

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

Honorable Christopher D. Jaime  
Robert T. Matsui U.S. Courthouse  
501 I Street, Sixth Floor  
Sacramento, California

**PRE-HEARING DISPOSITIONS COVER SHEET**

**DAY: TUESDAY**

**DATE: October 1, 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  
Sacramento, California

**October 1, 2024 at 1:00 p.m.**

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1. [24-22501](#)-B-13 DULCY KELLY MOTION TO DISMISS CASE  
[CRH](#)-1 Pro Se 9-12-24 [[31](#)]

CONTINUED TO 10/29/24 AT 1:00 P.M. AT SACRAMENTO COURTROOM TO BE HEARD WITH THE CHAPTER 13 TRUSTEE'S MOTION TO DISMISS CASE.

**Final Ruling**

No appearance at the October 1, 2024, hearing is required. The court will issue an order.

2. [20-21602](#)-B-13 JOSE/LETICIA GONZALEZ MOTION TO MODIFY PLAN  
[GSJ](#)-7 Grace S. Johnson 8-8-24 [[156](#)]

**Final Ruling**

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(2), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 3015(g). 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 permit the requested modification and confirm the modified plan.

11 U.S.C. § 1329 permits a debtor to modify a plan after confirmation. The Debtors have filed evidence in support of confirmation. No opposition to the motion was filed by the Chapter 13 Trustee or creditors. The modified plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329, and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

The court will issue an order.

3. [22-22237](#)-B-13 CAROLYN VALDEZ  
[MKM](#)-3 Michael K. Moore

MOTION TO MODIFY PLAN  
8-21-24 [[47](#)]

### **Final Ruling**

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(2), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 3015(g). 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 permit the requested modification and confirm the modified plan.

11 U.S.C. § 1329 permits a debtor to modify a plan after confirmation. The Debtor has filed evidence in support of confirmation. No opposition to the motion was filed by the Chapter 13 Trustee or creditors. The modified plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329, and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

The court will issue an order.

4. [24-21946](#)-B-13 DANA BUCKINGHAM  
[TMO](#)-1 T. Mark O'Toole

MOTION TO CONFIRM PLAN  
8-26-24 [[32](#)]

**Final Ruling**

The Debtor having filed a notice of withdrawal for the pending motion, the withdrawal being consistent with any opposition filed to the motion, the court interpreting the notice of withdrawal to be an ex parte motion pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) and Fed. R. Bankr. P. 9014 and 7014 for the court to dismiss without prejudice the motion, and good cause appearing, the motion is dismissed without prejudice.

5. [24-23051](#)-B-13 JOHN KEIFER  
[JCW](#)-1 Pro Se

MOTION FOR RELIEF FROM  
AUTOMATIC STAY AND/OR MOTION  
FOR RELIEF FROM CO-DEBTOR STAY  
8-28-24 [[17](#)]

CITIBANK, N.A. VS.

### **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 grant the motion for relief from automatic stay.

Citibank, N.A., as Trustee for CWABS, Inc., Asset-Backed Certificates, Series 2007-QH1, its assignees and/or successors, by and through its servicing agent Nationstar Mortgage LLC ("Movant") seeks relief from the automatic stay with respect to real property commonly known as 11125 Nygaard Lane, Wilton, California (the "Property"). Movant has provided the Declaration of Chastity Wilson to introduce into evidence the documents upon which it bases the claim and the obligation secured by the Property.

Movant states that there are approximately 207 pre-petition payments in default totaling \$1,036,315.96. Additionally, there is 1 post-petition payment in default totaling \$5,849.89.

From the evidence provided to the court, and only for purposes of this motion, the total debt secured by this Property is determined to be \$1,643,725.84 as stated in Movant's papers. The value of the Property is determined to be \$800,000.00 as stated in Schedules A/B filed by debtor John Keifer ("Debtor").

### **Discussion**

The court maintains the right to grant relief from stay for cause when a debtor has not been diligent in carrying out his or her duties in the bankruptcy case, has not made required payments, or is using bankruptcy as a means to delay payment or foreclosure. *In re Harlan*, 783 F.2d 839 (B.A.P. 9th Cir. 1986); *In re Ellis*, 60 B.R. 432 (B.A.P. 9th Cir. 1985). The court determines that cause exists for terminating the automatic stay, including defaults in post-petition payments which have come due. 11 U.S.C. § 362(d)(1); *In re Ellis*, 60 B.R. 432 (B.A.P. 9th Cir. 1985).

Additionally, once a movant under 11 U.S.C. § 362(d)(2) establishes that a debtor or estate has no equity, it is the burden of the debtor or trustee to establish that the collateral at issue is necessary to an effective reorganization. *United Savings Ass'n of Texas v. Timbers of Inwood Forest Associates. Ltd.*, 484 U.S. 365, 375-76 (1988); 11 U.S.C. § 362(g)(2). Based upon the evidence submitted, it appears that there is no equity in the Property. Moreover, the Debtor has failed to establish that the Property is necessary to an effective reorganization. *First Yorkshire Holdings, Inc. v. Pacifica L 22, LLC (In re First Yorkshire Holdings, Inc.)*, 470 B.R. 864, 870 (Bankr. 9th Cir. 2012).

Finally, the court will grant prospective relief under § 362(d)(4). *See Benzeen, Inc. v. JP Morgan Chase Bank (In re Benzeen, Inc.)*, 2018 WL 6627275 at \*4 (9th Cir. BAP Dec. 18, 2018) (noting that request for § 362(d)(4) relief survives dismissal and foreclosure); *Azkam v. U.S. Bank N.A.*, 2020 WL 1700028 at \*3 (E.D. Cal. April 8, 2020) ("An order granting relief under [§ 362(d)(4)] may survive the dismissal of the bankruptcy in some cases."). An order entered under § 362(d)(4) is binding in any other bankruptcy case purporting to affect such real property filed not later than two years after the date of entry of the order.

To obtain relief under § 362(d)(4), Movant must show and the court must affirmatively

**October 1, 2024 at 1:00 p.m.**

**Page 5 of 12**

find the following three elements: (1) the Debtor's bankruptcy filing must have been part of a scheme; (2) the object of the scheme must have been to delay, hinder, or defraud creditors, and (3) the scheme must have involved either the transfer of some interest in the real property without the secured creditor's consent or court approval, or multiple bankruptcy filings affecting the property. *First Yorkshire Holdings, Inc. v. Pacifica L 22, LLC (In re First Yorkshire Holdings, Inc.)*, 470 B.R. 864, 870 (B.A.P. 9th Cir. 2012).

A scheme is an intentional construct - it does not happen by misadventure or negligence. *In re Duncan & Forbes Dev., Inc.*, 368 B.R. 27, 32 (Bankr. C.D. Cal. 2007). A § 362(d)(4)(A) scheme is an "intentional artful plot or plan to delay, hinder or defraud creditors." *Id.* It is not common to have direct evidence of an artful plot or plan to deceive others; the court must infer the existence and contents of a scheme from circumstantial evidence. *Id.* Movant must present evidence sufficient for the trier of fact to infer the existence and content of the scheme. *Id.* See *Jimenez v. ARCPE 1, LLP (In re Jimenez)*, 613 B.R. 537, 545 (B.A.P. 9th Cir. 2020).

Section 362(d)(4) "does not require that it be the debtor who has created the scheme or carried it out, or even that the debtor be a party to the scheme at all." *Duncan & Forbes*, 368 B.R. at 32. "The language of § 362(d)(4) is likewise devoid of any requirement of a finding of bad faith by the Debtor." *In re Dorsey*, 476 B.R. 261, 267 (Bankr. C.D. Cal. 2012).

Although this is the Debtor's second bankruptcy, it appears that Debtor's non-filing spouse filed bankruptcy herself and separately a total of five times. See case nos. 19-23050, 19-23831, 21-23191, 22-20966, and 23-22870. Thus, a total of seven bankruptcies have affected this Property and have prevented Movant from foreclosing on the Property. In each of these prior six bankruptcies, the case was dismissed for failure to timely file documents. This indicates that the debtors did not file their bankruptcies in good faith, but rather was part of a scheme to hinder, delay, or defraud Movant from foreclosing on the Property.

The court shall issue an order terminating and vacating the automatic stay to allow Movant, and its agents, representatives and successors, and all other creditors having lien rights against the Property, to conduct a nonjudicial foreclosure sale pursuant to applicable nonbankruptcy law and their contractual rights, and for any purchaser, or successor to a purchaser, at the nonjudicial foreclosure sale to obtain possession of the Property.

This order shall be binding in any other case purporting to affect the Property filed not later than 2 years after the date of the entry of such order by the court, except that a debtor in a subsequent case under this title may move for relief from such order based upon changed circumstances or for good cause shown, after notice and a hearing.

The request for relief from stay as to non-filing co-debtor Linda D. Keifer, who is liable on such debt with the Debtor, shall be granted pursuant to 11 U.S.C. § 1301(c).

Since no objection has been made by the Debtor, the 14-day stay of enforcement under Rule 4001(a)(3) is waived.

No other or additional relief is granted by the court.

The motion is ORDERED GRANTED for reasons stated in the minutes.

The court will issue an order.

6. [24-21784](#)-B-13 DARREN/CHRISTINA JONES OBJECTION TO CLAIM OF LVNV  
[CRG-1](#) Carl R. Gustafson FUNDING, LLC, CLAIM NUMBER 3  
**Thru #8** 8-8-24 [[19](#)]

**Final Ruling**

The objection has been set for hearing on at least 44 days' notice to the claimant as required by Local Bankruptcy Rule 3007-1(b)(1). The failure of the claimant 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 sustain the objection to Claim No. 3 of LVNV Funding, LLC and disallow the claim in its entirety.

Debtors request that the court disallow the claim of LVNV Funding, LLC ("Creditor"), Claim No. 3. The claim is asserted to be in the amount of \$716.66. Debtors assert that the claim should be disallowed because the statute of limitations has run pursuant to California Code of Civil Procedure § 337.

According to the proof of claim, the underlying debt is a contract claim, most likely based on a written contract. California law provides a four-year statute of limitations to file actions for breach of written contracts. See Cal. Civ. Pro. Code § 337. This statute begins to run from the date of the contract's breach. According to the proof of claim, the last payment was received on or about March 11, 2008, which is more than four years prior to the filing of this case. Hence, when the case was filed on April 29, 2024, this debt was time barred under applicable nonbankruptcy law, i.e., Cal. Civ. Pro. Code § 337, and must be disallowed. See 11 U.S.C. § 502(b)(1).

Based on the evidence before the court, the Creditor's claim is disallowed in its entirety.

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

The court will issue an order.

7. [24-21784](#)-B-13 DARREN/CHRISTINA JONES OBJECTION TO CLAIM OF LVNV  
[CRG-2](#) Carl R. Gustafson FUNDING, LLC, CLAIM NUMBER 25  
8-8-24 [[23](#)]

**Final Ruling**

The objection has been set for hearing on at least 44 days' notice to the claimant as required by Local Bankruptcy Rule 3007-1(b)(1). The failure of the claimant 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 sustain the objection to Claim No. 25 of LVNV Funding, LLC and disallow the claim in its entirety.

Debtors request that the court disallow the claim of LVNV Funding, LLC ("Creditor"), Claim No. 25. The claim is asserted to be in the amount of \$501.61. Debtors assert that the claim should be disallowed because the statute of limitations has run pursuant to California Code of Civil Procedure § 337.



According to the proof of claim, the underlying debt is a contract claim, most likely based on a written contract. California law provides a four-year statute of limitations to file actions for breach of written contracts. See Cal. Civ. Pro. Code § 337. This statute begins to run from the date of the contract's breach. According to the proof of claim, the last payment was received on or about December 4, 2007, which is more than four years prior to the filing of this case. Hence, when the case was filed on April 29, 2024, this debt was time barred under applicable nonbankruptcy law, i.e., Cal. Civ. Pro. Code § 337, and must be disallowed. See 11 U.S.C. § 502(b)(1).

Based on the evidence before the court, the Creditor's claim is disallowed in its entirety.

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

The court will issue an order.

8. [24-21784](#)-B-13 DARREN/CHRISTINA JONES OBJECTION TO CLAIM OF LVNV  
[CRG-3](#) Carl R. Gustafson FUNDING, LLC, CLAIM NUMBER 8  
8-8-24 [[27](#)]

### **Final Ruling**

The objection has been set for hearing on at least 44 days' notice to the claimant as required by Local Bankruptcy Rule 3007-1(b)(1). The failure of the claimant 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 sustain the objection to Claim No. 8 of LVNV Funding, LLC and disallow the claim in its entirety.

Debtors request that the court disallow the claim of LVNV Funding, LLC ("Creditor"), Claim No. 8. The claim is asserted to be in the amount of \$872.34. Debtors assert that the claim should be disallowed because the statute of limitations has run pursuant to California Code of Civil Procedure § 337.

According to the proof of claim, the underlying debt is a contract claim, most likely based on a written contract. California law provides a four-year statute of limitations to file actions for breach of written contracts. See Cal. Civ. Pro. Code § 337. This statute begins to run from the date of the contract's breach. According to the proof of claim, the last payment was received on or about March 22, 2003, which is more than four years prior to the filing of this case. Hence, when the case was filed on April 29, 2024, this debt was time barred under applicable nonbankruptcy law, i.e., Cal. Civ. Pro. Code § 337, and must be disallowed. See 11 U.S.C. § 502(b)(1).

Based on the evidence before the court, the Creditor's claim is disallowed in its entirety.

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

The court will issue an order.

9. [24-22684](#)-B-13 ANDREW GILTON  
[RDW](#)-1 Steven A. Alpert

FERRARI FINANCIAL SERVICES  
VS.

MOTION FOR RELIEF FROM  
AUTOMATIC STAY AND/OR MOTION  
FOR ADEQUATE PROTECTION ,  
MOTION FOR RELIEF FROM  
CO-DEBTOR STAY  
9-9-24 [[19](#)]

### **Final Ruling**

The motion has been set for hearing on less than 28-days notice. Local Bankruptcy Rule 9014-1(f)(2). Parties in interest were not required to file a written response or opposition.

The court has determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f). This matter will therefore be decided on the papers.

The court's decision is to **conditionally grant in part and deny in part the motion for relief from automatic stay and continue the matter to October 8, 2024.**

Ferrari Financial Services ("Movant") seeks relief from the automatic stay with respect to an asset identified as a 2023 Ferrari Roma (the "Vehicle"). The moving party has provided the Declaration of Patrick Granger to introduce into evidence the documents upon which it bases the claim and the obligation owed by the Debtor.

The Granger Declaration states that debtor Andre Gilton ("Debtor") has surrendered the Vehicle to Ferrari of Silicon Valley in May 2024. A review of the plan filed June 20, 2024, shows that the Vehicle is listed in Class 3 with the intent to be surrendered.

From the evidence provided to the court, and only for purposes of this motion, the debt secured by this asset is determined to be \$311,498.95, as stated in the Granger Declaration, while the value of the Vehicle is determined to be \$310,350.00 based on Movant's valuation used for purposes of its motion.

### **Discussion**

The court maintains the right to grant relief from stay for cause when a debtor has not been diligent in carrying out his or her duties in the bankruptcy case, has not made required payments, or is using bankruptcy as a means to delay payment or foreclosure. *In re Harlan*, 783 F.2d 839 (B.A.P. 9th Cir. 1986); *In re Ellis*, 60 B.R. 432 (B.A.P. 9th Cir. 1985). The court determines that cause exists for terminating the automatic stay since the Debtor and the estate have not made post-petition payments. 11 U.S.C. § 362(d)(1); *In re Ellis*, 60 B.R. 432 (B.A.P. 9th Cir. 1985).

Additionally, once a movant under 11 U.S.C. § 362(d)(2) establishes that a debtor or estate has no equity, it is the burden of the debtor or trustee to establish that the collateral at issue is necessary to an effective reorganization. *United Savings Ass'n of Texas v. Timbers of Inwood Forest Associates. Ltd.*, 484 U.S. 365, 375-76 (1988); 11 U.S.C. § 362(g)(2). Based upon the evidence submitted, the court determines that there is no equity in the Vehicle for either the Debtor or the Estate. 11 U.S.C. § 362(d)(2). And no opposition or showing having been made by the Debtor or the Trustee, the court determines that the Vehicle is not necessary for any effective reorganization in this Chapter 13 case.

The court shall issue an order terminating and vacating the automatic stay to allow creditor, its agents, representatives and successors, and all other creditors having lien rights against the Vehicle, to repossess, dispose of, or sell the asset pursuant to applicable nonbankruptcy law and their contractual rights, and for any purchaser, or successor to a purchaser, to obtain possession of the asset.

The request for relief from stay as to any non-filing co-debtor, who is liable on such debt with the Debtor, shall be granted pursuant to 11 U.S.C. § 1301(c).

**October 1, 2024 at 1:00 p.m.**

**Page 9 of 12**

**Attorneys' Fees Requested**

Although requested in the motion, Movant has not provided any billing statement showing hourly rate or time spent prosecuting this case to be awarded attorneys' fees in connection with this motion. In any event, Movant is an undersecured creditor. Movant is not awarded any attorneys' fees.

There also being no objections from any party, the 14-day stay of enforcement under Rule 4001(a)(3) is waived.

No other or additional relief is granted by the court.

**Conditional Nature of this Ruling**

Because the motion has been filed, set, and served under Local Bankruptcy Rule 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on Friday, October 4, 2024, to file and serve an opposition or other response to the motion. See Local Bankr. R. 9014-1(f)(2)(C). Any opposition or response shall be served on the Chapter 13 Trustee and the United States trustee by facsimile or email.

If no opposition or response is timely filed and served, the motion will be deemed granted for the reasons stated hereinabove, this ruling will no longer be conditional and will become the court's final decision, and the continued hearing on October 8, 2024, at 1:00 p.m. will be vacated.

If an opposition or response is timely filed and served, the court will hear the motion on October 8, 2024, at 1:00 p.m.

10. [24-22492](#)-B-13 SHANA BRADLEY  
[MAD](#)-1 Peter G. Macaluso

CONTINUED MOTION FOR RELIEF  
FROM AUTOMATIC STAY  
8-5-24 [[33](#)]

STEVEN B. JAQUES, TRUSTEE OF  
THE T&S BLUESTONE TRUST VS.

### **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). Opposition was filed.

The court has determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f). This matter will therefore be decided on the papers.

The court's decision is to deny without prejudice the motion for relief from automatic stay.

Steven B. Jaques, Trustee of the T&S Bluestone Trust ("Movant") seeks relief from the automatic stay with respect to real property commonly known as 5224 East Shippee Lane, Stockton, California (the "Property"). Movant has provided the Declaration of Marc Duxbury to introduce into evidence the documents upon which it bases the claim and the obligation secured by the Property.

The Duxbury Declaration states that there are 26 pre-petition payments in default totaling \$406,354.36. Additionally, there is one post-petition payments in default totaling \$7,305.00.

From the evidence provided to the court, and only for purposes of this motion, the total debt secured by this Property is determined to be \$406,354.36 as stated in the Duxbury Declaration. The value of the Property is determined to be \$700,000.00 as stated in Schedules A filed by debtor Shana Bradley ("Debtor") and as stated in the Duxbury Declaration.

Debtor filed an opposition stating that her amended plan (the confirmation hearing date of which still must be set) provides for Movant in full as a Class 2 claim. Debtor also contends that she has a new job which will allow her to pay Movant in full over the next five years, that there is in excess of \$300,000.00 in equity in the Property, and that cause does not yet exist to lift the automatic stay. The court agrees.

Therefore, the motion for relief from automatic stay is denied without prejudice.

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

The court will issue an order.

11. [24-22459](#)-B-13 JAMIE BRIDGEMAN CONTINUED OBJECTION TO  
[DKF](#)-1 Michael K. Moore CONFIRMATION OF PLAN BY  
**Thru #12** PATRICIA OMALLEY, AS TRUSTEE OF  
THE PATRICIA A. OMALLEY  
SEPARATE PROPERTY TRUST, DATED  
11-19-2010  
7-19-24 [[27](#)]

**Final Ruling**

This matter was continued from September 24, 2024, to allow any party in interest to file a response by 5:00 p.m. Friday, September 27, 2024. Nothing was filed. Therefore, the court's conditional ruling at dkt. 48, sustaining the objection, shall become the court's final decision. The continued hearing on October 1, 2024, at 1:00 p.m. is vacated.

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

The court will issue an order.

12. [24-22459](#)-B-13 JAMIE BRIDGEMAN CONTINUED OBJECTION TO  
[RAS](#)-1 Michael K. Moore CONFIRMATION OF PLAN BY WELLS  
FARGO BANK, N.A.  
7-18-24 [[20](#)]

**Final Ruling**

This matter was continued from September 24, 2024, to allow any party in interest to file a response by 5:00 p.m. Friday, September 27, 2024. Nothing was filed. Therefore, the court's conditional ruling at dkt. 49, sustaining the objection, shall become the court's final decision. The continued hearing on October 1, 2024, at 1:00 p.m. is vacated.

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

The court will issue an order.