSIVE PLEADING

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Continue to October 13, 2026 at 2:00 p.m.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The court will issue an order after the hearing.

Latrice Moniz Gonzalez ("Debtor") filed a voluntary petition under chapter 13 along with a chapter 13 plan ("Plan") on May 26, 2026. Doc. #1, 3. The chapter 13 trustee ("Trustee") objects to confirmation of the Plan because: (1) Debtor needs to file an amended Schedule C as well as amended Forms 122C-1 and 122C-2; (2) Debtor has failed to provide requested documents to Trustee; and (3) the meeting of creditors has not concluded. Doc. #14. Debtor's § 341 meeting of creditors has been continued to October 8, 2026 at 2:00 p.m. See court docket entry entered on August 27, 2026.

On September 8, 2026, Debtor responded to Trustee's objection to confirmation stating Debtor is still in the process of amending her profit & loss documents and possible amendments to her 2025 tax returns and is current in her plan payments. Doc. #21. Debtor also noted that her § 341 meeting of creditors has been continued to October 8, 2026. Id.

Based on Debtor's response to Trustee's objection, the court is inclined to continue the hearing on this objection to October 13, 2026 at 2:00 p.m. to be heard after the date for the continued meeting of creditors.

5. [26-12811](#)-A-13 **IN RE: DAVID LEBOUTILLIER**
[LGT-2](#)

MOTION TO DISMISS CASE
8-17-2026 [[32](#)]

LILIAN TSANG/MV
PETER MACALUSO/ATTY. FOR DBT.
RESPONSIVE PLEADING

NO RULING.

6. [24-11712](#)-A-13 **IN RE: MARK FLORENTINO**
[RAS-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
8-11-2026 [[153](#)]

SELENE FINANCE LP/MV
STEPHEN LABIAK/ATTY. FOR DBT.
SHANA STARK/ATTY. FOR MV.
RESPONSIVE PLEADING
WITHDRAWN

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED.

Movant withdrew the motion on September 17, 2026. Doc. #163.

7. [26-11522](#)-A-13 **IN RE: THEONNA HILL**
[TLH-2](#)

MOTION TO CONFIRM PLAN
8-7-2026 [[54](#)]

THEONNA HILL/MV

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Denied without prejudice.

ORDER: The court will issue an order.

This matter is DENIED WITHOUT PREJUDICE for improper notice.

The notice of hearing filed with the motion does not comply with Local Rule of Practice ("LBR") 3015-1(d)(1), which requires the deadline for filing written opposition comply with LBR 9014-1(f)(1). Here, the notice of hearing provided an opportunity to object and, if an objection was filed, then a hearing would be held. However, this is not the procedure for noticing a motion to confirm under this court's Local Rules of Practice. Rather, the motion and notice of hearing should have been filed and served together with the proposed plan and

supporting declaration at least 35 days prior to the hearing date and the notice of motion should have informed parties in interest that any opposition must be served and filed with the court not less than fourteen days prior to the hearing date. Because the debtor's notice of hearing does not comply with LBR 9014-1(d)(3)(B) and 9014-1(f)(1), the motion is DENIED WITHOUT PREJUDICE for improper notice.

Even though the debtor is representing herself in this bankruptcy case, the debtor is still required to comply with procedural requirements. King v. Atiyeh, 814 F.2d 565, 567 (9th Cir. 1987), overruled on other grounds, Lacey v. Maricopa Cty., 693 F.3d 896 (9th Cir. 2012) (en banc) ("Pro se litigants must follow the same rules of procedure that govern other litigants."). The court encourages the debtor to review the local rules to ensure compliance in future matters or those matters may be denied without prejudice for failure to comply with the local rules. The rules can be accessed on the court's website at <https://www.caeb.uscourts.gov/LocalRulesAndGeneralOrders>.

8. [26-13322](#)-A-13 **IN RE: OSBALDO DUENAS**
[LGT-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY TRUSTEE LILIAN G. TSANG
8-31-2026 [[13](#)]

NEIL SCHWARTZ/ATTY. FOR DBT.
WITHDRAWN

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED.

Trustee withdrew the objection to confirmation of plan on September 3, 2026.
Doc. #16.

9. [25-11923](#)-A-13 **IN RE: IRIS MURILLO**
[RH-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY, MOTION/APPLICATION FOR RELIEF
FROM CO-DEBTOR STAY
8-5-2026 [[93](#)]

EXETER FINANCE LLC/MV
ROBERT WILLIAMS/ATTY. FOR DBT.
ROSEMARY HONG/ATTY. FOR MV.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance
with the ruling below.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtor, the U.S. Trustee, or any other party in

interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. 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 Boone v. Derham-Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917-18 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

The movant, Exeter Finance LLC, its assignees and/or successors ("Movant"), seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) with respect to a 2024 Chevrolet Truck Silverado 1500 Crew Cab, VIN: 1GCPABEK2RZ108159 (the "Vehicle"). Doc. #93. Movant also seeks relief from the codebtor stay under 11 U.S.C. § 1301(c) as to Angel A. Murrillo ("Codebtor"). Doc. #93. Debtor Iris Noemi Murrillo ("Debtor") and Codebtor executed a retail installment sale contract ("Contract"), which is secured by the Vehicle. Decl. of Nancy Wafer, Doc. #96; Ex. 1, Doc. #97.

Analysis Under 11 U.S.C. § 362(d)(1)

11 U.S.C. § 362(d)(1) allows the court to grant relief from the automatic stay for cause. "Because there is no clear definition of what constitutes 'cause,' discretionary relief from the stay must be determined on a case by case basis." In re Mac Donald, 755 F.2d 715, 717 (9th Cir. 1985).

After review of the included evidence, the court finds that "cause" exists to lift the stay because Debtor has failed to make at least fourteen complete pre- and post-petition payments to Movant. Wafer Decl., Doc. #96. Movant has produced evidence that Debtor is delinquent by at least \$12,647.53 as of July 12, 2026. Id.

Analysis Under 11 U.S.C. § 1301(c)(3)

Section 1301 of the Bankruptcy Code provides for a codebtor stay that prohibits a creditor from acting to collect any part of a consumer debt from an individual that is liable on the debt with the bankruptcy debtor. 11 U.S.C. § 1301(a). The term 'consumer debt' means debt incurred by an individual primarily for a personal, family, or household purpose. 11 U.S.C. § 101(8). Here, it appears that the Contract entered into by Debtor and Codebtor for the Vehicle was for a consumer debt. Schedule A/B & H, Doc. #16; Ex. 1, Doc. #97. Thus, the court finds that the codebtor stay of 11 U.S.C. § 1301(a) applies to the Vehicle.

Relief from the codebtor stay must be granted if "such creditor's interest would be irreparably harmed by continuation of such stay." 11 U.S.C. § 1301(c)(3). Here, Debtor's chapter 13 plan does not provide for Movant's allowed secured claim, so the secured claim is to be paid directly by Debtor outside the plan. Am. Plan, Doc. #51. Because Debtor has failed to pay pre- and post-petition payments to Movant, cause exists to lift the codebtor stay pursuant to 11 U.S.C. § 1301(c)(3).

Conclusion

Accordingly, the motion will be granted as to Debtor pursuant to 11 U.S.C. § 362(d)(1) and as to Codebtor pursuant to 11 U.S.C. § 1301(c)(3) to permit

Movant to pursue remedies in accordance with applicable non-bankruptcy law and enforce any resulting judgment. No other relief is awarded.

The 14-day stay of Fed. R. Bankr. P. 4001(a)(4) will be ordered waived because Debtor has failed to make at least fourteen complete pre- and post-petition payments to Movant.

10. [23-11029](#)-A-13 **IN RE: JITMA MANGOIG**
[LGT-4](#)

MOTION TO DISMISS CASE
8-7-2026 [\[118\]](#)

LILIAN TSANG/MV
ROBERT WILLIAMS/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The court will issue the order.

Unless the trustee's motion is withdrawn before the hearing, the motion will be granted without oral argument for cause shown.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of the debtor to file written opposition at least 14 days prior to the hearing date as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. 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 Boone v. Derham-Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the debtor is entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917-18 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Here, the chapter 13 trustee asks the court to dismiss this case under 11 U.S.C. § 1307(c)(1) and (c)(6) for unreasonable delay by the debtor that is prejudicial to creditors. Doc. #118. Specifically, the trustee asks the court to dismiss this case for the debtor's failure to make all payments due under the plan. Id. The debtor is delinquent in the amount of \$16,036.69, with additional plan payments of \$8,401.43 due on August 25, 2026, and on the 25th day of each subsequent month. Id. The debtor did not oppose the motion.

Under 11 U.S.C. § 1307(c), the court may convert or dismiss a case, whichever is in the best interests of creditors and the estate, for "cause." There is "cause" for dismissal under 11 U.S.C. § 1307(c)(6) for the debtor's failure to make all payments due under the plan.

A review of the debtor's Schedules A/B, C and D shows that there is minimal equity in the debtor's assets after considering secured claims and the debtor's claimed exemptions. Doc. #13. Because there is minimal non-exempt equity in the debtor's assets to be realized for the benefit of the estate if the debtor's bankruptcy case is converted to chapter 7 instead of being dismissed, the court

finds that dismissal, rather than conversion, is in the best interests of creditors and the estate.

Accordingly, the motion is GRANTED. The case is dismissed.

11. [26-10137](#)-A-13 **IN RE: BRAYAN MARQUEZ**
[MGG-3](#)

CONTINUED MOTION TO CONFIRM PLAN
7-8-2026 [\[59\]](#)

BRAYAN MARQUEZ/MV
MATTHEW GRECH/ATTY. FOR DBT.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Denied as moot.

ORDER: The court will issue an order.

This motion is DENIED AS MOOT. The debtor filed a modified plan on July 20, 2026 (MGG-4, Doc. #71), that was confirmed on September 2, 2026. Doc. #89.

12. [26-13238](#)-A-13 **IN RE: LEAH HATTON**
[RAS-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY LAKEVIEW LOAN SERVICING, LLC
8-28-2026 [\[19\]](#)

LAKEVIEW LOAN SERVICING, LLC/MV
ROBERT WILLIAMS/ATTY. FOR DBT.
SHANA STARK/ATTY. FOR MV.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Overruled.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The court will issue an order after the hearing.

Leah Marie Hatton ("Debtor") filed a voluntary petition under chapter 13 on July 12, 2026 and a chapter 13 plan ("Plan") on August 10, 2026. Doc. #1, 17. Creditor Lakeview Loan Servicing, LLC ("Creditor") objects to confirmation of the Plan because the Plan does not provide any treatment for Creditor's claim, including pre-petition arrears. Doc. #19.

Bankruptcy Code § 1325(a)(5) permits confirmation of a chapter 13 plan so long as provisions are made "with respect to each allowed secured claim provided for by the plan." 11 U.S.C. § 1325(a)(5). However, a chapter 13 plan need not "provide for" a secured claim. See Shook v. CBIC (In re Shook), 278 B.R. 815, 826-27 (B.A.P. 9th Cir. 2002). Under the proposed chapter 13 plan, secured claims not listed in Class 1, 2, 3 or 4 are not provided for by the Plan. While this may be cause to terminate the automatic stay, such relief must be separately requested by the claim holder. Plan at ¶3.11(b), Doc. #17. Because

the debtor is not required to provide for Creditor in her Plan, Creditor's objection to confirmation is overruled.

Accordingly, the objection will be OVERRULED.

13. [26-12940](#)-A-13 **IN RE: CHRISTIAN KAMEY**
[SLH-1](#)

MOTION TO CONFIRM PLAN
8-11-2026 [\[22\]](#)

CHRISTIAN KAMEY/MV
SETH HANSON/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 35 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 3015-1(d)(1). The failure of creditors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. 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 Boone v. Derham-Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917-18 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

This motion is GRANTED. The confirmation order shall include the docket control number of the motion, and it shall reference the plan by the date it was filed.

14. [24-10744](#)-A-13 **IN RE: ROSA GODOY**
[RSW-2](#)

MOTION TO MODIFY PLAN
8-13-2026 [\[45\]](#)

ROSA GODOY/MV
ROBERT WILLIAMS/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 35 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 3015-1(d)(2). The failure of creditors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. 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 Boone v. Derham-Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917-18 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

This motion is GRANTED. The confirmation order shall include the docket control number of the motion, and it shall reference the plan by the date it was filed.

15. [26-12554](#)-A-13 **IN RE: ALEJANDRO ARREDONDO CORTES AND REBECCA ARREDONDO**
[LGT-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG
7-20-2026 [\[13\]](#)

LILIAN TSANG/MV
DAVID CHUNG/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Sustained.

ORDER: The court will issue an order.

Alejandro Arredondo Cortes, Sr. and Rebecca Ann Arredondo (together, "Debtors") filed a voluntary petition under chapter 13 along with a chapter 13 plan ("Plan") on May 29, 2026. Doc. #1, 4. The chapter 13 trustee ("Trustee") objects to confirmation of the Plan because (1) an amended disclosure of compensation needs to be filed to add the required language of the standard form, and (2) an amended Schedule A/B needs to be filed to list Debtors' pension or retirement account as listed in Debtors' Schedule I. Doc. #13. The court continued this matter to September 24, 2026 and ordered Debtors to file and serve a written response to Trustee's objection by September 10, 2026; or if Debtors elected to withdraw this Plan, then Debtors had to file, serve, and set for hearing a confirmable modified plan by September 17, 2026. Order, Doc. #17.

Having reviewed the docket in this case, the court finds Debtors have not voluntarily converted this case to chapter 7 or dismissed this case, and Trustee's objection has not been withdrawn. Further, Debtors have not filed and served any written response to Trustee's objection. Debtors have not filed, served, and set for hearing a confirmable modified plan by the time set by the court.

Accordingly, Trustee's objection to the Plan is SUSTAINED on the grounds set forth in Trustee's objection.

16. [26-13254](#)-A-13 **IN RE: LEWIS/VANESSA BOJORQUEZ**
[LGT-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG
8-31-2026 [\[18\]](#)

LILIAN TSANG/MV
ROBERT WILLIAMS/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to November 5, 2026 at 9:30 a.m.

ORDER: The court will issue an order.

Lewis Delora Bojorquez Jr. and Vanessa Michelle Bojorquez (together, "Debtors") filed a voluntary petition under chapter 13 on July 13, 2026 along with a chapter 13 plan ("Plan") on July 26, 2026. Doc. ##1, 13. The chapter 13 trustee ("Trustee") objects to confirmation of the Plan because: (1) the proposed plan does not provide for the full amount of Internal Revenue Service's priority claim; (2) Debtors are delinquent in plan payments in the amount of \$2,900.00, with an additional payment of \$2,900.00 coming due on September 25, 2026 and on the 25th day of each month thereafter; (3) a motion to value the collateral of Springlf Fin/OneMain needs to be filed for Trustee to determine whether the Plan is feasible; (4) Debtors have not filed tax returns for 2021, 2022, 2023, 2024 and 2025; and (5) the meeting of creditors has not yet concluded. Debtors' § 341 meeting of creditors has been continued to October 8, 2026 at 11:00 a.m. See court docket entry entered on August 25, 2026.

This objection will be continued to November 5, 2026 at 9:30 a.m. Unless this case is voluntarily converted to chapter 7, dismissed, or Trustee's objection to confirmation is withdrawn, Debtors shall file and serve a written response no later than October 22, 2026. The response shall specifically address each issue raised in the objection to confirmation, state whether the issue is disputed or undisputed, and include admissible evidence to support Debtors' position. Trustee shall file and serve a reply, if any, by October 29, 2026.

If Debtors elect to withdraw this plan and file a modified plan in lieu of filing a response, then a confirmable modified plan shall be filed, served, and set for hearing, not later than October 29, 2026. If Debtors do not timely file a modified plan or a written response, this objection to confirmation will be sustained on the grounds stated in Trustee's objection without a further hearing.

MOTION FOR COMPENSATION FOR JOSHUA L. STERNBERG, DEBTORS ATTORNEY(S)
8-19-2026 [[142](#)]

JOSHUA STERNBERG/ATTY. FOR DBT.
DISMISSED 10/02/2025;

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtor, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. 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 Boone v. Derham-Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917-18 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Joshua Sternberg of Sternberg Law Group ("Movant"), counsel for Juan F. Gonzalez ("Debtor"), the debtor in this chapter 13 case, requests allowance of final compensation in the amount of \$3,500.00 and no reimbursement for expenses for services rendered from July 10, 2024 through October 2, 2025. Doc. #142. Debtor's proposed plan provides for, in addition to \$3,500.00 paid to Movant prior to the filing of this case, \$3,500.00 in attorney's fees to be paid through the plan. Am. Plan, Doc. #88. Debtor's chapter 13 plan was not confirmed. Instead, Debtor's chapter 13 bankruptcy case was dismissed on October 2, 2025, pursuant to the chapter 13 trustee's motion to dismiss because Debtor was delinquent in plan payments. Doc. #96; Order, Doc. #102.

Section 330(a) of the Bankruptcy Code authorizes "reasonable compensation for actual, necessary services rendered" and "reimbursement for actual, necessary expenses" to a debtor's attorney in a chapter 13 case. 11 U.S.C. § 330(a)(1), (4)(B). In determining the amount of reasonable compensation, the court shall consider the nature, extent, and value of such services, taking into account all relevant factors. 11 U.S.C. § 330(a)(3).

Here, Movant demonstrates services rendered relating to: (1) consulting and fact gathering to file bankruptcy case; (2) preparing petition, schedules and related pleadings; (3) preparing and filing original plan; (4) preparing and attending 341 meeting of creditors; (5) general case administration; and (6) preparing fee application. Ex. A, Doc. #145. The court has reviewed and analyzed Movant's time entries applying the standard set forth in section 330(a)(1) and determines that fees should be awarded in the amount of \$3,500.00 for services rendered.

Accordingly, this motion is GRANTED. For the above reasons, the court determines that a combined amount of \$3,500.00 in attorneys' fees and costs are reasonable, actual, and necessary, and allows fees in that amount.

18. [26-13161](#)-A-13 **IN RE: SUSIE CHUONG**
[LGT-2](#)

MOTION TO DISMISS CASE
8-13-2026 [\[18\]](#)

LILIAN TSANG/MV

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The court will issue an order.

Unless the trustee's motion is withdrawn before the hearing, the motion will be granted without oral argument for cause shown.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of the debtor to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. 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 Boone v. Derham-Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the default of the debtor is entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917-18 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Here, the chapter 13 trustee ("Trustee") asks the court to dismiss this case under 11 U.S.C. § 1307(c)(1) and (c)(4) for unreasonable delay by the debtor that is prejudicial to creditors. Doc. #18. Specifically, Trustee asks the court to dismiss this case for the debtor's failure to: (1) provide Trustee with required documents; (2) accurately file schedules and/or statements; and (3) appear at the 341 meeting of creditors. Doc. #18. The debtor did not oppose.

Under 11 U.S.C. § 1307(c), the court may convert or dismiss a case, whichever is in the best interests of creditors and the estate, for cause. "A debtor's unjustified failure to expeditiously accomplish any task required either to propose or to confirm a chapter 13 plan may constitute cause for dismissal under § 1307(c)(1)." Ellsworth v. Lifescape Med. Assocs., P.C. (In re Ellsworth), 455 B.R. 904, 915 (B.A.P. 9th Cir. 2011). There is "cause" for dismissal under 11 U.S.C. § 1307(c)(1) for unreasonable delay by the debtor that is prejudicial to creditors because the debtor has failed to: (i) provide Trustee with all of the documentation required by 11 U.S.C. § 521(a)(3) and (4); (ii) accurately file schedules and/or statements; and (iii) appear at the § 341 meeting of creditors.

Because the debtor has failed to file accurate schedules and/or statements and has failed to appear at the § 341 meeting of creditors, the court finds that

dismissal, rather than conversion, is in the best interests of creditors and the estate.

Accordingly, this motion is GRANTED. The case is dismissed.

19. [26-10462](#)-A-13 **IN RE: SANTIAGO RAMIREZ BETERAN AND NORMA BETERAN**
[JRN-5](#)

MOTION TO CONFIRM PLAN
8-10-2026 [\[84\]](#)

NORMA BETERAN/MV
JOAQUIN NOLET/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Denied without prejudice.

ORDER: The court will issue an order.

This matter is DENIED WITHOUT PREJUDICE for improper notice.

The motion does not comply with Local Rule of Practice ("LBR") 3015-1(d)(1), which requires that a motion to confirm a chapter 13 plan be set for hearing pursuant to LBR 9014-1(f)(1). Pursuant to LBR 9014-1(f)(1), the notice of hearing does not state (a) that written opposition was required, (b) that such opposition must be filed and served within fourteen (14) days prior to the hearing, (c) the names and addresses of the parties on whom the written opposition must be served, and (d) that failure to file a timely written response may result in the court granting the motion prior to the hearing.

As a further procedural matter, the certificate of service included a custom service list. Doc. #87. However, more than six people were served, so a custom list is not permitted under LBR 7005-1(a). Instead, not more than 7 days prior to the date notice was served, the moving party needed to use the court's website to generate a Clerk's Matrix of Creditors, a Matrix of Registered Users of the Electronic Filing System and a list of persons who have filed Requests for Special Notice to serve the motion and supporting papers and attach those lists to the certificate of service. Instructions on how to generate the required lists can be found on the court's website using the following link: [GeneratingMailingListsandLabelsQuickReference.pdf \(uscourts.gov\)](#).

As a further procedural matter, the mandatory certificate of service form filed with this motion (Doc. #87) is not completed properly. Section 4 of the mandatory certificate of service form does not properly list which documents were served. Specifically, the court cannot determine whether the motion, notice, declaration, exhibits, and chapter 13 plan were properly served because they are not individually listed in Section 4.

The court encourages counsel to review the local rules to ensure compliance in future matters or those matters may be denied without prejudice for failure to comply with the local rules. The rules can be accessed on the court's website at <https://www.caeb.uscourts.gov/LocalRulesAndGeneralOrders>.

20. [26-10470](#)-A-13 **IN RE: CHRISANTO/TIFFANY MARTINEZ**
[LGT-1](#)

CONTINUED MOTION TO DISMISS CASE
4-17-2026 [\[54\]](#)

LILIAN TSANG/MV
PETER MACALUSO/ATTY. FOR DBT.
RESPONSIVE PLEADING

NO RULING.

21. [26-10470](#)-A-13 **IN RE: CHRISANTO/TIFFANY MARTINEZ**
[PGM-2](#)

MOTION TO CONFIRM PLAN
8-11-2026 [\[97\]](#)

TIFFANY MARTINEZ/MV
PETER MACALUSO/ATTY. FOR DBT.
RESPONSIVE PLEADING

NO RULING.

22. [26-12475](#)-A-13 **IN RE: JULIE MEZA**
[SLL-1](#)

MOTION TO CONFIRM PLAN
8-6-2026 [\[25\]](#)

JULIE MEZA/MV
STEPHEN LABIAK/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 35 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 3015-1(d)(1). The failure of creditors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. 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 Boone v. Derham-Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917-18 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

This motion is GRANTED. The confirmation order shall include the docket control number of the motion, and it shall reference the plan by the date it was filed.

23. [25-12178](#)-A-13 **IN RE: MERELYN ESTILLORE**
[RAS-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
8-24-2026 [\[57\]](#)

SELECT PORTFOLIO SERVICES INC./MV
SCOTT LYONS/ATTY. FOR DBT.
SHANA STARK/ATTY. FOR MV.
RESPONSIVE PLEADING

NO RULING.

24. [25-21578](#)-A-13 **IN RE: KEVIN FERRIE AND SALECE YNOSTROZA**
[WW-2](#)

MOTION TO MODIFY PLAN
8-11-2026 [\[37\]](#)

SALECE YNOSTROZA/MV
MARK WOLFF/ATTY. FOR DBT.
RESPONSIVE PLEADING

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after the hearing.

This motion was set for hearing on at least 35 days' notice prior to the hearing date as required by Local Rule of Practice ("LBR") 3015-1(d)(2). The chapter 13 trustee ("Trustee") timely opposed this motion because the plan does not pay attorneys' fees in equal monthly installments, which Trustee is not opposed to resolving in an order confirming plan. Doc. #49. Debtors responded to Trustee's opposition agreeing to Trustee's request to resolve the attorney's fee issue in an order confirming plan. Doc. #52.

The failure of creditors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Therefore, the defaults of the non-responding parties in interest are entered. This matter will proceed as scheduled.

Accordingly, pending debtors and Trustee consenting to proposed language in an order confirming plan that resolves Trustee's objection, this motion will be GRANTED. In addition to language resolving the attorney's fee issue, the confirmation order shall include the docket control number of the motion, and it shall reference the plan by the date it was filed.

25. [25-26480](#)-A-13 **IN RE: NICHOLAS DESTFINO**
[PGM-1](#)

MOTION TO MODIFY PLAN
8-17-2026 [\[47\]](#)

NICHOLAS DESTFINO/MV
PETER MACALUSO/ATTY. FOR DBT.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 35 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 3015-1(d)(2). The chapter 13 trustee ("Trustee") timely filed non-opposition to this motion. See Non-Opp'n, Doc. #59. The failure of creditors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. 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 Boone v. Derham-Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917-18 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

This motion is GRANTED. The confirmation order shall include the docket control number of the motion, and it shall reference the plan by the date it was filed.

26. [26-11484](#)-A-7 **IN RE: SUZANNE JOSEFOWSKI**
[PKK-1](#)

MOTION TO DISMISS CASE
8-11-2026 [\[145\]](#)

ASSOCIATION OF APARTMENT OWNER OF THE COMMODORE/MV
PETER MACALUSO/ATTY. FOR DBT.
STEPHAN BROWN/ATTY. FOR MV.
WITHDRAWN, CASE CONVERTED TO CH. 7 8/13/26

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED.

Movant withdrew the motion to dismiss on August 17, 2026. Doc. #162.

MOTION FOR RELIEF FROM AUTOMATIC STAY
8-7-2026 [\[57\]](#)

TOYOTA LEASE TRUST/MV
MARK WOLFF/ATTY. FOR DBT.
KIRSTEN MARTINEZ/ATTY. FOR MV.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 28 days' notice prior to the hearing date as required by Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. 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 Boone v. Derham-Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917-18 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

The movant, Toyota Lease Trust, as serviced by Toyota Motor Credit Corporation ("Movant"), seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) with respect to a 2023 Mazda CX-50, VIN: 7MMVABCM1PN131884 ("Vehicle") that the debtors leased from Movant. Doc. #57.

11 U.S.C. § 362(d)(1) allows the court to grant relief from the stay for cause, including the lack of adequate protection. "Because there is no clear definition of what constitutes 'cause,' discretionary relief from the stay must be determined on a case by case basis." In re Mac Donald, 755 F.2d 715, 717 (9th Cir. 1985).

After review of the included evidence, the court finds that "cause" exists to lift the stay because the debtors defaulted under the terms of the lease agreement. Decl. of Maria Rocha, Doc. #61. A review of the debtors' confirmed chapter 13 plan shows that the debtors assumed the lease for the Vehicle. Plan, Doc. #3; Order, Doc. #33. The assumed lease reached maturity on March 20, 2026, resulting in the debtors obligation to surrender the Vehicle or pay the balance due of \$20,470.05. Rocha Decl., Doc. #61. The debtors remain in possession of the Vehicle and have not paid the remaining sums due under the assumed lease. Id.

Accordingly, the motion is granted pursuant to 11 U.S.C. § 362(d)(1) to permit Movant to dispose of its collateral pursuant to applicable law and to use the proceeds from its disposition to satisfy its claim. No other relief is awarded.

The 14-day stay of Fed. R. Bankr. P. 4001(a)(4) will be ordered waived because the debtors have defaulted on the obligations of the assumed lease that has reached maturity and the Vehicle is a depreciating asset.

28. [26-12686](#)-A-13 **IN RE: OLGA LLAMAS**
[LGT-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG
7-20-2026 [\[13\]](#)

LILIAN TSANG/MV
ROBERT WILLIAMS/ATTY. FOR DBT.
DISMISSED 8/27/26

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED.

This bankruptcy case was dismissed on August 27, 2026. Doc. #28.

29. [26-13187](#)-A-13 **IN RE: GARY/REBECCA BAINUM**
[KMM-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY GLOBAL LENDING SERVICES LLC
8-27-2026 [\[17\]](#)

GLOBAL LENDING SERVICES LLC/MV
ASHLEY MAJORS/ATTY. FOR DBT.
KIRSTEN MARTINEZ/ATTY. FOR MV.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Overruled as moot.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The court will issue an order after the hearing.

The court is sustaining the chapter 13 trustee's objection to confirmation [\[LGT-1\]](#) in calendar matter #30 below. Therefore, this objection to confirmation of the plan [\[KMM-1\]](#) will be OVERRULED AS MOOT.

30. [26-13187](#)-A-13 **IN RE: GARY/REBECCA BAINUM**
[LGT-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG
8-27-2026 [\[21\]](#)

LILIAN TSANG/MV
ASHLEY MAJORS/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Sustained.

ORDER: The minutes of the hearing will be the court's findings
and conclusions. The court will issue an order after the
hearing.

This objection was filed and served pursuant to Local Rule of Practice ("LBR") 3015-1(c)(4) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and sustain the objection. If opposition is presented at the hearing, the court will consider the opposition and whether a further hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

Gary Neal Bainum and Rebecca Lynn Bainum (together, "Debtors") filed a voluntary petition under chapter 13 along with a chapter 13 plan ("Plan") on July 8, 2026. Doc. ##1, 6. The chapter 13 trustee ("Trustee") objects to confirmation of the Plan because, among other things, the Plan improperly classifies Village Capital and Investment LLC ("Creditor") in both Class 1 and Class 4. Doc. #21. Specifically, Creditor should only be placed in one class under the Plan, not in two different classes. Id.

Since Creditor cannot be placed in both Class 1 and Class 4, the filing of a new chapter 13 plan is required and a motion to confirm that plan filed, noticed, and set for hearing. Because a new plan must be filed to resolve Trustee's objection, the court is inclined to sustain Trustee's objection rather than continue the hearing to allow a response from Debtors addressing all issues raised in Trustee's objection.

Accordingly, the objection to confirmation will be SUSTAINED.

31. [26-13187](#)-A-13 **IN RE: GARY/REBECCA BAINUM**
[NLG-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY VILLAGE CAPITAL & INVESTMENT LLC
8-11-2026 [\[13\]](#)

VILLAGE CAPITAL & INVESTMENT LLC/MV
ASHLEY MAJORS/ATTY. FOR DBT.
NICHOLE GLOWIN/ATTY. FOR MV.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Overruled as moot.

ORDER: The minutes of the hearing will be the court's findings
and conclusions. The court will issue an order after the
hearing.

The court is sustaining the chapter 13 trustee's objection to confirmation
[LGT-1] in calendar matter #30 above. Therefore, this objection to confirmation
of the plan [NLG-1] will be OVERRULED AS MOOT.

32. [25-24289](#)-A-13 **IN RE: THOMAS/ASHLEY GEARHART**
[DPC-2](#)

CONTINUED MOTION TO DISMISS CASE
5-15-2026 [\[32\]](#)

DAVID CUSICK/MV
STEVEN ALPERT/ATTY. FOR DBT.
RESPONSIVE PLEADING

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Continue to November 5, 2026 at 9:30 a.m.

ORDER: The minutes of the hearing will be the court's findings
and conclusions. The court will issue an order after the
hearing.

Because the debtor has filed an amended plan to address the issues raised in
the trustee's motion to dismiss, the trustee's motion to dismiss will be
continued to November 5, 2026 at 9:30 a.m. to be heard with the continued
hearing on the debtor's motion to confirm plan (PLG-1). Doc. ##45-48, 54-56.

33. [25-24289](#)-A-13 **IN RE: THOMAS/ASHLEY GEARHART**
[PLG-1](#)

MOTION TO CONFIRM PLAN
7-29-2026 [\[45\]](#)

ASHLEY GEARHART/MV
STEVEN ALPERT/ATTY. FOR DBT.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to November 5, 2026 at 9:30 a.m.

ORDER: The court will issue an order.

This motion was set for hearing on at least 35 days' notice as required by Local Rule of Practice 3015-1(d)(1). The chapter 13 trustee ("Trustee") filed an opposition to the debtors' motion to modify the chapter 13 plan because (1) the proposed plan payment causes the plan to take more than 60 months to fund, (2) the plan fails to specify a cure of the post-petition arrearage of Planet Home Lending LLC, and (3) the plan omits the tax refund provision included in the Order Confirming Plan filed on April 1, 2026. Tr.'s Opp'n, Doc. #61.

Unless this case is voluntarily converted to chapter 7, dismissed, or Trustee's opposition to confirmation is withdrawn, the debtors shall file and serve a written response no later than October 22, 2026. The response shall specifically address each issue raised in the objection to confirmation, state whether the issue is disputed or undisputed, and include admissible evidence to support the debtors' position. Trustee shall file and serve a reply, if any, by October 29, 2026.

If the debtors elect to withdraw this plan and file a modified plan in lieu of filing a response, then a confirmable modified plan shall be filed, served, and set for hearing, not later than October 29, 2026. If the debtors do not timely file a modified plan or a written response, this motion will be denied on the grounds stated in Trustee's opposition without a further hearing.

34. [25-25890](#)-A-13 **IN RE: DONALD CLEVELAND**
[SW-6](#)

AMENDED MOTION TO CONFIRM PLAN
8-5-2026 [\[135\]](#)

DONALD CLEVELAND/MV
JAMES SHEPHERD/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion was set for hearing on at least 35 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 3015-1(d)(1). The

failure of creditors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. 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 Boone v. Derham-Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917-18 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

This motion is GRANTED. The confirmation order shall include the docket control number of the motion, and it shall reference the plan by the date it was filed.

35. [26-13195](#)-A-13 **IN RE: RICHARD ROSSNER**
[LGT-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG
8-31-2026 [27]

LILIAN TSANG/MV
MARK ZIMMERMAN/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Sustained.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The court will issue an order after the hearing.

This objection was filed and served pursuant to Local Rule of Practice ("LBR") 3015-1(c)(4) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and sustain the objection. If opposition is presented at the hearing, the court will consider the opposition and whether a further hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

Richard Edward Rossner Jr. ("Debtor") filed a voluntary petition under chapter 13 along with a chapter 13 plan ("Plan") on July 8, 2026. Doc. ##1, 3. The chapter 13 trustee ("Trustee") objects to confirmation of the Plan because, among other things, the Plan improperly classifies JPMorgan Chase Bank, N.A. ("Creditor"). Doc. #27. Specifically, the Plan places Creditor in Class 4, which is for claims paid directly by Debtor or third party that matures after the completion of the Plan, are not in default, and are not modified by the Plan. Plan, Doc. #3. According to Creditor's proof of claim, Creditor lists pre-petition arrears in the amount of \$600.00. Doc. #27; Claim 8. Additionally, the expected payoff date for Creditor's loan agreement is March 19, 2028, which matures during the pendency of this case. *Id.* Since Creditor cannot be placed in Class 4 because its loan matures during the case and if there was pre-petition arrears, Creditor must be placed in a different class, which requires the filing of a new chapter 13 plan and a motion to confirm that plan filed, noticed, and set for hearing, which Debtor concedes. Doc. #32.

Accordingly, the objection to confirmation will be SUSTAINED.

36. [26-13399](#)-A-13 **IN RE: AMANDA KONG**

ORDER TO SHOW CAUSE - FAILURE TO PAY FEES
8-26-2026 [\[35\]](#)

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: The minutes of the hearing will be the court's findings
and conclusions.

ORDER: The court will issue an order.

This matter will proceed as scheduled. If the fees due at the time of the hearing have not been paid prior to the hearing, the case will be dismissed on the grounds stated in the order to show cause.

If the installment fees due at the time of hearing are paid before the hearing, the order permitting the payment of filing fees in installments will be modified to provide that if future installments are not received by the due date, the case will be dismissed without further notice or hearing.

1. [25-11324](#)-A-7 **IN RE: VANESSA BRICENO**
[25-1043](#)

MOTION FOR SANCTIONS, MOTION FOR COST-SHIFTING RE: REPEATED VIOLATIONS
8-11-2026 [[135](#)]

CHAVEZ V. BRICENO ET AL
DISMISSED 8/13/26; ORDER VACATING MOTION ECF ORDER #147

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED.

The court entered an order on August 13, 2026 vacating the hearing on this motion for sanctions. Doc. #147.

2. [24-12027](#)-A-7 **IN RE: JESUS DOMINE GARCIA AND INDALECIA MALDONADO**
[26-1006](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
2-10-2026 [[1](#)]

EDMONDS V. MALDONADO ET AL
PETER SAUER/ATTY. FOR PL.

NO RULING.

3. [26-12233](#)-A-7 **IN RE: TRISHA MILLER**
[26-1044](#) [CAE-1](#)

STATUS CONFERENCE RE: COMPLAINT
7-28-2026 [[1](#)]

MILLER V. UNITED STATES DEPARTMENT OF EDUCATION
ANTHONY ROTHMAN/ATTY. FOR PL.

NO RULING.

4. [19-14937](#)-A-13 **IN RE: THIEN AN BANH**
[26-1024](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
5-12-2026 [\[1\]](#)

BANH V. BANK OF AMERICA, N.A.
LARS FULLER/ATTY. FOR PL.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Continued November 5, 2026 at 11:00 a.m.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The court will issue an order after the hearing.

Because the court is partially granting the plaintiff's motion for default judgment as to the defendant (see matter #5 below), the status conference will be continued to November 5, 2026 at 11:00 a.m. to allow the plaintiff time to submit the order required by that ruling. If a default judgment has not been entered as to the defendant by October 29, 2026, the plaintiff shall file a status report explaining the delay.

5. [19-14937](#)-A-13 **IN RE: THIEN AN BANH**
[26-1024](#) [LTF-4](#)

MOTION FOR ENTRY OF DEFAULT JUDGMENT
8-24-2026 [\[16\]](#)

BANH V. BANK OF AMERICA, N.A.
LARS FULLER/ATTY. FOR MV.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted in part.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after the hearing.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of the defendant to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Therefore, the default of the defendant is entered. Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here in part. This matter will proceed as scheduled.

Thien An Nhu Banh ("Plaintiff") commenced this adversary proceeding by filing a complaint on May 12, 2026 ("Complaint"). Doc. #1. By the Complaint, Plaintiff seeks to avoid the post-petition recording of abstracts of two pre-petition judgments by defendant Bank of America ("Defendant"). Doc. #1.

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Relevant Facts

Plaintiff filed a voluntary chapter 13 bankruptcy petition on November 26, 2019. Case No. 19-14937, Doc. #1. Pre-petition, Defendant obtained two judgments against Plaintiff on April 19, 2019. Case No. 19-14937, Ex. 2, Doc. #56. One judgment was in the amount of \$9,999.20 and the other judgment was in the amount of \$11,089.46. Id. On November 27, 2019, the day after Plaintiff filed his bankruptcy petition, Defendant recorded two abstracts of judgment in Merced County, one for each of the judgments issued on April 19, 2019, as document number 2019040283 and document number 2019040284, respectively (together, "Abstract Liens"). Id.; Decl. of Lars T. Fuller, Doc. #18.

Plaintiff believes Defendant's filing of the Abstract Liens constituted a violation of the automatic stay that arose upon commencement of Plaintiff's bankruptcy case on November 26, 2019. Compl., Doc. #1. Defendant did not obtain relief from the automatic stay before recording the two Abstract Liens. Fuller Decl., Doc. #18. Plaintiff filed this adversary proceeding to request an order declaring the Abstract Liens void and directing the Defendant to take all necessary steps to remove the lien from public records. Id.

A summons was issued on May 13, 2026 and served on Defendant on May 15, 2026. Doc. ##3, 6. Defendant failed to respond to the Complaint. On July 29, 2026, Plaintiff filed a request for entry of default as to Defendant (Doc. #12), and, on August 3, 2026, the United States Bankruptcy Court Clerk entered the default of Defendant. Doc. #13.

Plaintiff moves to enter default judgment against Defendant voiding the post-petition recording of the pre-petition Abstract Liens recorded by Defendant and awarding \$8,264.48 in attorneys' fees and costs. Doc. #16. Defendant has not responded to this motion.

Applicable Law

Federal Rule of Civil Procedure 55, made applicable to this adversary proceeding by Federal Rule of Bankruptcy Procedure 7055, "gives the court considerable leeway as to what it may require as a prerequisite to the entry of a default judgment." Televideo Sys. V. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). "The general rule of law is that upon default the factual allegations of the complaint, except those relating to the amount of damages, will be taken as true." Geddes v. United Fin. Grp., 559 F.2d 557, 560 (9th Cir. 1977). Factors which may be considered by the court in exercising discretion as to the entry of default judgment include: (1) the possibility of prejudice to the plaintiff; (2) the merits of the plaintiff's substantive claim; (3) the sufficiency of the complaint; (4) the sum of money at stake in the action; (5) the possibility of a dispute concerning material facts; (6) whether the default was due to excusable neglect; and (7) the strong policy underlying the Federal Rules of Civil Procedure favoring decisions on the merits. Eitel v. McCool, 782 F.2d 1470, 1471-72 (9th Cir. 1986).

Actions taken in violation of the automatic stay are void. In re Schwartz, 954 F.2d 569, 571 (9th Cir. 1992).

To recover actual damages under 11 U.S.C. § 362(k), the debtor must allege and prove that the stay violation was willful, specifically that the defendants knew of the automatic stay and their actions in violation of the stay were intentional. Albert-Sheridan v. State Bar (In re Albert-Sheridan), 658 B.R. 516, 534 (B.A.P. 9th Cir. 2024).

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Legal Analysis

Plaintiffs assert Defendant's recordation of the Abstract Liens reflects a violation of the automatic stay and should be voided. Doc. #16; Fuller Decl., Doc. #18. On November 17, 2025, Plaintiff's counsel sent correspondence to Defendant's counsel Nelson & Kennard ("Defendant's Counsel") requesting that the two Abstract Liens be removed but received no response. Id. On January 15, 2026, Plaintiff's counsel made two telephone calls to Defendant's Counsel concerning removal of the Abstract Liens. Id. During those calls, Plaintiff's counsel spoke with an employee of Defendant's Counsel referred to as "Ms. Castillo", who was unable to locate available counsel but provided an email address for "Ms. Gloria Zarco, Esq." Id. On January 15, 2026, Plaintiff's Counsel sent an email to Ms. Zarco requesting that the two Abstract Liens be removed. Id. No response was received. Id.

Plaintiff is entitled to a judgment determining that the pre-petition recordation of the Abstract Liens in favor of Defendant is void. The merits of Plaintiff's claim, the sufficiency of the Complaint, and the lack of the possibility of disputes concerning material facts favor entering default judgment. The court finds that entry of default judgment is appropriate in this case against Defendant.

With respect to Plaintiff's request for attorneys' fees and costs related to the violation of the automatic stay, the court notes that Plaintiff has a pending motion for sanctions for violation of the automatic stay and discharge injunction that is pending in Plaintiff's bankruptcy case ("Sanctions Motion"). Case No. 19-14937, Doc. #51. The court declines to rule on the reasonableness of the requested attorneys' fees and costs with respect to this adversary proceeding without prejudice to Plaintiff seeking to recover such fees and costs with respect to the pending Sanctions Motion.

Conclusion

For the foregoing reasons, the court grants entry of default judgment against Defendant. Judgment shall be entered voiding the post-petition recordation of the Abstract Liens and declaring the Abstract Liens to have no legal effect. The judgment shall also order Defendant to execute and record all documents necessary to release and remove the Abstract Liens from the public records. To the extent Plaintiff requests attorneys' fees, this court denies that request without prejudice to Plaintiff seeking such fees as part of Plaintiff's motion for violation of the automatic stay and discharge injunction currently pending in Plaintiff's bankruptcy case.

6. [26-12040](#)-A-7 **IN RE: JARED/SARA RAY**
[26-1040](#) [CAE-1](#)

STATUS CONFERENCE RE: COMPLAINT
7-14-2026 [[1](#)]

RAY V. UNITED STATES DEPARTMENT OF EDUCATION
ANTHONY ROTHMAN/ATTY. FOR PL.

NO RULING.

7. [26-13246](#)-A-7 **IN RE: THOMAS CAZNEAU**
[26-1041](#) [CAE-1](#)

STATUS CONFERENCE RE: COMPLAINT
7-21-2026 [[1](#)]

CAZNEAU V. U.S. DEPARTMENT OF EDUCATION ET AL

NO RULING.

8. [26-12946](#)-A-7 **IN RE: JENNIFER LOPEZ**
[26-1045](#) [CAE-1](#)

STATUS CONFERENCE RE: COMPLAINT
7-29-2026 [[1](#)]

LOPEZ V. UNITED STATES DEPARTMENT OF EDUCATION
ANTHONY ROTHMAN/ATTY. FOR PL.

NO RULING.

9. [24-22876](#)-A-7 **IN RE: JARED/ERIN CULLOP**
[26-2065](#) [CAE-2](#)

ORDER TO SHOW CAUSE
9-2-2026 [[28](#)]

BIRNBERG V. CONTINUANT, INC.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: The order to show cause will be vacated.

ORDER: The court will issue an order.

The record shows that the missing corporate disclosure statement was filed on September 15,2026. Doc. #40. Therefore, this order to show cause is VACATED.

10. [24-12679](#)-A-7 **IN RE: MOHAMAD/NEDAA SULIEMAN**
[26-1019](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
5-11-2026 [[1](#)]

EDMONDS V. AMERICAN EXPRESS BUSINESS
ANTHONY JOHNSTON/ATTY. FOR PL.

NO RULING.

11. [24-12679](#)-A-7 **IN RE: MOHAMAD/NEDAA SULIEMAN**
[26-1022](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
5-11-2026 [[1](#)]

EDMONDS V. JP MORGAN CHASE BANK, N.A.
ANTHONY JOHNSTON/ATTY. FOR PL.

NO RULING.

12. [22-21094](#)-A-7 **IN RE: DE ANA/THOMAS PAGE**
[26-2028](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
4-6-2026 [[1](#)]

BAKKEN V. PAGE ET AL
GABRIEL HERRERA/ATTY. FOR PL.

NO RULING.

At the adversary proceeding status conference, the parties should be prepared to explain to the court why the parties have not filed and served either a joint or unilateral status report(s) by September 17, 2026 as required by the court's order entered on July 31, 2026 (Doc. #14).