



UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher D. Jaime
Chief Bankruptcy Judge
Department B, Courtroom 32
501 I Street, 6th Floor
Sacramento, California

October 6, 2026 at 1:00 p.m.

Unless otherwise ordered, all matters before the Honorable Chief **Christopher Jaime** shall be simultaneously: (1) **In Person** at, **Sacramento Courtroom No. 32, 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/RemoteAppearances>. 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 medicaid 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.

PRE-HEARING DISPOSITIONS INSTRUCTIONS:

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
Chief Bankruptcy Judge
Sacramento, California

October 6, 2026 at 1:00 p.m.

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1. [26-24426](#)-B-13 MITCHELL ALLEN
[LGT](#)-1 Candace Y. Brooks
OBJECTION TO CONFIRMATION OF
PLAN BY LILIAN G. TSANG
9-11-26 [[14](#)]
WITHDRAWN BY M.P.

Final Ruling

The Chapter 13 Trustee having filed a notice of withdrawal of its objection, the objection is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar.

There being no other objection to confirmation, the plan filed August 1, 2026, will be confirmed.

The objection is ORDERED DISMISSED WITHOUT PREJUDICE for reasons stated in the minutes.

IT IS FURTHER ORDERED that the plan is CONFIRMED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

October 6, 2026 at 1:00 p.m.

2. [26-24429](#)-B-13 KRISTIN PADILLA
[LGT](#)-1 Gregory J. Smith

OBJECTION TO CONFIRMATION OF
PLAN BY LILIAN G. TSANG
9-11-26 [[14](#)]

WITHDRAWN BY M.P.

Final Ruling

The Chapter 13 Trustee having filed a notice of withdrawal of its objection, the objection is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar.

There being no other objection to confirmation, the plan filed August 2, 2026, will be confirmed.

The objection is ORDERED DISMISSED WITHOUT PREJUDICE for reasons stated in the minutes.

IT IS FURTHER ORDERED that the plan is CONFIRMED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

3. [26-21430](#)-B-13 LITA GRANT-BELLAMY MOTION TO AVOID LIEN OF
[SSH](#)-3 Simran Singh Hundal STRATEGIC FUNDING SOURCE, INC
Thru #5 8-31-26 [[49](#)]

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 to avoid judicial lien of Strategic Funding source, Inc. dba Kapitus, a New York Corporation.

This is a request for an order avoiding the judicial lien of Strategic Funding source, Inc. dba Kapitus, a New York Corporation ("Creditor") against the Debtor's property commonly known as 963 Bear Court, Tracy, California ("Property").

A judgment was entered against Debtor in favor of Creditor in the amount of \$65,714.73. An abstract of judgment was recorded with San Joaquin County on June 16, 2025, which encumbers the Property.

Pursuant to the Debtor's Schedule A, the Property has an approximate value of \$931,352.00 as of the date of the petition. Debtor has claimed an exemption pursuant to Cal. Civ. Proc. Code § 704.730(a) in the amount of \$550,000.00 on Schedule C. All other liens recorded against the Property total \$850,780.00.

After application of the arithmetical formula required by 11 U.S.C. § 522(f)(2)(A), there is no equity to support the judicial lien. Therefore, the fixing of this judicial lien impairs the Debtor's exemption of the real property and its fixing is avoided subject to 11 U.S.C. § 349(b)(1)(B).

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

The court will issue an order.

4. [26-21430](#)-B-13 LITA GRANT-BELLAMY MOTION TO AVOID LIEN OF JEFFERY
[SSH](#)-4 Simran Singh Hundal EDWARD FIERRO
8-31-26 [[54](#)]

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 to avoid judicial lien of Jeffrey Edward Fierro.

This is a request for an order avoiding the judicial lien of Jeffrey Edward Fierro ("Creditor") against the Debtor's property commonly known as 963 Bear Court, Tracy, California ("Property").

A judgment was entered against Debtor in favor of Creditor in the amount of \$2,465.00. An abstract of judgment was recorded with San Joaquin County on March 9, 2026, which encumbers the Property.

Pursuant to the Debtor's Schedule A, the Property has an approximate value of \$931,352.00 as of the date of the petition. Debtor has claimed an exemption pursuant to Cal. Civ. Proc. Code § 704.730(a) in the amount of \$550,000.00 on Schedule C. All other liens recorded against the Property total \$850,780.00.

After application of the arithmetical formula required by 11 U.S.C. § 522(f)(2)(A), there is no equity to support the judicial lien. Therefore, the fixing of this judicial lien impairs the Debtor's exemption of the real property and its fixing is avoided subject to 11 U.S.C. § 349(b)(1)(B).

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

The court will issue an order.

5. [26-21430](#)-B-13 LITA GRANT-BELLAMY MOTION TO VALUE COLLATERAL OF
[SSH](#)-5 Simran Singh Hundal EXPANSION CAPITAL GROUP
8-31-26 [[59](#)]

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 value the secured claim of Expansion Capital Group at \$7,900.00.

Debtor moves to value the secured claim of Expansion Capital Group ("Creditor"). Debtor is the owner of a business assets consisting of commercial power washers, water tank, pump system, and drain covers/environmental equipment (collectively, "Personal Property"). Debtor seeks to value the Personal Property at a replacement value of \$7,900.00 as of the petition filing date. As the owner, Debtor's opinion of value is evidence of the asset's value. See Fed. R. Evid. 701; see also *Enewally v. Wash. Mut. Bank (In re Enewally)*, 368 F.3d 1165, 1173 (9th Cir. 2004).

Proof of Claim Filed

The court has reviewed the Claims Registry for this bankruptcy case. Claim No. 9-1 filed by Expansion Capital Group is the claim which may be the subject of the present motion.

Discussion

In the Chapter 13 context, the replacement value of personal property used by a debtor for personal, household, or family purposes is "the price a retail merchant would charge for property of that kind considering the age and condition of the property at the time value is determined." See 11 U.S.C. § 506(a)(2). The time limitation to offer the fair market value of personal property, including furniture, appliances, and boats, is more than one year prior to the filing of the petition. See 11 U.S.C. § 1325(a).

The total dollar amount of the obligation to Creditor is \$34,281.91 as stated in the Claim No. 9-1. Debtor asserts that the Personal Property has been used by its business

Al's Mobile Powerwash, LLC and that the price a retail merchant would charge for the Personal Property is no more than \$7,900.00. Therefore, the Creditor's claim secured by a lien on the asset's title is under-collateralized. The Creditor's secured claim is determined to be in the amount of \$7,900.00. See 11 U.S.C. § 506(a). The valuation motion pursuant to Fed. R. Civ. P. 3012 and 11 U.S.C. § 506(a) is granted.

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

The court will issue an order.

6. [26-24430](#)-B-13 DARDEN TYRONE OBJECTION TO CONFIRMATION OF
Thru #7 Daniel D. Repp PLAN BY DAKOTA FINANCIAL, LLC
9-16-26 [[42](#)]

CONTINUED TO 12/01/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS
SET FOR 11/19/26.

Final Ruling

No appearance at the October 6, 2026, hearing is required. The court will issue an
order.

7. [26-24430](#)-B-13 DARDEN TYRONE OBJECTION TO CONFIRMATION OF
LGT-1 Daniel D. Repp PLAN BY LILIAN G. TSANG
9-10-26 [[39](#)]

CONTINUED TO 12/01/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS
SET FOR 11/19/26.

Final Ruling

No appearance at the October 6, 2026, hearing is required. The court will issue an
order.

8. [26-24332](#)-B-13 MARTHA/ALVARO ZUNIGA OBJECTION TO CONFIRMATION OF
[LGT](#)-1 Flor De Maria A. Tataje PLAN BY LILIAN G. TSANG
9-15-26 [[15](#)]

Final Ruling

The *initial* Chapter 13 Plan filed July 30, 2026, is not confirmable and the objection is not one that may be resolved in the confirmation order. Nevertheless, because this is the *initial* Chapter 13 Plan, the procedure in Local Bankr. R. 3015-1(c)(4) applies.

The court's decision is to **continue the hearing to October 13, 2026, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan.**

First, Schedule J must be amended to remove an expense for federal 2023, 20204, and 2025 taxes.

Second, the current unsecured debt limit for an eligible debtor in Chapter 13 is \$526,700.00. However, in the case at hand, the Summary of Assets and Liabilities and Schedule E/F both state that Debtors had \$657,763.00 in general unsecured debt on the date of filing. In addition, Debtors' Schedule E/F do not contend that debts are contingent or unliquidated.

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

Conditional Nature of this Ruling

Because the objection has been filed, set, and served under Local Bankruptcy Rules 3015-1(c)(4) and 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on October 9, 2026, to file and serve a response to the objection(s). See Local Bankr. R. 3015-1(c)(4), 9014-1(f)(2)(C). Any response shall be served on the Chapter 13 Trustee, the Debtors, the Debtors' attorney, and/or the attorney for the objecting party by facsimile or email.

If no response is timely filed and served, the objection will be deemed sustained 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 13, 2026, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on October 13, 2026, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY SUSTAINED and CONTINUED to October 13, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

Final Ruling

The *initial* Chapter 13 Plan filed August 3, 2026, is not confirmable and the objection is not one that may be resolved in the confirmation order. Nevertheless, because this is the *initial* Chapter 13 Plan, the procedure in Local Bankr. R. 3015-1(c)(4) applies.

The court's decision is to **continue the hearing to October 13, 2026, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan.**

First, the plan does not provide for all of Debtors' projected disposable income to be applied to unsecured creditors under the plan. 11 U.S.C. § 1325(b)(1)(B). There are additional expenses, specifically a telephone expense and home energy expense, that need verification that these qualify as expenses.

Second, the claim of Golden 1 Credit Union is misclassified in Class 4 when it should be classified under Class 1 since proof of claim no. 10 states that there was a delinquency at the time of the petition's filing.

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

Conditional Nature of this Ruling

Because the objection has been filed, set, and served under Local Bankruptcy Rules 3015-1(c)(4) and 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on October 9, 2026, to file and serve a response to the objection(s). See Local Bankr. R. 3015-1(c)(4), 9014-1(f)(2)(C). Any response shall be served on the Chapter 13 Trustee, the Debtors, the Debtors' attorney, and/or the attorney for the objecting party by facsimile or email.

If no response is timely filed and served, the objection will be deemed sustained 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 13, 2026, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on October 13, 2026, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY SUSTAINED and CONTINUED to October 13, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

10. [26-24542](#)-B-13 ADRIAN SCHABBING
[RAS](#)-1 Joshua Sternberg
OBJECTION TO CONFIRMATION OF
PLAN BY HSBC BANK USA, NATIONAL
ASSOCIATION
8-27-26 [[25](#)]

CONTINUED TO 12/01/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS
SET FOR 11/19/26.

Final Ruling

No appearance at the October 6, 2026, hearing is required. The court will issue an
order.

11. [26-21546](#)-B-13 LUIS/CHRISTINA FIALLOS MOTION TO CONFIRM PLAN
[CDL](#)-1 Colby D. LaVelle 8-19-26 [[31](#)]

Final Ruling

The case having been converted to one under chapter 7, the motion to confirm plan is denied as moot.

The motion is ORDERED DENIED AS MOOT for reasons stated in the minutes.

The court will issue an order.

12. [24-22948](#)-B-13 GENE/YVONNE TAGUE
[KLG](#)-3 Arete Kostopoulos

MOTION TO MODIFY PLAN
8-28-26 [[46](#)]

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 or the trustee 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. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

13. [26-24249](#)-B-13 JAVIER/JAMIE SILVA OBJECTION TO CONFIRMATION OF
[JCW](#)-1 Kathleen H. Crist PLAN BY CAPITAL ONE AUTO
Thru #14 FINANCE
8-24-26 [[14](#)]

Final Ruling

Creditor capital One Auto objects to confirmation of the plan on grounds that it fails to provide the applicable prime plus interest rate of 8.750%. Although Debtors filed a response stating that they agree to pay creditor's claim at this interest rate, the plan is not confirmable for reasons stated at Item #14, LGT-1.

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

The court will issue an order.

14. [26-24249](#)-B-13 JAVIER/JAMIE SILVA OBJECTION TO CONFIRMATION OF
[LGT](#)-1 Kathleen H. Crist PLAN BY LILIAN G. TSANG
9-11-26 [[20](#)]

Final Ruling

The *initial* Chapter 13 Plan filed July 27, 2026, is not confirmable and the objection is not one that may be resolved in the confirmation order. Nevertheless, because this is the *initial* Chapter 13 Plan, the procedure in Local Bankr. R. 3015-1(c)(4) applies.

The court's decision is to **continue the hearing to October 13, 2026, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan.**

First, Debtors have not provided requested payment advices from February 2026 through July 2026 to the Chapter 13 Trustee.

Second, Debtors are delinquent \$7,020 and have paid \$0.00 to date. Debtors do not appear to be able to make plan payments proposed and have not carried the burden of showing that the plan complies with 11 U.S.C. § 1325(a)(6).

Third, the Trustee's mailed correspondence to the Debtors' address as listed on the Voluntary Petition at 1779 De Ovan Avenue in Stockton has been returned as undeliverable. An amended Voluntary Petition must be filed to reflect Debtors' current and corrected mailing address.

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

Conditional Nature of this Ruling

Because the objection has been filed, set, and served under Local Bankruptcy Rules 3015-1(c)(4) and 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on October 9, 2026, to file and serve a response to the objection(s). See Local Bankr. R. 3015-1(c)(4), 9014-1(f)(2)(C). Any response shall be served on the Chapter 13 Trustee, the Debtors, the Debtors' attorney, and/or the attorney for the objecting party by facsimile or email.

If no response is timely filed and served, the objection will be deemed sustained 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 13, 2026, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on October 13, 2026, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY SUSTAINED and CONTINUED to October 13, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

15. [26-22651](#)-B-13 DEFINA WADE
[LGT](#)-1 Pro Se
Thru #16

OBJECTION TO CONFIRMATION OF
PLAN BY LILIAN G. TSANG
9-15-26 [[41](#)]

CONTINUED TO 11/17/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS
SET FOR 11/05/26.

Final Ruling

No appearance at the October 6, 2026, hearing is required. The court will issue an
order.

16. [26-22651](#)-B-13 DEFINA WADE
[RAS](#)-1 Pro Se

OBJECTION TO CONFIRMATION OF
PLAN BY NATIONS DIRECT
MORTGAGE, LLC
9-4-26 [[38](#)]

CONTINUED TO 11/17/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS
SET FOR 11/05/26.

Final Ruling

No appearance at the October 6, 2026, hearing is required. The court will issue an
order.

17. [26-22456](#)-B-13 THEODORE/WANDA STITT
[PLG](#)-2 Rabin Pournazarian

MOTION TO CONFIRM PLAN
8-18-26 [[43](#)]

Final Ruling

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). 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 confirm the amended plan.

11 U.S.C. § 1323 permits a debtor to amend a plan any time before confirmation. The Debtors have provided evidence in support of confirmation. No opposition to the motion has been filed by the Chapter 13 Trustee or creditors. The amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

18. [26-23963](#)-B-13 SCOTT/DANIELLE DEITZEL CONTINUED OBJECTION TO
[JCW](#)-1 Peter G. Macaluso CONFIRMATION OF PLAN BY CARMAX
Thru #20 BUSINESS SERVICES, LLC
7-30-26 [[12](#)]

CONTINUED TO 11/17/2026 AT 1:00 P.M. TO BE HEARD IN CONJUNCTION WITH THE CONTINUED MOTION TO VALUE COLLATERAL OF CARMAX BUSINESS SERVICES, LLC. PGM-1.

Final Ruling

No appearance at the October 6, 2026, hearing is required. The court will issue an order.

19. [26-23963](#)-B-13 SCOTT/DANIELLE DEITZEL CONTINUED OBJECTION TO
[LGT](#)-1 Peter G. Macaluso CONFIRMATION OF PLAN BY LILIAN
G. TSANG
8-31-26 [[22](#)]

CONTINUED TO 11/17/2026 AT 1:00 P.M. TO BE HEARD IN CONJUNCTION WITH THE CONTINUED MOTION TO VALUE COLLATERAL OF CARMAX BUSINESS SERVICES, LLC. PGM-1.

Final Ruling

No appearance at the October 6, 2026, hearing is required. The court will issue an order.

20. [26-23963](#)-B-13 SCOTT/DANIELLE DEITZEL MOTION TO VALUE COLLATERAL OF
[PGM](#)-1 Peter G. Macaluso CARMAX BUSINESS SERVICES, LLC
8-28-26 [[17](#)]

CONTINUED TO 11/17/2026 AT 1:00 P.M. TO PROVIDE CREDITOR CARMAX BUSINESS SERVICES, LLC ADDITIONAL TIME TO OBTAIN ITS OWN VALUATION OF THE VEHICLE.

Final Ruling

No appearance at the October 6, 2026, hearing is required. The court will issue an order.

21. [26-24264](#)-B-13 RAYSHUN/KIMBERLY MILTON OBJECTION TO CONFIRMATION OF
[JCW](#)-1 Rabin Pournazarian PLAN BY CARMAX BUSINESS
Thru #23 SERVICES, LLC.
8-26-26 [[13](#)]

Final Ruling

The plan filed July 27, 2026, having been deemed not confirmable at Item #23, LGT-1, the objection to confirmation is overruled as moot.

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

The court will issue an order.

22. [26-24264](#)-B-13 RAYSHUN/KIMBERLY MILTON OBJECTION TO CONFIRMATION OF
[JDS](#)-1 Rabin Pournazarian PLAN BY BRIDGECREST CREDIT
COMPANY, LLC
9-16-26 [[24](#)]

Final Ruling

The plan filed July 27, 2026, having been deemed not confirmable at Item #23, LGT-1, the objection to confirmation is overruled as moot.

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

The court will issue an order.

23. [26-24264](#)-B-13 RAYSHUN/KIMBERLY MILTON OBJECTION TO CONFIRMATION OF
[LGT](#)-1 Rabin Pournazarian PLAN BY LILIAN G. TSANG
9-11-26 [[17](#)]

Final Ruling

The *initial* Chapter 13 Plan filed July 27, 2026, is not confirmable and the objection is not one that may be resolved in the confirmation order. Nevertheless, because this is the *initial* Chapter 13 Plan, the procedure in Local Bankr. R. 3015-1(c)(4) applies.

The court's decision is to **continue the hearing to October 13, 2026, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan.**

First, feasibility depends on Debtors filing and the court granting motions to value collateral of CarMax Business Services, LLC and Bridgecrest Credit Company, LLC as Servicer for Carvana, LL. No motions to value have been filed.

Second, at the meeting of creditors, the Debtor stated that he has an interest in a retirement account (PERS). Schedule A/B does not list this asset and, therefore, must be amended and filed with the court.

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

Conditional Nature of this Ruling

Because the objection has been filed, set, and served under Local Bankruptcy Rules 3015-1(c)(4) and 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on October 9, 2026, to file and serve a response to the objection(s). See Local Bankr. R.

October 6, 2026 at 1:00 p.m.

3015-1(c)(4), 9014-1(f)(2)(C). Any response shall be served on the Chapter 13 Trustee, the Debtors, the Debtors' attorney, and/or the attorney for the objecting party by facsimile or email.

If no response is timely filed and served, the objection will be deemed sustained 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 13, 2026, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on October 13, 2026, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY SUSTAINED and CONTINUED to October 13, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

24. [26-23267](#)-B-13 JEARLEAN NASH
[PGM](#)-1 Peter G. Macaluso

MOTION TO CONFIRM PLAN
9-1-26 [[26](#)]

Final Ruling

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). 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 confirm the amended plan.

11 U.S.C. § 1323 permits a debtor to amend a plan any time before confirmation. The Debtor has provided evidence in support of confirmation. No opposition to the motion has been filed by the Chapter 13 Trustee or creditors. The amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

25. [26-23473](#)-B-13 HERB/DAWN KNECHT CONTINUED OBJECTION TO
[LGT](#)-1 Joaquin Rene Nolet CONFIRMATION OF PLAN BY LILIAN
G. TSANG
8-4-26 [[14](#)]

CONTINUED TO 11/10/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS
SET FOR 10/22/26.

Final Ruling

No appearance at the October 6, 2026, hearing is required. The court will issue an
order.

The objection is ORDERED CONTINUED to November 10, 2026 at 1:00 p.m. for reasons stated
in the minutes.

26. [26-24173](#)-B-13 KERRY MASON
[LGT](#)-1 Carl R. Gustafson

OBJECTION TO CONFIRMATION OF
PLAN BY LILIAN G. TSANG
9-15-26 [[14](#)]

Final Ruling

The Chapter 13 Trustee having filed a notice of withdrawal of its objection, the objection is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(I) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar.

There being no other objection to confirmation, the plan filed July 22, 2026, will be confirmed.

The objection is ORDERED DISMISSED WITHOUT PREJUDICE for reasons stated in the minutes.

IT IS FURTHER ORDERED that the plan is CONFIRMED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

27. [26-24374](#)-B-13 KEILAND HENDERSON
[LGT](#)-1 Matthew G. Grech

OBJECTION TO CONFIRMATION OF
PLAN BY LILIAN G. TSANG
9-11-26 [[16](#)]

Final Ruling

The *initial* Chapter 13 Plan filed August 13, 2026, is not confirmable and the objection is not one that may be resolved in the confirmation order. Nevertheless, because this is the *initial* Chapter 13 Plan, the procedure in Local Bankr. R. 3015-1(c)(4) applies.

The court's decision is to **continue the hearing to October 13, 2026, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan.**

Debtor is delinquent \$5,980.00. An additional payment of the same amount will come due October 25, 2026.

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

Conditional Nature of this Ruling

Because the objection has been filed, set, and served under Local Bankruptcy Rules 3015-1(c)(4) and 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on October 9, 2026, to file and serve a response to the objection(s). See Local Bankr. R. 3015-1(c)(4), 9014-1(f)(2)(C). Any response shall be served on the Chapter 13 Trustee, the Debtor, the Debtor's attorney, and/or the attorney for the objecting party by facsimile or email.

If no response is timely filed and served, the objection will be deemed sustained 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 13, 2026, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on October 13, 2026, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY SUSTAINED and CONTINUED to October 13, 2026 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

28. [26-22576](#)-B-13 JAMIE BRIDGEMAN CONTINUED OBJECTION TO
[LGT](#)-1 Michael K. Moore CONFIRMATION OF PLAN BY LILIAN
G. TSANG
6-18-26 [[24](#)]

CONTINUED TO 11/10/26 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS
SET FOR 10/22/26.

Final Ruling

No appearance at the October 6, 2026, hearing is required. The court will issue an
order.

The objection is ORDERED CONTINUED to November 10, 2026 at 1:00 p.m. for reasons stated
in the minutes.

29. [25-21077](#)-B-13 ANNE WEBER
John G. Downing
CASE CLOSED: 06/15/26

MOTION FOR PAYMENT OF UNCLAIMED
FUNDS IN THE AMOUNT OF \$
1710.52 WITH ANNE MARIE WEBER
8-31-26 [[112](#)]

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 payment of unclaimed funds.

Debtor ("Movant") has filed the instant Motion for Payment of Unclaimed Funds and seeks to recoup the sum of \$1,710.52 from the unclaimed dividends paid into the court in the underlying Chapter 13 case. The case commenced on March 11, 2025, and the case was dismissed on December 15, 2025, without a discharge. On April 13, 2026, the Chapter 13 Trustee filed with the court a Notice of Unclaimed Funds/Dividend indicating that the sum of \$1,710.52 is entitled to debtor Anne M. Weber.

On August 31, 226, Movant filed the instant motion, accompanied inter alia by documents that purport to be (1) an Application for Payment of Unclaimed Funds; (2) check made by the Trustee's office to Movant, (3) U.S. Courts Unclaimed Funds Locator, and (4) photocopies of a driver's license confirming the identity of Movant. Dkt. 112.

The court is satisfied that Movant has demonstrated its entitlement to the unclaimed funds. Accordingly, the motion is granted.

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

The court will issue an order.

30. [24-25678](#)-B-13 SPEARONIZA WILLIAMS MOTION TO MODIFY PLAN
[SMJ](#)-1 Scott M. Johnson 8-25-26 [[26](#)]
DISMISSED: 08/31/26
Thru #31

CONTINUED TO 11/17/26 AT 1:00 P.M. TO PROVIDE DEBTOR WITH SUFFICIENT TIME TO RE-NOTICE THE MOTION TO MODIFY AS REQUESTED BY THE CHAPTER 13 TRUSTEE.

Final Ruling

No appearance at the October 6, 2026, hearing is required. The court will issue an order.

The motion is ORDERED CONTINUED to November 17, 2026 at 1:00 p.m. for reasons stated in the minutes.

31. [24-25678](#)-B-13 SPEARONIZA WILLIAMS MOTION TO VACATE DISMISSAL OF
[SMJ](#)-2 Scott M. Johnson CASE
9-22-26 [[35](#)]
DISMISSED: 08/31/26

Final Ruling

The motion has been set for hearing on less than 28-days notice. Local Bankruptcy Rule 9014-1(f)(2). The Chapter 13 Trustee filed a non-opposition to the motion.

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 grant the motion to vacate dismissal.

Debtor moves to vacate the order dismissing this Chapter 13 case. The Chapter 13 case was dismissed on August 31, 2026, upon the court granting the Trustee's motion to dismiss case due to Debtor's delinquency in plan payments. Debtor now moves to vacate the dismissal and states the delinquency was due to a mistake where she changed her automated payments on TFS to account for the reduction in monthly mortgage payments. Debtor did not know that she had changed her payments from being paid semi-monthly to only once a month. Eventually, Debtor and her counsel were able to clear up the mistake, but that inevitably lead to a delay in getting a plan modification on file.

Discussion

Federal Rule of Civil Procedure 60(b)(1), applicable by Federal Rule of Bankruptcy Procedure 9024, permits the court to relieve a party from a final judgment or order for "mistake, inadvertence, surprise, or excusable neglect[.]" Fed. R. Civ. P. 60(b)(1); Fed. R. Bankr. P. 9024. Relief for excusable neglect is governed by the *Pioneer-Briones* factors, i.e., (1) the danger of prejudice to any non-moving party if the dismissal is vacated; (2) the length of delay and the potential impact of that delay on judicial proceeding; (3) the reason for the delay, including whether the delay was within the reasonable control of the movant; and (4) whether the debtor's conduct was in good faith. *Pioneer Inv. Servs. v. Brunswick Assocs. Ltd. P'ship*, 507 U.S. 380, 395 (1993); *Briones v. Riviera Hotel & Casino*, 116 F.3d 379, 381 (9th Cir. 1997).

Danger of prejudice to creditors is minimal. Debtor moved quickly after this case was dismissed to set aside the dismissal order. Vacating dismissal will not delay these proceedings since the Debtor is prepared to begin making monthly plan payments and become current under the proposed modified plan. Also there is no indication of any bad faith by the Debtor. The Trustee, who had made the original motion to dismiss the case, is also agreeable to having the dismissal vacated.

Therefore, the Debtor's motion to vacate the order dismissing this Chapter 13 case will be granted, the dismissal order at dkt. 33 vacated, and this case ordered reinstated.

Further, by vacating the dismissal order which caused the automatic stay of 11 U.S.C. § 362(a) to terminate, upon entry of the order vacating the dismissal order, the automatic stay of § 362(a) is revived for all purposes and as to all parties in interest - but only upon entry of the order vacating the dismissal order and for acts occurring thereafter. *State Bank of Southern Utah v. Gledhill (In re Gledhill)*, 76 F.3d 1070, 1079-1080 and n.8 (10th Cir. 1996); *Ramirez v. Whelen (In re Ramirez)*, 188 B.R. 413, 416 (9th Cir. BAP 1995) ("Occasionally, it might suffice to revive the stay by way of motion for reconsideration under Federal Rules of Civil Procedure 59(e) or 60(b), which are applicable in bankruptcy by virtue of Federal Rules of Bankruptcy Procedure 9021 and 9023 [sic].") (Klein, J., concurring).

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

The court will issue an order.

32. [26-24185](#)-B-13 MICHAEL WALKER
[LGT](#)-1 Natali A. Ron

OBJECTION TO CONFIRMATION OF
PLAN BY LILIAN G. TSANG
9-11-26 [[13](#)]

Final Ruling

The Chapter 13 Trustee having filed a notice of withdrawal of its objection, the objection is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar.

There being no other objection to confirmation, the plan filed July 22, 2026, will be confirmed.

The objection is ORDERED DISMISSED WITHOUT PREJUDICE for reasons stated in the minutes.

IT IS FURTHER ORDERED that the plan is CONFIRMED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

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 the motion to avoid lien of States Recovery Systems, Inc. and continue the matter to October 13, 2026, at 1:00 p.m.**

This is a request for an order avoiding the judicial lien of States Recovery Systems, Inc. ("Creditor") against the Debtor's property commonly known as 6012 Cherry Creek Court, Citrus Heights, California ("Property").

A judgment was entered against Debtor in favor of Creditor in the amount of \$41,654.66. An abstract of judgment was recorded with Sacramento County on June 26, 2026, which encumbers the Property.

Pursuant to the Debtor's Schedule A, the Property has an approximate value of \$502,000.00 as of the date of the petition. Debtor is a 50% owner of the Property. Debtor has claimed an exemption pursuant to Cal. Civ. Proc. Code § 704.730 in the amount of \$67,000.00 on Schedule C. All other liens recorded against the Property total \$368,960.20, which results in a total equity of \$133,039.80 of which \$66,519.90 is Debtor's equity.

After application of the arithmetical formula required by 11 U.S.C. § 522(f)(2)(A), there is no equity to support the judicial lien. Therefore, the fixing of this judicial lien impairs the Debtor's exemption of the real property and its fixing is avoided subject to 11 U.S.C. § 349(b)(1)(B).

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 9, 2026, 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 13, 2026, 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 13, 2026, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY SUSTAINED and CONTINUED to October 13, 2026 at 1:00 p.m. for reasons stated in the minutes.

DEBTOR DISMISSED: 09/18/26

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 grant the motion to vacate the dismissal and reinstate the case. See *Perez-Reyes v. National Distribution Centers, LLC*, 2018 WL 7077183 (C.D. Cal. 2018) (granting ex parte application to reconsider)

Debtor moves to vacate the order dismissing this Chapter 13 case. The Chapter 13 case was dismissed on September 18, 2026, for failure to bring payments current or file a modified plan. Debtor's counsel states that her office inadvertently did not process the Notice of Default and Intent to Dismiss Case and the deadline to file an amended plan was not calendared. Debtor states that at the time the notice was filed, Debtor and his counsel were working to gather necessary documents for purposes of preparing an amended chapter 13 plan and amended schedules. Debtor came to counsel's office on September 17, 2026, to sign documents but, wanting further review of the documents, did not sign them until the next day. The signed documents and an amended plan were filed with the court on September 18, 2026, the same day the case was dismissed.

Discussion

Federal Rule of Civil Procedure 60(b)(1), applicable by Federal Rule of Bankruptcy Procedure 9024, permits the court to relieve a party from a final judgment or order for "mistake, inadvertence, surprise, or excusable neglect[.]" Fed. R. Civ. P. 60(b)(1); Fed. R. Bankr. P. 9024. Relief for excusable neglect is governed by the *Pioneer-Briones* factors, i.e., (1) the danger of prejudice to any non-moving party if the dismissal is vacated; (2) the length of delay and the potential impact of that delay on judicial proceeding; (3) the reason for the delay, including whether the delay was within the reasonable control of the movant; and (4) whether the debtor's conduct was in good faith. *Pioneer Inv. Servs. v. Brunswick Assocs. Ltd. P'ship*, 507 U.S. 380, 395 (1993); *Briones v. Riviera Hotel & Casino*, 116 F.3d 379, 381 (9th Cir. 1997).

Danger of prejudice to creditors is minimal. Debtor moved quickly after this case was dismissed to set aside the dismissal order. Vacating dismissal will not delay these proceedings since the Debtor has filed a motion to confirm first amended plan, with a confirmation hearing date of November 10, 2026. Dismissal also resulted from an oversight by counsel rather than the Debtor. Lastly, there is no indication of any bad faith by Debtor.

Therefore, the Debtor's motion to vacate the order dismissing this Chapter 13 case will be granted, the dismissal order at dkt. 21 vacated, and this case ordered reinstated.

Further, by vacating the dismissal order which caused the automatic stay of 11 U.S.C. § 362(a) to terminate, upon entry of the order vacating the dismissal order, the automatic stay of § 362(a) is revived for all purposes and as to all parties in interest - but only upon entry of the order vacating the dismissal order and for acts occurring thereafter. *State Bank of Southern Utah v. Gledhill (In re Gledhill)*, 76 F.3d 1070, 1079-1080 and n.8 (10th Cir. 1996); *Ramirez v. Whelen (In re Ramirez)*, 188 B.R. 413, 416 (9th Cir. BAP 1995) ("Occasionally, it might suffice to revive the stay by way of motion for reconsideration under Federal Rules of Civil Procedure 59(e) or 60(b), which are applicable in bankruptcy by virtue of Federal Rules of Bankruptcy Procedure 9021 and 9023 [sic].") (Klein, J., concurring).

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

The court will prepare and order.

35. [26-20092](#)-B-13 STANLEY/JANELLE ORR
[DBJ](#)-3 Douglas B. Jacobs

MOTION TO VALUE COLLATERAL OF
CHASE AUTO
8-21-26 [[109](#)]

Final Ruling

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

The court's decision is to deny the motion for defective service.

Debtors are the owner of a 2018 BMW X5 ("Vehicle"). Debtors seek to value the Vehicle at a replacement value of \$17,806.00 as of the petition filing date.

Debtors identify the secured creditor with a lien on the Vehicle as "Chase Auto." Docket 109 at 2:3-4. However, as noted below, the actual secured creditor with a lien on the Vehicle is JPMorgan Chase Bank, N.A. ("Creditor").

Proof of Claim Filed

The court has reviewed the Claims Registry for this bankruptcy case. Claim No. 7-1 filed by JPMorgan Chase Bank, N.A. is the claim which may be the subject of the present motion.

Discussion

Creditor is an insured depository institution which means it must be served by certified mail addressed solely to the attention of an officer or director of the institution. See Fed. R. Bankr. P. 7004(h). Service on Creditor fails to meet these requirements. See Dkt. 110.¹

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

The court will issue an order.

¹The motion and declaration are also filed as a single document when the Local Rules require they be filed as separate documents.

36. [26-24192](#)-B-13 JOHN BRUMFIELD
[GTB](#)-1 George T. Burke

MOTION TO VALUE COLLATERAL OF
CARVANA LLC / BRIDGECREST
9-14-26 [[17](#)]

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 value the secured claim of Carvana LLC / Bridgecrest at \$6,650.00.

Debtor moves to value the secured claim of Carvana LLC / Bridgecrest ("Creditor"). Debtor is the owner of a 2019 Jeep compass Trailhawk Sport Utility 4D ("Vehicle"). Debtor seeks to value the Vehicle at a replacement value of \$6,650.00 as of the petition filing date; this is also the amount stated in Creditor's Claim No. 2-1. As the owner, Debtor's opinion of value is evidence of the asset's value. See Fed. R. Evid. 701; see also *Enewally v. Wash. Mut. Bank (In re Enewally)*, 368 F.3d 1165, 1173 (9th Cir. 2004).

Proof of Claim Filed

The court has reviewed the Claims Registry for this bankruptcy case. Proof of claim 2-1 filed by Carvana, LLC / Bridgecrest c/o AIS Portfolio Services, LLC is the claim which may be the subject of the present motion.

Discussion

The lien on the Vehicle's title secures a purchase-money loan incurred on September 8, 2022, which is more than 910 days prior to filing of the petition, to secure a debt owed to Creditor with a balance of approximately \$19,413.10. Therefore, the Creditor's claim secured by a lien on the asset's title is under-collateralized. The Creditor's secured claim is determined to be in the amount of \$6,650.00. See 11 U.S.C. § 506(a). The valuation motion pursuant to Fed. R. Civ. P. 3012 and 11 U.S.C. § 506(a) is granted.

Moreover, Debtor's valuation is consistent with the value listed in Creditor's proof of claim 2-1. The court finds that it is unlikely any opposition will be filed, and therefore a conditional ruling on this (f)(2) motion is unnecessary.

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

The court will issue an order.

37. [26-24192](#)-B-13 JOHN BRUMFIELD
[LGT](#)-1 George T. Burke

OBJECTION TO CONFIRMATION OF
PLAN BY LILIAN G. TSANG
9-15-26 [[14](#)]

Final Ruling

The objection was properly filed at least 14 days prior to the hearing on the motion to confirm a plan. See Local Bankr. R. 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). Parties in interest may, at least 7 days prior to the date of the hearing, serve and file with the court a written reply to any written opposition. Local Bankr. R. 9014-1(f)(1)(C). No written reply has been filed to the objection.

All objections have been resolved and the court has determined that oral argument is not necessary. See Local Bankr. R. 1001-1(f), 9014-1(h). This matter will be decided on the papers. No appearance at the hearing is necessary.

The court's decision is to overrule the objection and confirm the plan.

The Chapter 13 Trustee objects to confirmation of the plan on grounds that feasibility depends on the granting of a motion to value collateral of Bridgecrest, the filing of amended Form 122C-1 to show all of Debtor's disposable income is committed for repayment of creditors, the filing of the correct Disclosure of Compensation of Attorney for Debtor form, and correcting in an order confirming plan a typographical error for the payment of attorney fees.

The motion to value collateral Bridgecrest is granted at Item #3, GTB-1, and it appears all other amended documents have been filed with the court. Provided that the order confirming plan corrects the typographical error for the payment of attorney fees, the plan will be deemed to comply with 11 U.S.C. §§ 1322 and 1325(a). The objection is overruled and the plan filed June 22, 2026, is confirmed.

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

IT IS FURTHER ORDERED that the plan is CONFIRMED for reasons stated in the minutes. An appropriate order confirming the Chapter 13 plan shall be prepared consistent with the current practice of the Chapter 13 Trustee assigned to the case and the proposed order shall be submitted to the court.

The court will issue an order.

38. [26-21294](#)-B-13 JAMES SIMPSON
[SSH](#)-2 Simran Singh Hundal
Thru #40
DEBTOR DISMISSED: 08/31/26

MOTION TO AVOID LIEN OF
FRANCHISE TAX BOARD
8-25-26 [[36](#)]

Final Ruling

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

The court's decision is to deny with prejudice the motion to avoid tax lien of Franchise Tax Board.

Debtor requests an order avoiding the tax lien of the Franchise Tax Board ("FTB") against the Debtor's real property commonly known as 1552 Reef Court, Tracy, California ("Property") under 11 U.S.C. § 522(f)(1)(A).

Section 522(f) provides in pertinent part that a debtor may avoid the fixing of a lien on an interest of the debtor in property to the extent that such lien impairs an exemption to which the debtor would have been entitled under § 522(b) if the lien is either a judicial lien or a non-possessory, nonpurchase money security interest in any property listed in § 522(f)(1)(B). A tax lien is neither a judicial lien nor a non-possessory, nonpurchase money security interest. *In re Khoe*, 255 B.R. 581, 588 (E.D. Cal. 2000). This is true even if the lien holder of the statutory lien (tax liens, mechanics' liens, etc.) subsequently went to court and obtained a judgment. See *Hinton v. Internal Revenue Service (In re Hinton)*, BK 07-61497 (Bankr. N.D. Ga. Sept. 12, 2007). Because tax liens are not judicial liens nor non-possessory, nonpurchase-money security interests, they cannot be avoided under § 522(f).

The motion is therefore denied with prejudice.

The motion is ORDERED DENIED WITH PREJUDICE for reasons stated in the minutes.

The court will issue an order

39. [26-21294](#)-B-13 JAMES SIMPSON
[SSH](#)-3 Simran Singh Hundal
DEBTOR DISMISSED: 08/31/26

MOTION TO AVOID LIEN OF
FRANCHISE TAX BOARD
8-25-26 [[41](#)]

Final Ruling

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

The court's decision is to deny with prejudice the motion to avoid tax lien of Franchise Tax Board.

Debtor requests an order avoiding the tax lien of the Franchise Tax Board ("FTB") against the Debtor's real property commonly known as 1552 Reef Court, Tracy, California

("Property") under 11 U.S.C. § 522(f)(1)(A).

Section 522(f) provides in pertinent part that a debtor may avoid the fixing of a lien on an interest of the debtor in property to the extent that such lien impairs an exemption to which the debtor would have been entitled under § 522(b) if the lien is either a judicial lien or a non-possessory, nonpurchase money security interest in any property listed in § 522(f)(1)(B). A tax lien is neither a judicial lien nor a non-possessory, nonpurchase money security interest. *In re Khoe*, 255 B.R. 581, 588 (E.D. Cal. 2000). This is true even if the lien holder of the statutory lien (tax liens, mechanics' liens, etc.) subsequently went to court and obtained a judgment. See *Hinton v. Internal Revenue Service (In re Hinton)*, BK 07-61497 (Bankr. N.D. Ga. Sept. 12, 2007). Because tax liens are not judicial liens nor non-possessory, nonpurchase-money security interests, they cannot be avoided under § 522(f).

The motion is therefore denied with prejudice.

The motion is ORDERED DENIED WITH PREJUDICE for reasons stated in the minutes.

The court will issue an order

40.	<u>26-21294</u> -B-13 JAMES SIMPSON <u>SSH</u> -4 Simran Singh Hundal	MOTION TO RECONSIDER DISMISSAL OF CASE 9-2-26 [<u>58</u>]
	DEBTOR DISMISSED: 08/31/26	

Final Ruling

The motion has been set for hearing on the 28-days notice required by Local Bankruptcy Rule 9014-1(f)(1). The court has reviewed the motion. The court has also reviewed and takes judicial notice of the docket in this Chapter 13 case. The court has determined that oral argument will not assist in the decision-making process or resolution of the amended motion. See Local Bankr. R. 9014-1(h); *Coss v. Caliber Homes, Inc./Fidelity*, 2019 WL 1460251, *1 (D. Ariz. 2019) (oral argument not mandatory before ruling on motion to reconsider). The court therefore issues these findings of fact and conclusions as a Final Ruling. See Fed. R. Civ. P. 52(a); Fed. R. Bankr. P. 7052.

The court's decision is to grant the motion for reconsideration and reinstate the case.

Debtor moves to alter or amend the court's judgment under Fed. R. Civ. P. 59(e) applicable by Bankruptcy Rule 9023. Specifically, Debtor seeks to vacate the court's order dismissing the bankruptcy. The court had found that Debtor did not file an amended plan, supporting documents, and motions to avoid lien prior to the hearing date of the motion to dismiss case.

The Chapter 13 Trustee, who had filed the original motion to dismiss case, does not oppose Debtor's motion. However, the Trustee requests that a refund check that was sent to Debtor upon dismissal of the case be returned to the Trustee's office.

Discussion

Filed less than 14 days after the entry of judgment, the Debtor's motion is governed by Civil Rule 59(e) applicable by Bankruptcy Rule 9023. *First Ave. West Building, LLC v. James (In re Onecast Media, Inc.)*, 439 F.3d 558, 561-62 (9th Cir. 2006); *In re Zinnel*, 2012 WL 8022513, *1-2 (Bankr. E.D. Cal. 2012). There are four grounds on which a Civil Rule 59(e) motion may be granted: (1) to correct manifest errors of law or fact upon which the judgment rests; (2) to present newly discovered or previously unavailable evidence; (3) to prevent manifest injustice; or (4) if amendment is justified by an intervening change in controlling law. *Allstate Ins. Co. v. Herron*, 634 F.3d 1101, 1111 (9th Cir. 2011). Relief under Civil Rule 59(e) is "an extraordinary remedy which should be used sparingly." *Id.*

The first, second, and fourth grounds are inapplicable.

That leaves the third ground, manifest injustice. As one court explained:

The manifest injustice contemplated by Rule 59(e) is an amorphous concept with no hard line definition. The movant must show an error that is direct, obvious and observable. A showing of manifest injustice requires that there exists a fundamental flaw in the court's decision that without correction would lead to a result that is both inequitable and not in line with applicable policy.

In re Wahlin, 2011 WL 1063196, *3 (Bankr. D. Idaho 2011) (internal citations and quotations omitted). The standard is a stringent one. *Sciara v. Campbell*, 2020 WL 248653, *3 (D. Nev. 2020).

The court had dismissed the case on grounds that Debtor did not file an amended plan, supporting documents, and motions to avoid lien prior to the hearing date of the motion to dismiss case. However, a review of the court's docket shows that these documents were filed on August 25, 2026, which was two days before the hearing on the motion to dismiss case. The court, therefore, vacates its order dismissing case to prevent manifest injustice.

The Debtor's motion to reconsider the order dismissing this Chapter 13 case will be granted and the case is reinstated.

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

The court will issue an order.

41. [26-24496](#)-B-13 WILLIAM/LARONICA FISHER
[MKM](#)-1 Michael K. Moore

MOTION TO VALUE COLLATERAL OF
USAA FEDERAL SAVINGS BANK
9-2-26 [[19](#)]

WITHDRAWN BY M.P.

Final Ruling

The Debtors having filed a notice of withdrawal of their motion, the motion is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(I) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar.