



UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Corrine Bielejeski
Bankruptcy Judge
Department D, Courtroom #33
Sacramento, CA

September 25, 2026 at 1:30 p.m.

Unless otherwise ordered, all matters before the Honorable Corrine Bielejeski shall be simultaneously: (1) **In Person** at Courtroom #33, 6th Floor, (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.

Unauthorized Recording is Prohibited: Any recording of a court proceeding held by video or teleconference, including "screen shots" or other audio or visual copying of a hearing is prohibited. Violation may result in sanctions, including removal of court-issued media credentials, denial of entry to future hearings, or any other sanctions deemed necessary by the court. For more information on photographing, recording, or broadcasting Judicial Proceedings, please refer to Local Rule 173(a) of the United States District Court for the Eastern District of California.

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.

Post-Publication Changes: 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 any possible updates.

1. [26-24806](#)-D-7 IN RE: ERIKA/DUSTIN ORTEGA

ORDER TO SHOW CAUSE - FAILURE TO PAY FEES
9-4-2026 [\[16\]](#)

RICHARD HALL/ATTY. FOR DBT.

Final Ruling. Fee paid on 9/10/26. This matter is resolved without oral argument. No appearances required. Removed from calendar. The court will issue an order.

2. [24-24120](#)-D-7 IN RE: KRISTINA FLUETSCH
[JCW-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
8-17-2026 [\[279\]](#)

JENNIFER WONG/ATTY. FOR MV.
FORD MOTOR CREDIT COMPANY LLC VS.

Final Ruling. Notice of Motion required opposition at least 14 days before hearing. No opposition was filed. This motion will be GRANTED without a hearing. No appearances required. Removed from calendar. Moving party to submit an order.

The court reminds counsel for the moving party that each motion requires a separate Docket Control Number. Counsel previously used DCN JCW-1 on behalf of another creditor in this case when filing docket #34. The previous motion for relief filed by this creditor, with this attorney, used DCN JCW-2. Doc. #155, withdrawn by Doc. #179. The court could, but chooses not to, deny this motion for failure to follow Local Rule of Practice ("LBR") 9014-1(c). Future lapses may be met with denial of the underlying motion.

This motion was set for hearing on 28 days' notice as required by 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. 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 Systems, Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a movant make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

The movant, Ford Motor Credit Company, LLC ("Movant"), seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) and (d)(2) with respect to the 2022 Ford F150 SuperCrew Cab Platinum Pickup 4D 5 1/2 ft VIN: 1FTFW1E89NFA95708 ("Vehicle"). Doc. #279.

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 have failed to make at least thirteen payments. Movant has produced evidence that the debtor is delinquent by at least \$13,170.84, including late fees of \$548.80. Doc. #283.

The court also finds that the debtor does not have any equity in the Vehicle and the Vehicle is not necessary to an effective reorganization because the debtor is in a chapter 7. Doc. #279. The Vehicle is valued at \$42,211.00 and the debtors owe \$49,574.95. Id.

In addition, Debtor already received her discharge, so there is no automatic stay in place as to her. Doc. #199. The chapter 7 trustee filed a notice of non-opposition on August 20, 2026. No docket number - falls between Doc. ##295 and 296.

Accordingly, the motion will be granted pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) 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 there is no stay as to the debtor, the trustee does not object, and the Debtor has not disputed that she is behind on more than a year's payments.

Moving party to submit an order.

3. [25-24250](#)-D-7 **IN RE: PRISCILLA LINKER**
[BM-2](#)

MOTION FOR ADMINISTRATIVE EXPENSES
9-3-2026 [\[73\]](#)

COLBY LAVELLE/ATTY. FOR DBT.
RENO FERNANDEZ/ATTY. FOR MV.

Tentative Ruling. Notice of hearing allowed opposition at the hearing. Subject to opposition at the hearing, the motion will be GRANTED. Remote appearances allowed.

This motion was filed and served pursuant to Local Rule of Practice ("LBR") 9014-1(f)(2) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and grant the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is necessary.

Kimberly J. Husted ("Trustee"), the chapter 7 trustee of the bankruptcy estate of Priscilla Judith Linker, requests allowance of various federal and state tax claims, increased to 200% of the estimated amount of those claims, as well as the authority to pay those claims. The claims relate to the parties' stipulation, approved by the court on April 3, 2026, as docket #47. Originally the tax debts were to be withheld from the settlement payments, but that has proved untenable.

As Trustee's accountant states, the estimated amounts of these debts are \$10,500 in federal income taxes and \$4,000 in state income taxes, subject to change based on "unanticipated income." Decl. Michael Gabrielson, Doc. #76. The Trustee's motion also asks for allowance of any FICA, SDI, or other payroll taxes that come due, although neither she nor Mr. Gabrielson have provided an estimate of those.

11 U.S.C. §503(b)(1)(B)(i) states that, after notice and a hearing, administrative expenses shall be allowed for "any tax incurred by the estate." The Trustee's request falls squarely within that Code provision. In addition, the parties' stipulation approved by the court expressly requires the trustee to pay these taxes. Doc. #47.

Subject to opposition at the hearing, the court will GRANT the Trustee's motion. Moving party to submit an order.

4. [25-22551](#)-D-7 **IN RE: YOUNGSOON CHOI**
[KJH-2](#)

MOTION FOR COMPENSATION FOR MICHAEL GABRIELSON,
ACCOUNTANT(S)
8-24-2026 [[307](#)]

CINDY HILL/ATTY. FOR DBT.

Final Ruling. Notice of Motion required opposition at least 14 days before hearing. No opposition was filed. This motion will be GRANTED without a hearing. No appearances required.

This motion was set for hearing on at least 28 days' notice pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The chapter 7 trustee filed a statement of no opposition. Doc. #311. 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 *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 (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.

Michael Gabrielson ("Movant"), accountant for chapter 7 trustee Kimberly J. Husted ("Trustee"), requests allowance of first and final compensation for professional fees and expenses incurred from October 1, 2025 through August 19, 2026. Doc. #307. A total of \$3,684.50 in fees and \$117.52 in expenses were incurred during this period. *Id.*

11 U.S.C. §330(a)(1) authorizes "reasonable compensation for actual, necessary services rendered" and "reimbursement for actual, necessary expenses" to a "professional person." In determining the amount of reasonable compensation to be awarded, 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).

Movant's services included evaluating the tax impact of selling various real property rental assets, preparing federal and state estate income tax returns for the 2025 tax year and the final short year ending July 31, 2026, and preparing the instant application. Doc. #307. The court finds the fees and costs are reasonable, actual, and necessary.

This motion is GRANTED on a final basis. The court allows compensation in the amount of \$3,684.50 in fees and \$117.52 in expenses. Trustee is authorized to make a combined payment of \$3,802.02, representing compensation and reimbursement, to Movant. Trustee is authorized to pay the amount allowed by this order from available funds only if the estate is administratively solvent and such payment is consistent with the priorities of the Bankruptcy Code.

5. [26-24758](#)-D-7 **IN RE: DESTIN/NIKOLAS JONES**

ORDER TO SHOW CAUSE - FAILURE TO PAY FEES
9-3-2026 [\[12\]](#)

GARY FRALEY/ATTY. FOR DBT.

Final Ruling. Fee paid on 9/8/26. This matter is resolved without oral argument. No appearances required. Removed from calendar. The court will issue an order.

6. [25-26199](#)-D-7 **IN RE: LINDSEY WILLSON**
[MOH-2](#)

MOTION FOR CLARIFICATION REGARDING PENDING DEPOSITION
9-9-2026 [\[128\]](#)

MICHAEL HAYS/ATTY. FOR DBT

Tentative Ruling. This matter will go forward as scheduled. Notice of hearing allowed opposition at the hearing. Remote appearances are allowed.

Debtor's Attorney requests the court clarify its order granting a 2004 examination.

The civil minutes (Doc. #123) filed after the hearing state as follows:

For the reasons stated on the record, the motion for examination and for production of documents was granted.

The moving party shall submit a proposed order. The form of the order to be approved by Michael O'Dowd Hays.

Attorney Patricia Wilson, representing Christopher E. Willson, prepared the order, which Michael O. Hays, representing Lindsey Willson, signed. Judge Jennifer E. Niemann signed the order on August 18, 2026, and it was docketed the same day as docket #125.

Debtor's Attorney's motion for clarification was filed on or about September 9, 2026 as docket #128. Counsel appears to want to incorporate either the court's tentative ruling or an unsigned stipulation into the terms of the order.

As to the tentative ruling - the court's tentative rulings are just that - tentative and subject to change during the hearing after both parties are given time to argue their points. In this matter, Judge Niemann had issued a tentative ruling denying the motion, but was persuaded during oral argument to grant the motion. Unless a tentative ruling is referenced in some way in the civil minutes, it no longer applies. Here, as stated above, there was no reference to the tentative ruling in her civil minutes.

As to the incorporation of a stipulation, nothing in the short order submitted by both parties' attorneys and signed by Judge Niemann references a stipulation. Doc. #125.

Movant fails to cite any code section, rule, or case in support of his motion. Doc. ##128, 129. Responding party, through counsel, suggests that the appropriate Federal Rule of Bankruptcy Procedure ("FRBP") is Rule 9023. Doc. #137. FRBP 9023(b) states that a motion "for a new trial or to alter or amend a judgment must be filed within 14 days after the judgment is entered." Responding party argues that the 14 day period has passed, therefore the court must deny Movant's request. Doc. #137.

In addition to the merits of the motion, the parties should be prepared to discuss whether FRBP 9023 is the appropriate rule governing this motion and, if so, whether the motion is timely.

The court also notes that it is retaining jurisdiction over this case, without prejudice to a future transfer. Doc. #142. This motion will be heard as originally noticed.

7. [25-20564](#)-D-7 **IN RE: DONALD/ANGELA TINSLEY**
[KMT-7](#)

MOTION TO APPROVE STIPULATION REGARDING FINAL DISBURSEMENT
AMOUNTS O.S.T.
9-11-2026 [\[217\]](#)

GABRIEL HERRERA/ATTY. FOR MV.

Tentative Ruling. Subject to opposition, the motion will be GRANTED. Remote appearances are allowed.

On September 16, 2026, the court granted the movant's motion for order shortening time to hear this motion to approve stipulation. Doc. #226. This motion is not to litigate any of the real estate issues previously ruled on by the bankruptcy court or the appeals court. Instead, it asks the court to approve the deduction of certain tax refunds received by the Debtors from the payment they would otherwise receive from the sale of their property. Doc. #217.

This motion was set for hearing on September 25, 2026 at 1:30 p.m. pursuant to Local Rule of Practice ("LBR") 9014-1(f)(3). Subject to confirmation that the motion was served properly pursuant to the order shortening time and unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and grant the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is necessary.

The original settlement provided for sale of a property. The parties' current stipulation (Doc. #220) provides in relevant part:

The net proceeds from the sale, after payment of U.S. Bank, are \$275,766.35. Under the terms of the Trustee's agreement with the Debtors, \$179,248.13 is apportioned to the Debtors and the remaining balance is apportioned to the estate. Post-petition, the Debtors received tax refund checks for 2022 and 2023 in the amount of \$6,764.64 which the Debtors have disclosed that they spent. The Debtors have agreed to have that amount deducted from their portion of the net sale proceeds from the sale of the Subject Property.

As grounds for shortening time and granting the stipulation, the parties note that Debtors are facing eviction and "in dire need" of the funds. *Id.*

Approval of a compromise must be based upon considerations of fairness and equity. *Martin v. Kane (In re A & C Props.)*, 784 F.2d 1377, 1381 (9th Cir. 1986). The court must consider and balance four factors: (1) the probability of success in the litigation; (2) the difficulties, if any, to be encountered in the matter of collection; (3) the complexity of the litigation involved, and the expense, inconvenience, and delay necessarily attending it; and (4) the paramount interest of creditors with a proper deference to their reasonable views. *Woodson v. Fireman's Fund Ins. Co. (In re Woodson)*, 839 F.2d 610, 620 (9th Cir. 1988).

The court agrees with the Trustee's analysis of the *Woodson* factors, particularly the inconvenience, expense, and undue delay involved in litigating a separate turnover action. Doc. 217.

Subject to opposition, the court will GRANT the trustee's motion to approve the stipulation. Moving party to submit an order.