

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

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

PRE-HEARING DISPOSITIONS COVER SHEET

DAY: TUESDAY

DATE: October 25, 2022

CALENDAR: 1:00 P.M. CHAPTER 13

Each matter on this calendar will have one of three possible designations: No Ruling, Tentative Ruling, or Final Ruling. These instructions apply to those designations.

No Ruling: All parties will need to appear at the hearing unless otherwise ordered.

Tentative Ruling: If a matter has been designated as a tentative ruling it will be called. The court may continue the hearing on the matter, set a briefing schedule, or enter other orders appropriate for efficient and proper resolution of the matter. The original moving or objecting party shall give notice of the continued hearing date and the deadlines. The minutes of the hearing will be the court's findings and conclusions.

Final Ruling: Unless otherwise ordered, there will be no hearing on these matters and no appearance is necessary. The final disposition of the matter is set forth in the ruling and it will appear in the minutes. The final ruling may or may not finally adjudicate the matter. If it is finally adjudicated, the minutes constitute the court's findings and conclusions.

Orders: Unless the court specifies in the tentative or final ruling that it will issue an order, the prevailing party shall lodge an order within seven (7) days of the final hearing on the matter.

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Christopher D. Jaime
Bankruptcy Judge
Sacramento, California

October 25, 2022 at 1:00 p.m.

1. [22-21609](#)-B-13 FRANCISCO/MARIA PADILLA MOTION TO DISMISS CASE
[RDG](#)-2 Peter G. Macaluso 10-7-22 [[35](#)]

Final Ruling

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

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

The court's decision is to deny the motion to dismiss case.

The Chapter 13 Trustee moves to dismiss this case on grounds that the Debtors are delinquent in plan payments and have not filed, set, and served an amended plan after the Trustee's objection to confirmation was heard and sustained on September 13, 2022.

Debtors filed a response stating that they are now current on plan payments and intend to file an amended plan within 30 days of this hearing. Debtors state that they must first file their 2021 tax returns, which may affect the claim filed by and the amount owed to the Internal Revenue Service.

Cause does not exist to dismiss this case. The motion is denied without prejudice.

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

The court will issue an order.

October 25, 2022 at 1:00 p.m.

2. [22-21557](#)-B-13 MARINA GALINDO MOTION TO DISMISS CASE
 [RDG](#)-1 Gabriel E. Liberman 10-7-22 [[60](#)]

Final Ruling

The Chapter 13 Trustee has filed a motion to dismiss its pending motion. The motion is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar and the case will proceed in this court.

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

3. [13-27931](#)-B-13 BLANCA CANO CONTINUED MOTION TO VALUE
[BSH](#)-4 Brian S. Haddix COLLATERAL OF UNIFUND CCR
PARTNERS
10-4-22 [[71](#)]

Final Ruling

This matter was continued from October 18, 2022, to allow any party in interest to file an opposition or response by 5:00 p.m. Friday, October 21, 2022. Nothing was filed. Therefore, the court's conditional ruling at dkt. 79, granting the motion to value, shall become the court's final decision. The continued hearing on October 25, 2022, at 1:00 p.m. is vacated.

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

The court will issue an order.