



UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher M. Klein
Bankruptcy Judge
Sacramento, California

October 20, 2026 at 11:00 a.m.

Unless otherwise ordered, all matters before the Honorable Christopher M. Klein shall be simultaneously: (1) **In Person**, at Sacramento Courtroom #35, (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 medical 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.

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Christopher M. Klein
Bankruptcy Judge
Sacramento, California

October 20, 2026 at 11:00 a.m.

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1. [26-24401](#)-C-13 STEVE SHIELDS AND CARA OBJECTION TO CONFIRMATION OF
 [DPC](#)-1 HARDY-SHIELDS PLAN BY DAVID P. CUSICK
 Ryan C. Wood 9-16-26 [[22](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 34 days' notice was provided. Dkt. 25.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtors are delinquent in plan payments; and
2. Plan relies on a motion to value.

DEBTORS' OPPOSITION

The debtors filed an Opposition on October 5, 2026. Dkt. 28. Debtors represent the motion to value was granted and secured creditor's claim has been set. Debtors assert they are now current on plan payments.

DISCUSSION

An order valuing collateral and secured claim was entered on September 24, 2026. Dkt. 27. So that is no longer an issue.

The debtor is \$1,450.00 delinquent in plan payments. Declaration, Dkt. 24. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the

October 20, 2026 at 11:00 a.m.

Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 36 days' notice was provided. Dkt. 50.

The Motion to Confirm is denied.

The debtors filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 43) filed on August 3, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 51) on October 1, 2026, opposing confirmation on the following grounds:

1. Debtors are currently paid ahead and the Trustee would like clarification on the amount paid through month 7;
2. The attorney's fees payment does not comply with the local rules; and
3. The plan does not propose all of debtors' net monthly income available to pay creditors.

DISCUSSION

The plan proposes a monthly payment of \$500.00, which is less than all of the debtor's disposable income. That is reason to deny confirmation. 11 U.S.C. § 1325(b)(1).

Local Rule 2016-1(c)(4)(B) states that the Chapter 13 trustee shall pay debtor's counsel equal monthly installments over the term of the plan. The plan's provision to pay in monthly dividend of \$200.00 does not follow the local rule on payment of counsel's fees, this is reason to deny confirmation.

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtors, Maria and Kenneth Kinstley, having been presented to the court, and upon review of the pleadings, evidence, arguments of

counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

3. [26-21403](#)-C-13 TERENCE VALLELY MOTION TO CONFIRM PLAN
[EJV](#)-2 Eric J. Gravel 9-14-26 [[41](#)]

Final Ruling: No appearance at the October 20, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 36 days' notice was provided. Dkt. 45.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Confirm is granted.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 44) filed on September 14, 2026.

The Chapter 13 trustee filed a non-opposition on October 6, 2026. Dkt. 46.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, Terence Vallely, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted, the Amended Chapter 13 Plan (Dkt. 44) meets the requirements of 11 U.S.C. §§ 1322 and 1325(a), and the plan is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 76 days' notice was provided. Dkt. 57.

The Motion to Confirm is denied.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 56) filed on August 4, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 59) on October 6, 2026, opposing confirmation on the following grounds:

1. The plan does not specify the amount to be paid towards attorney's fees;
2. The plan is inconsistent as to the payment towards the secured claim of Lassen County;
3. The plan is not feasible.

Debtor filed a response (Dkt. 62) on October 13, 2026, asserting that the plan is feasible and Mr. Simon has made all payments to date early. Debtor contends that he has communicated with Lassen County and believes the county sees it in their interest to not insist on being paid. Debtor also believes he will see a modest increase in Social Security benefits and is confident he can afford the plan payment for the duration of the plan.

DISCUSSION

Secured creditors with Class 1 claims shall be paid through the plan by the Trustee. The plans language indicates that Lassen County, which the debtor has classified as a Class 1 claim is not being paid through the plan. That is reason to deny confirmation.

The debtor has not explained how he will be able to make the step up pyments to assist the Chapter 13 Trustee in determining the feasibility of the plan. Debtor's current Schedules I & J show that debtor does not have the disposable monthly income to make the step up payments.

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, Robert Simon, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 21 days' notice was provided. Dkt. 38.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor did not appear at the Meeting of Creditors;
2. Debtor has not provided copies of tax returns, pay advices, or last 6 months of bank statements;
3. Plan is blank;
4. Schedules are incomplete;
5. There is a pending OSC for not paying fees; and
6. Debtor has a chapter 7 case pending.

DISCUSSION

Debtor did not appear at the Meeting of Creditors held pursuant to 11 U.S.C. § 341. Appearance is mandatory. See 11 U.S.C. § 343. Attempting to confirm a plan while failing to appear and be questioned by the Chapter 13 Trustee and any creditors who appear represents a failure to cooperate. See 11 U.S.C. § 521(a)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not provided the trustee with all required pay advices. 11 U.S.C. § 521(a)(1)(B)(iv); FED. R. BANKR. P. 4002(b)(2)(A). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not provided the trustee with all required tax returns. 11 U.S.C. § 521(e)(2)(A)(i); FED. R. BANKR. P. 4002(b)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor's proposed plan is blank, which demonstrates the plan was not filed in good faith. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(3).

Debtor has not paid the installment on filing fees. That is cause

to deny confirmation. 11 U.S.C. § 1325(a)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

Thru #9

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 36 days' notice was provided. Dkt. 42.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee filed a status report on September 28, 2026, asserting that the IRS has filed a claim that the tax returns have been filed. The trustee continues to oppose because the mortgage arrears are greater than estimated and there continues to be an unresolved motion to value.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtors have not provided all tax returns; and
2. Plan relies on a motions to value that have not been acted on yet.

DISCUSSION

The plan proposes valuing the secured claims of the IRS and National Bankruptcy Services LLC. Before the court enters an order valuing that secured claim, the plan's feasibility is uncertain.

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

Notwithstanding whether the plan provides for the prepetition arrearage as Trustee argues, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to

the court, and upon review of the pleadings, evidence,
arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 37 days' notice was provided. Dkt. 27.

The Objection to Confirmation of Plan is sustained.

Creditor Real Time Resolutions, Inc. ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan does not fully provide for Creditor's claim; and
2. Creditor's fully matured claim cannot be extended beyond the term of the plan.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim. Debtor has filed a Motion to Value that is currently pending. Before the court enters an order valuing Creditor's secured claim, the plan's feasibility is uncertain. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by Real Time Resolutions, Inc., having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

8. [26-23208](#)-C-13 MICHAEL/MERCEDES HICKEY CONTINUED MOTION TO VALUE
[PGM](#)-2 Peter G. Macaluso COLLATERAL OF NATIONAL
BANKRUPTCY SERVICES, LLC
7-20-26 [[28](#)]

Final Ruling: no appearance at the hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 37 days' notice was provided. Dkt. 32.

The Motion to Value is denied as moot.

The debtor filed this Motion seeking to value the portion of VW Credit, Inc.'s ("Creditor") claim secured by the debtor's property commonly known as 2023 Audi Q5 (the "Property").

Creditor and debtors have entered a stipulation that values the Property and resolves the matter. Dkt. 66. Therefore the motion is now moot.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Value Collateral and Secured Claim filed by the debtor having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion pursuant to 11 U.S.C. § 506(a) is denied as moot as the parties have already stipulated as to the value of the Property.

9. [26-23208](#)-C-13 MICHAEL/MERCEDES HICKEY CONTINUED MOTION TO VALUE
[PGM](#)-3 Peter G. Macaluso COLLATERAL OF REAL TIME
RESOLUTIONS, INC.
7-20-26 [[33](#)]

No Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 37 days' notice was provided. Dkt. 37.

The Motion to Value is ~~xxxxx~~.

The debtor filed this Motion seeking to value the portion of Real Time Resolutions, Inc.'s ("Creditor") claim secured by the debtor's property commonly known as 2303 Wasabe Drive, South Lake Tahoe, California (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$770,000.00. Declaration, Dkt. 35.

OPPOSITION

Creditor filed opposition on July 27, 2026, asserting that debtors' opinion of value is too low and the market value of the Property is \$940,000.00.

TRUSTEE'S RESPONSE

The Chapter 13 Trustee filed a response stating he does not oppose the motion, but notes that Creditor is seeking an appraisal. Dkt. 49.

DISCUSSION

Federal Rule of Bankruptcy Procedure 9014(d) provides that testimony of witnesses with respect to disputed material factual issues shall be taken in the same manner as testimony in an adversary proceeding. Because there is a disputed material fact, the Matter must be set for evidentiary hearing.

Upon review of the record, the court finds the value of the Property is ~~xxx~~. There is a \$853,197.13 senior lien encumbering the Property. Therefore, Creditor's secured claim is determined to be ~~\$xxx~~. 11 U.S.C. § 506(a).

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Value Collateral and Secured Claim

filed by the debtor having been presented to the court,
and upon review of the pleadings, evidence, arguments of
counsel, and good cause appearing,

IT IS ORDERED that the Motion pursuant to 11 U.S.C.
§ 506(a) is granted, and the claim of Real Time
Resolutions, Inc. ("Creditor") secured by property
commonly known as 2303 Wasabe Drive, South Lake Tahoe,
California (the "Property") is determined to be a secured
claim in the amount of \$~~xxxx.xx~~, and the balance of the
claim is a general unsecured claim to be paid through the
confirmed bankruptcy plan.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 21 days' notice was provided. Dkt. 21.

The Objection to Confirmation of Plan is overruled.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor did not appear at the Meeting of Creditors;
2. Debtor has not provided copies of tax returns; and
3. The Disclosure of Compensation of Attorney has not yet been amended.

DISCUSSION

A review of the docket shows that the debtor attended the continued Meeting of Creditors on October 9, 2026, and the meeting was concluded.

A review of the docket shows an Amended Disclosure of Compensation of Attorney was filed on October 9, 2026.

The debtor filed an affidavit on October 9, 2026, asserting that she is not required to file income tax returns in four years. Dkt. 26.

No other grounds for objection remaining, it appears the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Objection is overruled, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is overruled, and the debtor's Chapter 13 Plan (Dkt. 10), is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed

order to the Chapter 13 Trustee for approval as to form,
and if so approved, the Chapter 13 Trustee will submit the
proposed order to the court.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 35 days' notice was provided. Dkt. 55.

The Motion to Modify is ~~xxxxxxx~~

The debtor filed this Motion seeking to confirm the Modified Chapter 13 Plan (Dkt. 52) filed on September 15, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 57) on October 6, 2026, opposing confirmation on the following grounds:

1. The nonstandard provisions appear to circumvent the Relief from Stay process with litigation that is in family dissolution court.

DISCUSSION

At the hearing ~~xxxxxxxxxx~~

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Modify filed by the debtor, Georgina Martinez, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is ~~xxxxxxxxxx~~

No Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 26.

The Motion to Dismiss is ~~XXXXXXXXXX~~

At the prior the debtor, Trustee, and Movant agreed to continue the matter for further discussions to modify the plan. A modified plan was filed on September 15, 2026. See Item 11.

Jose Velazquez, debtor's estranged spouse, ("Movant") filed this Motion To Dismiss arguing that cause for dismissal exists because the debtor has not disclosed all of her assets, including assets that she has purportedly made claims to in divorce proceedings.

Chapter 13 Trustee filed a response (dkt. 29) on June 30, 2026, asserting the following:

(1) debtor is delinquent a partial payment under the confirmed plan;

(2) the plan was confirmed on April 21, 2026, after no one objected, including the Trustee and Movant;

(3) the plan pays a 0% dividend to general unsecured creditors and the debtor's schedules as filed do not demonstrate any non-exempt equity listed in the assets of the estate. However, the trustee notes that if there are non-exempt assets that are undisclosed then this case should be converted to chapter 7.

A review of the docket shows that debtor has amended her Schedules A/B and C twice since the filing of the case.

Movant filed a response (Dkt. 41) on July 21, 2022 with the following support for dismissing the case:

(1) Although the property may be subject to divorce proceedings, the debtor made an assertion of interest in the property but did not schedule the property;

(2) Debtor cherry picks which assets are part of the divorce proceedings;

(3) Debtor admits the property is community property;

(4) Debtor amended her schedules 45 days after plan confirmation, did not serve the amended schedule A/B on creditors, and did not list all undisclosed assets;

(5) Trustee and creditors were prejudiced by the nondisclosure;
and

(6) Conversion to chapter 7 does not benefit creditors because of the divorce proceedings and the division of assets and equalization of debt.

At the hearing xxxxxxxxx

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Dismiss the Chapter 13 case filed by Jose Velazquez, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion to Dismiss is xxxxxxxx

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 21.

The Objection to Confirmation of Plan is sustained.
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The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor has not provided copies of tax returns;
2. Debtor's plan payments do not include amounts for tax refunds over \$2,000; and
3. Plan fails the liquidation test.

DISCUSSION

The debtor has not provided the trustee with all required tax returns. 11 U.S.C. § 521(e)(2)(A)(i); FED. R. BANKR. P. 4002(b)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The plan proposes a monthly payment that does include any tax refund in an amount greater than \$2,000, which is less than all of the debtor's disposable income. That is reason to deny confirmation. 11 U.S.C. § 1325(b)(1).

The debtor has non-exempt assets totaling \$51,753.00. The plan provides for a 38% percent dividend to unsecured claims, which is less than the percent dividend necessary to meet the liquidation test. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(4).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

14. [26-21217](#)-C-13 NAPOLEON/KRYSTLE APARICIO MOTION TO VALUE COLLATERAL OF
[MEV](#)-5 Marc Voisenat ONEMAIN FINANCIAL GROUP, LLC
9-29-26 [[80](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 22 days' notice was provided. Dkt. 83.

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of OneMain Financial Group LLC's ("Creditor") claim secured by the debtor's property commonly known as 2019 Chevrolet Bolt (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$11,650.00. Declaration, Dkt. 82.

DISCUSSION

The debtors' opinion of value of the Property is the same as the value Creditor assign to the Property in its Proof of Claim.

Upon review of the record, the court finds the value of the Property is \$11,650.00. Therefore, Creditor's secured claim is determined to be \$11,650.00. 11 U.S.C. § 506(a).

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Value Collateral and Secured Claim filed by the debtor having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion pursuant to 11 U.S.C. § 506(a) is granted, and the claim of OneMain Financial Group LLC ("Property") is determined to be a secured claim in the amount of \$11,650.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 39 days' notice was provided. Dkt. 34.

The Motion to Confirm is granted.

At the prior hearing, it was represented that debtor and a creditor had an agreement on the amount of interest to be paid on the creditor's claim. The parties filed a stipulation on October 8, 2026, with the stipulated terms on the payment of creditor's claim.

The debtors filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 33) filed on August 24, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 40) on September 9, 2026, opposing confirmation on the following grounds:

1. Debtors have not filed a supplemental Schedule I & J in support of the motion; and
2. Plan relies on a Motion to Value that has not been decided.

DISCUSSION

Debtors' Motion to Value Collateral has now been decided and finalized. Therefore, that issue is resolved. Debtors filed supplemental Schedules I & J on September 15, 2026. Dkt. 45. It appears that this issue has also now been resolved.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtors, Matthew and Maricel Bohannan, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted, the Amended Chapter 13 Plan (Dkt. 33) meets the requirements of 11 U.S.C. §§ 1322 and 1325(a), and the plan is

confirmed. Counsel for the debtors shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 trustee for approval as to form, and if so approved, the trustee will submit the proposed order to the court.

16. [26-24521](#)-C-13 CHARLES/ASHLYNN BUTTS
[DPC](#)-1 Mikalah Liviakis

OBJECTION TO CONFIRMATION OF
PLAN BY DAVID CUSICK
9-23-26 [[13](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 16.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor has not amended Schedule I and J to reflect debtor's new employment; and
2. Debtor has not provided pay advices.

DISCUSSION

Debtors have filed an amended Schedule I. So it appears that issue has been resolved.

The debtor has not provided the trustee with all required pay advices. 11 U.S.C. § 521(a)(1)(B)(iv); FED. R. BANKR. P. 4002(b)(2)(A). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

17. [26-24224](#)-C-13 PETER HENDRIX AND JANA OBJECTION TO CONFIRMATION OF
[PFR](#)-1 POWELL PLAN BY KOCH REAL ESTATE, LLC
Pauldeep Bains 9-18-26 [[30](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 32.

The Objection to Confirmation of Plan is overruled.

Creditor Koch Real Estate, LLC ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtors must utilize all of their \$8,451.71 in disposable income in Form 122C-2 to meet their obligations.

DEBTORS' OPPOSITION

Debtors filed an Opposition on September 23, 2026. Dkt. 33. Debtors assert Creditor's objection was not timely filed, and the scheduled date does not comply with the Local Rules.

Debtors contend that the plan complies with the Code and commits debtors actual net disposable income as calculated under Schedules I & J. Additionally, debtors assert they properly disclosed the sale of their property on the SOFA.

DISCUSSION

Debtors' Schedules I & J show debtors' net monthly income of \$6,100.54. There has not been any assertion that any of the amounts in the Schedules I & J are inaccurate, miscalculated, or otherwise inappropriate according to the Code. The debtors' plan contemplates a monthly plan payment of \$6,100.00, which is all of debtors' net monthly income. Therefore, Creditor's contention that all of debtors' net monthly income is not being committed to the fund debtors' plan is inaccurate.

No other grounds for objection remaining, it appears the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Objection is overruled, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by Koch Real Estate, LLC, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is overruled, and the debtor's Chapter 13 Plan (Dkt. 19), is confirmed. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 21 days' notice was provided. Dkt. 18.

The Objection to Confirmation of Plan is sustained.
--

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan does not provide adequate assurance payments to secured creditor in months 1-4;
2. Plan does not include an approximate dividend to unsecured creditors;
3. Debtors have not provided pay advices that were received within 60 days of the filing; and
4. Debtors' petition list only one address even though debtors testified they are living separately.

DISCUSSION

An amended petition has been filed showing two separate addresses for each debtor. Dkt. 19. Therefore, that issue is resolved.

The debtor has not provided the trustee with all required pay advices. 11 U.S.C. § 521(a)(1)(B)(iv); FED. R. BANKR. P. 4002(b)(2)(A). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

Debtors have not demonstrated that creditor Travis Credit Union is adequately protected by not having to make a payment for months 1-4. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence,

arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

19. [21-21325](#)-C-13 STANLEY SPICER
[GC-1](#) Julius J. Cherry

NOTICE OF DEATH OF A DEBTOR,
MOTION TO WAIVE FINANCIAL
MANAGEMENT COURSE REQUIREMENT,
SUBSTITUTE PARTY, AND FOR ENTRY
OF A DISCHARGE AS TO DEBTOR
9-7-26 [[34](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 43 days' notice was provided. Dkt. 38.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Substitute is granted.

Debtor's daughter, Camille Spicer, filed this Motion (1) offering a suggestion of death of the debtor, Stanley Spicer; (2) seeking authority to substitute as a representative; and (3) seeking waiver of the 11 U.S.C. § 1328 certification requirement.

The movant argues the Motion should be granted because (1) the movant is knowledgeable of the debtor's financial affairs, and (2) the movant is capable of making the plan payments. Movant represents all payments under the plan have been made and the case can now be finalized.

The movant filed as Exhibit A, a copy of a Certificate of Death showing the debtor passed away on February 23, 2026. Dkt. 37.

DISCUSSION

Federal Rule of Bankruptcy Procedure 1016 provides that a Chapter 13 case where the debtor dies or becomes incompetent may proceed and be concluded in the same manner, so far as possible, as though the death or incompetency had not occurred, if further administration is possible and in the best interest of the parties.

Based on the evidence provided, and no party in interest having proffered opposition, the court determines that further administration of this Chapter 13 case is in the best interests of all parties, and that the movant may continue to administer the case on behalf of the deceased debtor. Additionally, the court finds good cause to waive the 11 U.S.C. § 1328 certification requirement.

Therefore, the Motion is granted, and the case may be finalized.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion for Substitute After Death filed by Debtor having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted, and Camille Spicer is substituted as the successor-in-interest to Stanley Spicer and is allowed to continue the administration of this Chapter 13 case pursuant to Federal Rule of Bankruptcy Procedure 1016.

IT IS FURTHER ORDERED that the 11 U.S.C. § 1328 certification requirement is waived.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 36 days' notice was provided. Dkt. 27.

The Objection to Confirmation of Plan is sustained.

At the prior hearing the creditor did not appear, but previously debtor and Creditor represented that the Creditor was considering amending its POC (No. 31-1) and withdrawing its objection. At this point, the court does not see that an amended POC has yet been filed.

Creditor U.S. Bank Trust National Association ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan misclassifies Creditor's claim.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim. Section 3.07 instructs that all delinquent secured claims that mature after completion of the plan are to be included in Class 1. U.S. Bank Trust National Association filed a Proof of Claim that represents that its claim includes an arrearage. Therefore, the claim must be included in Class 1 and not Class 4.

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by U.S. Bank Trust National Association, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

21. [25-22929](#)-C-13 MANUEL HERNANDEZ CHAVEZ CONTINUED MOTION TO DISMISS
[RDZ](#)-1 Peter G. Macaluso CASE
8-14-26 [[36](#)]

Final Ruling: No appearance at the October 20, 2026 hearing is required.

The Motion is dismissed without prejudice.

On October 13, 2026, the movant filed an Ex Parte Motion to Dismiss. Dkt. 48. Federal Rule of Civil Procedure 41(a)(2), incorporated by Federal Rules of Bankruptcy Procedure 9014 and 7041, allows dismissal after a responsive pleading has been filed on terms the court considers proper.

The court finds withdrawal is warranted here. The Motion is dismissed without prejudice, and the court removes this Motion from the calendar.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion filed by California Department of Tax and Fee Administration having been presented to the court, the movant having requested that the Motion itself be dismissed pursuant to Federal Rule of Civil Procedure 41(a)(2) and Federal Rules of Bankruptcy Procedure 9014 and 7041, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is dismissed without prejudice.

Final Ruling: No appearance at the October 20, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 35 days' notice was provided. Dkt. 35.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Objection to Claimed Exemptions is sustained, and the exemptions are disallowed.

The Chapter 13 trustee filed this Objection objects to the debtor's claimed exemptions pursuant to Cal. Code Civ. P. § 704.20 because the insurance claims for personal property damages are not household goods and personal effects under the section.

Section 703.580 of the California Code of Civil Procedure allocates the burden of proof in state-law exemption proceedings. Cal. Civ. Proc. Code § 703.580(b); *In re Tallerico*, 532 B.R. 774, 780-89 (Bankr. E.D. Cal. 2015). The bankruptcy appellate panel in this circuit has concluded that "where a state law exemption statute specifically allocates the burden of proof to the debtor, Rule 4003(c) does not change that allocation." *In re Diaz*, 547 B.R. 329, 337 (B.A.P. 9th Cir. 2016). In this exemption proceeding in bankruptcy, therefore, the debtor bears the burden of proof.

Debtor did not respond, and therefore; debtor has not met the burden demonstrating that the exemption is valid. The trustee's Objection is sustained, and the claimed exemptions are disallowed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to Claimed Exemptions filed by David Cusick Chapter 13 Trustee having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that Objection is sustained, and the claimed exemptions for insurance claim for personal property damage under California Code of Civil Procedure § 704.020 is disallowed.

Thru #25

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 35 days' notice was provided. Dkt. 16.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan does not provide for a renewed lease on business property; and
2. Debtor does not include tax refunds in excess of \$2,000.00 as plan payments.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

Notwithstanding whether the plan provides for the prepetition arrearage as Trustee argues, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

The plan proposes a monthly payment that does not include tax refunds in excess of \$2,000.00, which is less than all of the debtor's disposable income. That is reason to deny confirmation. 11 U.S.C. § 1325(b)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 33 days' notice was provided. Dkt. 22.

The Objection to Confirmation of Plan is sustained.

Creditor CSS Properties, LLC ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan rejects Creditor's lease even though the debtor testified he was planning on continuing operations at the location; and
2. The plan is not feasible.

DISCUSSION

The debtor has not carried his burden to show the plan is adequately funded because the plan relies on the business income, but the plan also rejects the lease. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by CSS Properties, LLC, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 14 days' notice was provided. Dkt. 28.

The Motion for Administrative Expenses is granted.

CSS Properties, LLC ("Movant") requests payment of administrative expenses in the amount of \$13,747.99, incurred during the period of August 3, 2026, through October 31, 2026, for postpetition pre-rejection charges due under the lease for the premises located at 2069 Arena Blvd., Suite 140, Sacramento, California.

DISCUSSION

Movant argues section 365(d)(3) requires payment of all postpetition pre-rejection charges under the lease must be paid. Movant asserts it is entitled to the full, contractual amounts it is owed under the lease.

Section 503(b)(1)(A) of the Bankruptcy Code accords administrative expense status to "the actual, necessary costs and expenses of preserving the estate"

Movant having demonstrated that the expenses were necessary, and the Chapter 13 Trustee not opposing the Motion, the court finds that Movant providing the leased premises for Debtor was necessary for Debtor and provided benefit to the Estate. The Motion is granted, and the Chapter 13 Trustee is authorized to pay Movant its administrative expenses in the amount of \$13,747.99.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion for Allowance of Administrative Expense filed by CSS Properties, LLC ("Movant") having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted, and the Chapter 13 Trustee is authorized to pay CSS Properties, LLC \$13,747.99 as an administrative expense of the Chapter 13 Estate in this case pursuant to 11 U.S.C. § 503(b)(1).

26. [25-22533](#)-C-13 YESSANIA/EDUARDO CHAVEZ
[JCW](#)-1 Robert W. Fong

MOTION FOR RELIEF FROM
AUTOMATIC STAY
9-17-26 [[57](#)]

SANTANDER CONSUMER USA INC.
VS.

Final Ruling: No appearance at the October 20, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 33 days' notice was provided. Dkt. 62.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion for Relief from the Automatic Stay is granted.

Santander Consumer USA Inc. dba Chrysler Capital ("Movant") filed this Motion seeking relief from the automatic stay as to the debtors' 2024 Jeep Grand Cherokee (the "Property").

Movant argues cause for relief from stay exists pursuant to 11 U.S.C. § 362(d)(1) because the debtors are delinquent 3 postpetition payments. Declaration, Dkt. 59. Movant also argues cause exists pursuant to 11 U.S.C. § 362(d)(2) because the Property is leased. *Id.*

DISCUSSION

Upon review of the record, the court finds cause for relief from stay exists pursuant to 11 U.S.C. § 362(d)(1) because the debtors are delinquent 3 postpetition payments. The court also finds cause exists pursuant to 11 U.S.C. § 362(d)(2) because the Property is leased.

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 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.

Request for Waiver of Fourteen-Day Stay of Enforcement

Federal Rule of Bankruptcy Procedure 4001(a)(3) stays an order granting a motion for relief from the automatic stay for fourteen days after the order is entered, unless the court orders otherwise. Movant requests, for no particular reason, that the court grant relief from the

Rule as adopted by the United States Supreme Court. With no grounds for such relief specified, the court will not grant additional relief merely stated in the prayer.

Movant has not pleaded adequate facts and presented sufficient evidence to support the court waiving the fourteen-day stay of enforcement required under Federal Rule of Bankruptcy Procedure 4001(a)(3), and this part of the requested relief is not granted.

No other or additional relief is granted by the court.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion for Relief from the Automatic Stay filed by Santander Consumer USA Inc. dba Chrysler Capital ("Movant") having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED the automatic stay provisions of 11 U.S.C. § 362(a) are vacated to allow Movant, its agents, representatives, and successors, and all other creditors having lien rights against the Property, under its security agreement, loan documents granting it a lien in the asset identified as a 2024 Jeep Grand Cherokee ("Property"), and applicable nonbankruptcy law to obtain possession of, nonjudicially sell, and apply proceeds from the sale of the Property to the obligation secured thereby.

IT IS FURTHER ORDERED that the fourteen-day stay of enforcement provided in Federal Rule of Bankruptcy Procedure 4001(a)(3) is not waived for cause.

No other or additional relief is granted.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 34 days' notice was provided. Dkt. 17.

The Objection to Confirmation of Plan is sustained.
--

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtors have misclassified a secured claim that matures before the term of the plan;
2. Debtors' plan payments do not include tax refunds in excess of \$2,000.00;
3. Debtors' attorney's fees are inconsistent; and
4. Attorney fee installments do not comply with the local rules.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim. Section 3.08 instructs that all secured claims that mature before completion of the plan are to be included in Class 2. Creditor filed a Proof of Claim that represents that its claim matures on November 26, 2027. Therefore, the claim must be included in Class 2 and not Class 4.

The plan proposes a monthly payment that does not include tax refunds in excess of \$2,000.00, which is less than all of the debtor's disposable income. That is reason to deny confirmation. 11 U.S.C. § 1325(b)(1).

Local Rule 2016-1(c)(4)(B) states that the Chapter 13 trustee shall pay debtor's counsel equal monthly installments over the term of the plan. The plan's provision to pay in monthly dividend of \$500 does not follow the local rule on payment of counsel's fees, this is reason to deny confirmation.

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

28. [26-22836](#)-C-13 VICTOR/GIANNA DONATO
[JCW](#)-1 Gerald B. Glazer

MOTION FOR RELIEF FROM
AUTOMATIC STAY
9-15-26 [[25](#)]

SANTANDER CONSUMER USA INC.
VS.

Final Ruling: No appearance at the October 20, 2026 hearing is required.

A stipulated order continuing the hearing on the motion to
November 17, 2026 at 11:00 a.m. was entered on October 13, 2026. Dkt. 35.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 60.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtors have not provided proof of Social Security number;
2. Debtors have not provided a declaration that explains the part-time job or family assistance; and
3. Debtors misspell Samuel's middle name on the petition.

DISCUSSION

The debtor has not provided the trustee with proof of Social Security number. FED. R. BANKR. P. 4002(b)(2)(B). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has supplied insufficient information relating to the part-time job and family assistance to assist the Chapter 13 Trustee in determining the feasibility of the plan.

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

30. [26-24436](#)-C-13 JARMAL MASON
[ALG](#)-1 Mark Shmorgon

OBJECTION TO CONFIRMATION OF
PLAN BY SIGNATURE FEDERAL
CREDIT UNION
9-23-26 [[21](#)]

Thru #32

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 23.

The Objection to Confirmation of Plan is overruled.

Creditor Signature Federal Credit Union ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan is not feasible.

DISCUSSION

Creditor asserts that the plan is not feasible because the plan in part relies on an unsubstantiated contribution from debtor's sister. However, the debtor has filed a declaration (dkt. 12) from debtor's sister, Latoy Hoskins, in support of her contributing \$2,000 towards funding the plan for the life of the plan.

No other grounds for objection remaining, it appears the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Objection is overruled, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by Signature Federal Credit Union, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is overruled.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 16.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. The plan misclassifies the claim of Nationstar Mortgage.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim. Section 3.07 instructs that all delinquent secured claims that mature after completion of the plan are to be included in Class 1. Nationstar Mortgage filed a Proof of Claim that represents that its claim includes an arrearage. Therefore, the claim must be included in Class 1 and not Class 4.

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

Final Ruling: No appearance at the October 20, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 20.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Objection to Discharge is sustained.

The Chapter 13 Trustee ("Objector") objects to Jamal Mason's ("Debtor") discharge in this case. Objector argues that Debtor is not entitled to a discharge in the instant bankruptcy case because Debtor previously received a discharge in a Chapter 7 case.

Debtors filed a Chapter 7 bankruptcy case on March 16, 2026. Case No. 23-21415. Debtor received a discharge on June 29, 2026. Case No. 26-21415, Dkt. 15. The instant case was filed under Chapter 13 on August 3, 2026.

11 U.S.C. § 1328(f) provides that a court shall not grant a discharge if a debtor has received a discharge "in a case filed under chapter 7, 11, or 12 of this title during the 4-year period preceding the date of the order for relief under this chapter." 11 U.S.C. § 1328(f)(1).

Here, Debtor received a discharge under 11 U.S.C. § 727 on June 29, 2026, which is less than four years preceding the date of the filing of the instant case. Case No. 26-21415, Dkt. 15. Therefore, pursuant to 11 U.S.C. § 1328(f)(1), Debtors are not eligible for a discharge in the instant case. Therefore, the Objection is sustained. Upon successful completion of the instant case, the case shall be closed without the entry of a discharge, and Debtor shall receive no discharge in the instant case.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to Discharge filed by David P. Cusick, the Chapter 13 Trustee ("Objector") having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause

appearing,

IT IS ORDERED that Objection to Discharge is sustained, and upon successful completion of the instant case, Case No. 26-24436, the case shall be closed without the entry of a discharge.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 49 days' notice was provided. Dkt. 40.

The Motion to Confirm is denied.

At the prior hearing the Trustee represented that the debtor was still delinquent and the hearing was continued to confirm that the payments have been processed with the Trustee.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 37) filed on July 21, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 49) on August 25, 2026, opposing confirmation on the following grounds:

1. Plan relies on a motion to value that has not been filed; and
2. Debtor is delinquent in plan payments.

DISCUSSION

The debtor is \$5,519.00 delinquent in plan payments. Declaration, Dkt. 50. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, Darrell Veasley, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 31.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtors did not appear at the Meeting of Creditors;
2. Debtors have not provided copies of tax returns or pay advices;
3. Debtors have not provided photo identification or proof of Social Security number; and
4. Plan fails the liquidation test.

DISCUSSION

A review of the docket shows that debtors attended the continued Meeting of Creditors. Therefore, that issue is resolved.

The debtor has not provided the trustee with all required tax returns. 11 U.S.C. § 521(e)(2)(A)(i); FED. R. BANKR. P. 4002(b)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not provided the trustee with all required pay advices. 11 U.S.C. § 521(a)(1)(B)(iv); FED. R. BANKR. P. 4002(b)(2)(A). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has non-exempt assets totaling \$9,115.00. The plan provides for a one percent dividend to unsecured claims, which is less than the eight percent dividend necessary to meet the liquidation test. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(4).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the

Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 50 days' notice was provided. Dkt. 25.

The Motion to Confirm is granted.

The debtors filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 17) filed on August 13, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 34) on September 18, 2026, opposing confirmation on the following grounds:

1. Plan relies on a motion to set secured claim that has not been resolved;
2. Debtors' business income appears to be inconsistent;
3. The amount of nonexempt property is unclear.

RESPONSE

Debtors filed a response on October 13, 2026. Dkt. 45. Debtors assert their motion to set claim is unopposed. Debtors represent the amount of non-exempt equity is \$26,182.50, the plan is accurate and the motion was a clerical error, and unsecured creditors will receive at least 13.5% dividend. Finally, debtors represent debtor is a truck driver and contend that he is working more hours to fund the plan and they have already made the August and September payments.

DISCUSSION

The motion to set value of secured claim is granted and finalized. Therefore, that is no longer an issue.

It appears that the debtors have clarified the Trustee's other issues now as well.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtors, Vitaly and Olga Gulchuk, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted, the Amended Chapter 13 Plan (Dkt. 17) meets the requirements of 11 U.S.C. §§ 1322 and 1325(a), and the plan is confirmed. Counsel for the debtors shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 trustee for approval as to form, and if so approved, the trustee will submit the proposed order to the court.

Final Ruling: No appearance at the October 20, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 50 days' notice was provided. Dkt. 30.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of US Bank's ("Creditor") claim secured by the debtor's property commonly known as framing machine (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$30,000. Declaration, Dkt. 29.

DISCUSSION

Upon review of the record, the court finds the value of the Property is \$30,000.00. Therefore, Creditor's secured claim is determined to be \$30,000.00. 11 U.S.C. § 506(a).

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Value Collateral and Secured Claim filed by the debtor having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion pursuant to 11 U.S.C. § 506(a) is granted, and the claim of US Bank ("Creditor") secured by property commonly known as a framing machine (the "Property") is determined to be a secured claim in the amount of \$30,000.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

Final Ruling: No appearance at the October 20, 2026 hearing is required.

The Motion has been set on Local Rule 3007-1(b)(1) procedure which requires 44 days' notice. The Proof of Service shows that 47 days' notice was provided. Dkt. 26.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Objection to Proof of Claim is sustained, and the claim is disallowed in its entirety.

Debtor filed this objection asserting that the Proof of Claim Number 13-1 filed by Darrin Dennis was filed before any judgment in state court has been made, and there is no evidence of any debt owed by the debtor to claimant with the Proof of Claim.

Section 502(a) provides that a claim supported by a Proof of Claim is allowed unless a party in interest objects. Once an objection has been filed, the court may determine the amount of the claim after a noticed hearing. 11 U.S.C. § 502(b). It is settled law in the Ninth Circuit that the party objecting to a proof of claim has the burden of presenting substantial evidence to overcome the prima facie validity of a proof of claim, and the evidence must be of probative force equal to that of the creditor's proof of claim. *Wright v. Holm (In re Holm)*, 931 F.2d 620, 623 (9th Cir. 1991); see also *United Student Funds, Inc. v. Wylie (In re Wylie)*, 349 B.R. 204, 210 (B.A.P. 9th Cir. 2006). Substantial evidence means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion, and requires financial information and factual arguments. *In re Austin*, 583 B.R. 480, 483 (B.A.P. 8th Cir. 2018). Notwithstanding the prima facie validity of a proof of claim, the ultimate burden of persuasion is always on the claimant. *In re Holm*, 931 F.2d at p. 623.

Once a party has objected to a proof of claim, the creditor asserting the claim may not withdraw the claim except on order of the court. Fed. R. Bankr. P. 3006.

Based on the evidence before the court, the court finds the creditor's claim was filed without any evidence of a debt owed by the debtor to creditor. The Objection to the Proof of Claim is sustained, and

the claim is disallowed in its entirety.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to Claim filed in this case by the Chapter 13 trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection to Proof of Claim Number 13-1 of Darrin Dennis is sustained, and the claim is disallowed in its entirety.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 40 days' notice was provided. Dkt. 45.

The Motion to Confirm is granted.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 43) filed on September 10, 2026.

The Chapter 13 Trustee filed a reply (Dkt. 46) on October 1, 2026, opposing confirmation on the following grounds:

1. The plan fails to state a percentage to unsecured creditors and representing his calculations show no less than 15.10% to unsecured creditors.

RESPONSE

The debtor filed a response (Dkt. 49) asserting that debtor and the Trustee have agreed on a 2.2% dividend to unsecured creditors.

DISCUSSION

It appears the Trustee and debtor have agreed on 2.2% dividend to unsecured creditors.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, John Bettencourt, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted, the Amended Chapter 13 Plan (Dkt. 43) meets the requirements of 11 U.S.C. §§ 1322 and 1325(a), and the plan is confirmed. Counsel for the debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit

the proposed order to the Chapter 13 trustee for approval as to form, and if so approved, the trustee will submit the proposed order to the court.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 26 days' notice was provided. Dkt. 15.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtors have not filed all tax returns;
2. Debtors have not scheduled rental income they receive;
3. Plan fails the liquidation test; and
4. The Disclosure of Compensation of Attorney has not been amended.

DISCUSSION

The debtor has not filed all required tax returns. 11 U.S.C. §§ 1308, 1325(a)(9). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has non-exempt assets totaling \$641,570.00. The plan provides for a zero percent dividend to unsecured claims, which is less than the 100% dividend necessary to meet the liquidation test. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(4).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 35 days' notice was provided. Dkt. 29.

The Objection to Confirmation of Plan is sustained.
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The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor is delinquent in plan payments;
2. Debtor's income is insufficient to fund the plan
3. Debtor has not provided pay advices or tax returns;
4. Debtor has not provided photo identification or proof of Social Security number; and
5. Debtor's attorney's fees are not disclosed.

DISCUSSION

The debtor is \$2,190.30 delinquent in plan payments. Declaration, Dkt. 28. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

The debtor has not provided the trustee with all required pay advices. 11 U.S.C. § 521(a)(1)(B)(iv); FED. R. BANKR. P. 4002(b)(2)(A). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not provided the trustee with all required tax returns. 11 U.S.C. § 521(e)(2)(A)(i); FED. R. BANKR. P. 4002(b)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence,

arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

41. [26-23958](#)-C-13 MATTHEW SEVERSON
BB-[3](#) Bonnie Baker

MOTION TO AVOID LIEN OF LISA
GORMLEY, TRUSTEE OF THE DARLA
JEAN LAMPE TRUST
9-15-26 [[36](#)]

No Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 35 days' notice was provided. Dkt. 40.

The Motion to Avoid Judicial Lien is xxxxxx.

This Motion requests an order avoiding the judicial lien of Lisa Gormley, Trustee of the Darla Jean Lampe Trust ("Creditor") against property of the debtor commonly known as 329 Michael Drive, Red Bluff, California ("Property").

A judgment was entered against the debtor in favor of Creditor in the amount of \$167,106.63. Exhibit B, Dkt. 38. An abstract of judgment was recorded with Tehama County on October 8, 2025, that encumbers the Property. Declaration, dkt. 39.

Pursuant to Debtor's Schedule A, the subject real property has an approximate value of \$331,300.00 as of the petition date. Dkt. 29. The unavoidable and senior liens that total \$90,525.00 as of the commencement of this case are stated on Debtor's Schedule D. Dkt. 29. Debtor has claimed an exemption pursuant to California Code of Civil Procedure § 704.730 in the amount of \$160,296.85 on Schedule C. Dkt. 29.

TRUSTEE'S RESPONSE

The Chapter 13 Trustee filed non-opposition on September 25, 2026.

OPPOSITION

Creditor filed opposition (Dkt. 53) on October 6, 2026, asserting that debtor's value is inconsistent with debtor's support for value. Additionally, Creditor asserts that the avoidance of the lien does not discharge the debt and an adversary proceeding may be filed to determine the nondischargeability of the debt.

DISCUSSION

Federal Rule of Bankruptcy Procedure 9014(d) provides that testimony of witnesses with respect to disputed material factual issues shall be taken in the same manner as testimony in an adversary proceeding. Because there is a disputed material fact, the Matter must be set for evidentiary hearing.

An order substantially in the following form shall be prepared and issued by the court:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Avoid Judicial Lien pursuant to 11 U.S.C. § 522(f) filed by the debtor Matthew Severson having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the motion is **xxxxxxx**

Final Ruling: No appearance at the October 20, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 35 days' notice was provided. Dkt. 15.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Objection to Discharge is sustained.

The Chapter 13 Trustee ("Objector") objects to Phillip Carrera's ("Debtor") discharge in this case. Objector argues that Debtor is not entitled to a discharge in the instant bankruptcy case because Debtor previously received a discharge in a Chapter 7 case.

Debtor filed a Chapter 7 bankruptcy case on November 26, 2025. Case No. 25-26641. Debtor received a discharge on March 9, 2026. Case No. 25-26641, Dkt. 20.

The instant case was filed under Chapter 13 on July 27, 2026.

11 U.S.C. § 1328(f) provides that a court shall not grant a discharge if a debtor has received a discharge "in a case filed under chapter 7, 11, or 12 of this title during the 4-year period preceding the date of the order for relief under this chapter." 11 U.S.C. § 1328(f)(1).

Here, Debtors received a discharge under 11 U.S.C. § 727 on March 9, 2026, which is less than four years preceding the date of the filing of the instant case. Case No. 25-26641, Dkt. 20. Therefore, pursuant to 11 U.S.C. § 1328(f)(1), Debtors are not eligible for a discharge in the instant case.

Therefore, the Objection is sustained. Upon successful completion of the instant case, the case shall be closed without the entry of a discharge, and Debtor shall receive no discharge in the instant case.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil

Minutes for the hearing.

The Objection to Discharge filed by David P. Cusick, the Chapter 13 Trustee ("Objector") having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that Objection to Discharge is sustained, and upon successful completion of the instant case, Case No. 26-24260, the case shall be closed without the entry of a discharge.

43. [26-24260](#)-C-13 PHILLIP CARRERA
[DPC](#)-2 Rory J. Vohwinkel

OBJECTION TO CONFIRMATION OF
PLAN BY DAVID P. CUSICK
9-15-26 [[16](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 35 days' notice was provided. Dkt. 19.

The Objection to Confirmation of Plan is overruled as moot.

The Chapter 13 trustee filed this Objection to Confirmation on September 15, 2026. Thereafter, the debtor filed an amended plan making this Objection moot. Dkt. 20. The court notes here, that debtor has filed a Notice of Opportunity for Hearing along with the amended motion. This is not the proper procedure under the local rules for seeking confirmation of an amended plan, and counsel must file a motion to confirm and set the motion for hearing before the court will confirm the amended plan.

Therefore, the Objection is overruled.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is overruled as moot.

Thru #45

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 33.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor did not appear at the Meeting of Creditors;
2. Debtor has not provided proof of Social Security and photo identification;
3. Debtor has not provided tax returns or pay advices;
4. Debtor's zero income is insufficient to make the \$8,500 plan payment; and
5. Debtor is not eligible for Chapter 13.

DISCUSSION

Debtor did not appear at the Meeting of Creditors held pursuant to 11 U.S.C. § 341. Appearance is mandatory. See 11 U.S.C. § 343. Attempting to confirm a plan while failing to appear and be questioned by the Chapter 13 Trustee and any creditors who appear represents a failure to cooperate. See 11 U.S.C. § 521(a)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not provided the trustee with all required pay advices. 11 U.S.C. § 521(a)(1)(B)(iv); FED. R. BANKR. P. 4002(b)(2)(A). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not provided the trustee with all required tax returns. 11 U.S.C. § 521(e)(2)(A)(i); FED. R. BANKR. P. 4002(b)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not carried his burden to show the plan is adequately funded because he currently shows zero monthly net income. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

At this time it appears debtor may not be eligible to be a debtor

under chapter 13.

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 27.

The Objection to Confirmation of Plan is sustained.

Creditor Western Alliance Bank as serviced by Sverbank, N.A. ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. The plan does not sure the default on Creditor's claim;
and
2. The plan is not feasible.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

Notwithstanding whether the plan provides for the prepetition arrearage as Creditor argues, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by Western Alliance Bank as serviced by Sverbank, N.A., having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 26 days' notice was provided. Dkt. 34.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor is delinquent in plan payments;
2. Debtor did not appear at the Meeting of Creditors;
3. Plan is missing vital information;
4. Debtor has not provided proof of Social Security number;
5. Debtor has not provided copies of tax returns;
6. Debtor has not provided business documents; and
7. Debtor does not have income to pay into a plan.

DISCUSSION

The debtor has not made a plan payment and is \$917.00 delinquent in plan payments. Declaration, Dkt. 33. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

Debtor did not appear at the Meeting of Creditors held pursuant to 11 U.S.C. § 341. Appearance is mandatory. See 11 U.S.C. § 343. Attempting to confirm a plan while failing to appear and be questioned by the Chapter 13 Trustee and any creditors who appear represents a failure to cooperate. See 11 U.S.C. § 521(a)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not provided the trustee with all required tax returns. 11 U.S.C. § 521(e)(2)(A)(i); FED. R. BANKR. P. 4002(b)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not filed all business documents including:

- A. Questionnaire,
- B. Two years of tax returns,
- C. Six months of profit and loss statements,
- D. Six months of bank account statements, and
- E. Proof of license and insurance or written statement that no such documentation exists.

11 U.S.C. §§ 521(e)(2)(A)(i), 704(a)(3), 1106(a)(3), 1302(b)(1), 1302(c); FED. R. BANKR. P. 4002(b)(2) & (3). Debtor is required to submit those documents and cooperate with the Chapter 13 Trustee. 11 U.S.C. § 521(a)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1) & (a)(6).

The debtor has not demonstrated the plan is feasible because debtor's monthly income is \$0.00. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 49 days' notice was provided. Dkt. 66.

The Motion to Modify is denied.

The debtor filed this Motion seeking to confirm the Modified Chapter 13 Plan (Dkt. 61) filed on September 1, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 69) on October 6, 2026, opposing confirmation on the following grounds:

1. Postpetition arrears on mortgage is not fully cured;
and
2. Plan is overextended.

DISCUSSION

The debtor has not carried his burden to show the plan is adequately funded because the plan does not provide for the postpetition arrearage. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

Because the nonstandard provisions does not specify a lump sum dollar amount in month 12, the plan will take 81 months to complete. That is reason to deny confirmation. 11 U.S.C. § 1322(d).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322, 1325(a), and 1329. The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, Chai Wong, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 46 days' notice was provided. Dkt. 93.

The Motion to Confirm is denied.

The debtors filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 91) filed on September 4, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 97) on October 1, 2026, opposing confirmation on the following grounds:

1. Debtor is delinquent in plan payments.

OPPOSITION

Debtor filed an opposition (Dkt. 99) on October 13, 2026, asserting that debtor will be current on or before the hearing.

DISCUSSION

The debtor is \$7,682.08 delinquent in plan payments. Declaration, Dkt. 95. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtors, James Frank, Jr. and Christina Frank, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

49. [26-23874](#)-C-13 LINDA MEZZANATTO
AP-1 Mark Shmorgon

CONTINUED MOTION FOR RELIEF
FROM AUTOMATIC STAY
8-6-26 [[12](#)]

FINANCE OF AMERICA REVERSE
LLC, VS.

No Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 33 days' notice was provided. Dkt. 18.

The Motion for Relief from the Automatic Stay is ~~xxxxxx~~.

Since the prior hearing, an order granting a motion to sell the Property was entered on September 30, 2026.

Finance of America Reverse LLC ("Movant") filed this Motion seeking relief from the automatic stay as to the debtor's property commonly known as 6838 Olive Tree Way, Citrus Heights, California (the "Property").

Movant argues cause for relief from stay exists pursuant to 11 U.S.C. § 362(d)(1) because the borrower on the "Reverse Mortgage" loan is deceased and was the sole borrower. Movant asserts the loan is in default and the entire balance on the loan is due.

DEBTOR'S OPPOSITION

Debtor filed an Opposition on August 11, 2026. Dkt. 29. Debtor asserts that she has entered into an agreement to sell the Property and anticipates escrow will close on or before October 15, 2026.

TRUSTEE'S RESPONSE

The Chapter 13 Trustee filed a response on August 25, 2026. Dkt. 39. The Trustee represents has a pending plan, which Movant has filed an Objection to Confirmation. The Trustee notes there is equity in the property and suggests a continuance of the hearing to the same date the Objection to Confirmation is set to be heard.

DISCUSSION

At the hearing ~~xxxxxxxxxx~~

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion for Relief from the Automatic Stay filed by Finance of America Reverse LLC ("Movant") having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion for Relief from the automatic stay is **xxxxxxxxxx**

50. [26-23874](#)-C-13 LINDA MEZZANATTO
[AP-2](#) Mark Shmorgon

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY FINANCE
OF AMERICA REVERSE LLC
8-18-26 [[34](#)]

No Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 21 days' notice was provided. Dkt. 36.

The Objection to Confirmation of Plan is xxxxxxx
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Creditor Finance of America Reverse LLC ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan does not provide for the full value of Creditor's claim.

DISCUSSION

At the hearing xxxxxxxxxx

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by Finance of America Reverse LLC, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is xxxxx

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 35 days' notice was provided. Dkt. 66.

The Motion to Modify is denied.

The debtor filed this Motion seeking to confirm the Modified Chapter 13 Plan (Dkt. 65) filed on September 15, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 67) on October 5, 2026, opposing confirmation on the following grounds:

1. The motion does not provide any specific useful information to interested parties;
2. Debtor is delinquent in plan payments;
3. Plan payments do not include tax refunds in excess of \$2,000.00; and
4. Plan fails the liquidation test.

DISCUSSION

The debtor is \$13,530.00 delinquent in plan payments. Declaration, Dkt. 68. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

The plan proposes a payment that does not include tax refunds in excess of \$2,000.00, which is less than all of the debtor's disposable income. That is reason to deny confirmation. 11 U.S.C. § 1325(b)(1).

The debtor has non-exempt assets totaling \$29,360.00. The plan provides for a 27% dividend to unsecured claims, which is less than the 100% percent dividend necessary to meet the liquidation test. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(4).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322, 1325(a), and 1329. The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Modify Plan filed by the debtor, Ying Zhang, having been presented to the court, and upon review

of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 25 days' notice was provided. Dkt. 117.

The Motion to Value is denied.

The debtor filed this Motion seeking to value the portion of Carvana, LLC / Bridecrest c/o AIS Portfolio Services, LLC's ("Creditor") claim secured by the debtor's property commonly known as 2021 Hyundai Kona (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$7,200.00. Declaration, Dkt. 115.

TRUSTEE'S RESPONSE

The Chapter 13 Trustee filed non-opposition on October 6, 2026. Dkt. 142.

DISCUSSION

Creditor's Proof of Claim shows the lien on the Vehicle's title secures a purchase-money loan incurred on July 21, 2024, which is less than 910 days prior to filing of the petition. 11 U.S.C. § 1325(a)(9) (hanging paragraph). Therefore, the motion must be denied.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Value Collateral and Secured Claim filed by the debtor having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion pursuant to 11 U.S.C. § 506(a) is denied.

53. [26-23886](#)-C-13 LORENZO MOYA AND RITA
GC-[1](#) MONTOKA
Gerald B. Glazer

MOTION TO CONFIRM PLAN
8-21-26 [[15](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 60 days' notice was provided. Dkt. 19.

The Motion to Confirm is denied.

The debtors filed this Motion seeking to confirm the Second Amended Chapter 13 Plan (Dkt. 9) filed on July 17, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 20) on September 28, 2026, opposing confirmation on the following grounds:

1. Debtors are delinquent in plan payments;
2. Debtors' income is inaccurately listed in Schedule I;
3. The unsecured dividend amount does not specify a percentage that unsecured creditors may receive; and
4. Not all tax returns have been filed.

DISCUSSION

The debtor is \$1,000.00 delinquent in plan payments. Declaration, Dkt. 21. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

Debtor's income on Schedule I lists gross income of \$8450.00, which is less than all of the debtor's gross income. That is reason to deny confirmation. 11 U.S.C. § 1325(b)(1).

The debtor has not filed all required tax returns. 11 U.S.C. §§ 1308, 1325(a)(9). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtors, Lorenzo Moya, Jr. and Rita Montoya, having been presented to the court, and upon review of the pleadings, evidence,

arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 15 days' notice was provided. Dkt. 16.

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of Global Lending Services LLC's ("Creditor") claim secured by the debtor's property commonly known as 2022 Honda CRV (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$20,360.00. Declaration, Dkt. 15.

DISCUSSION

The lien on the Vehicle's title secures a purchase-money loan incurred on February 22, 2024, which is more than 910 days prior to filing of the petition. 11 U.S.C. § 1325(a)(9) (hanging paragraph).

Upon review of the record, the court finds the value of the Property is \$20,360.00. There are no senior liens encumbering the Property. Therefore, Creditor's secured claim is determined to be \$20,360.00. 11 U.S.C. § 506(a).

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Value Collateral and Secured Claim filed by the debtor having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion pursuant to 11 U.S.C. § 506(a) is granted, and the claim of Global Lending Services LLC ("Creditor") secured by property commonly known as 2022 Honda CRV (the "Property") is determined to be a secured claim in the amount of \$20,360.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 70 days' notice was provided. Dkt. 40.

The Motion to Modify is denied.

The debtor filed this Motion seeking to confirm the Modified Chapter 13 Plan (Dkt. 38) filed on August 11, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 45) on October 6, 2026, opposing confirmation on the following grounds:

1. Plan's nonstandard provisions are unclear;
2. Plan is not feasible;
3. Debtor has not amended his Schedules I & J; and
4. The POS is unclear as to what and when it was filed.

DISCUSSION

The debtor has not explained the nonstandard provisions sufficiently to assist the Chapter 13 Trustee in determining the feasibility of the plan.

The debtor has not demonstrated the plan is feasible because the plan terms require a payment that is greater than debtors net disposable monthly income. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322, 1325(a), and 1329. The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Modify Plan filed by the debtor, Ramiro Vasquez, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 18.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor has not provided a declaration from girlfriend that demonstrates that she can and will provide assistance with the plan payments;
2. Debtor has not supplied information related to his claimed exemption of a pending disability claim; and
3. The plan does not specify a dividend percentage that unsecured creditors are likely to receive.

DISCUSSION

A review of the docket shows that debtor and debtor's girlfriend filed declarations with the information the Trustee was seeking. Therefore, it appears those issues have been resolved.

The debtor has supplied insufficient information relating to the dividend unsecured creditors are likely to receive under the proposed plan to assist the Trustee to accurately administer the plan.

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 16.

The Objection to Confirmation of Plan is sustained.
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The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtors have not provided proof of Social Security number;
2. Plan payments do not contain tax refunds in excess of \$2,000.00; and
3. Debtors have not provided business documents.

DEBTORS' OPPOSITION

The debtors filed an Opposition on October 8, 2026. Dkt. 17. Debtors assert that Mrs. Wendland ordered a replacement Social Security card and uploaded the card to the Trustee. Debtors agree to include any tax refund in excess of \$2,000.00 towards the plan. Finally, debtors contend they have filed the requested business documents.

DISCUSSION

The debtor has not filed all business documents including:

- A. Six months of profit and loss statements,
- B. Proof of insurance or written statement that no such documentation exists.

11 U.S.C. §§ 521(e)(2)(A)(i), 704(a)(3), 1106(a)(3), 1302(b)(1), 1302(c); FED. R. BANKR. P. 4002(b)(2) & (3). Debtor is required to submit those documents and cooperate with the Chapter 13 Trustee. 11 U.S.C. § 521(a)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1) & (a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form

holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

Final Ruling: No appearance at the October 20, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 41 days' notice was provided. Dkt. 31.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Confirm is granted.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 30) filed on September 8, 2026.

The Chapter 13 trustee filed a non-opposition on October 6, 2026. Dkt. 34.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, Rex Reyes, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted, the Amended Chapter 13 Plan (Dkt. 30) meets the requirements of 11 U.S.C. §§ 1322 and 1325(a), and the plan is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.