

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable René Lastreto
Hearing Date: Thursday, October 29, 2015
Place: Department B – Courtroom #13
Fresno, California

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. The following rulings are tentative. The tentative ruling will not become the final ruling until the matter is called at the scheduled hearing. **Pre-disposed matters will generally be called, and the rulings placed on the record at the end of the calendar.** Any party who desires to be heard with regard to a pre-disposed matter may appear at the hearing. If the party wishes to contest the tentative ruling, he/she shall notify the opposing party/counsel of his/her intention to appear. **If no disposition is set forth below, the hearing will take place as scheduled.**

2. Submission of Orders:

Unless the tentative ruling expressly states that the court will prepare a civil minute order, then the tentative ruling will only appear in the minutes. If any party desires an order, then the appropriate form of order, which conforms to the tentative ruling, must be submitted to the court. When the debtor(s) discharge has been entered, proposed orders for relief from stay must reflect that the motion is denied as to the debtor(s) and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.

3. Matters Resolved Without Opposition:

If the tentative ruling states that no opposition was filed, and the moving party is aware of any reason, such as a settlement, why a response may not have been filed, the moving party must advise Vicky McKinney, the Calendar Clerk, at (559) 499-5825 by 4:00 p.m. the day before the scheduled hearing.

4. Matters Resolved by Stipulation:

If the parties resolve a matter by stipulation after the tentative ruling has been posted, but **before the formal order is entered on the docket**, the **moving party** may appear at the hearing and advise the court of the settlement or withdraw the motion. Alternatively, the parties may submit a stipulation and order to modify the tentative ruling together with the proposed order resolving the matter.

5. Resubmittal of Denied Matters:

If the moving party decides to re-file a matter that is denied without prejudice for any reason set forth below, the moving party must file and serve a new set of pleadings with a new docket control number. It may not simply re-notice the original motion.

THE COURT ENDEAVORS TO PUBLISH ITS PREDISPOSITIONS AS SOON AS POSSIBLE, HOWEVER CALENDAR PREPARATION IS ONGOING AND THESE PREDISPOSITIONS MAY BE REVISED OR UPDATED AT ANY TIME PRIOR TO 4:00 P.M. THE DAY BEFORE THE SCHEDULED HEARINGS. PLEASE CHECK AT THAT TIME FOR POSSIBLE UPDATES.

10:00 A.M.

1. [14-12101](#)-B-7 JORGE LARA MOTION FOR COMPENSATION FOR
JTW-2 JANZEN, TAMBERI & WONG,
JANZEN, TAMBERI & WONG/MV ACCOUNTANT(S)
9-22-15 [[86](#)]
JANINE ESQUIVEL/Atty. for dbt.

This application/motion will be dropped from calendar. Pursuant to Federal Rules of Bankruptcy Procedure 2002(a)(6), the court may consider the applicant's request for compensation that does not exceed \$1,000 without a noticed hearing. The court will issue a civil minute order approving the application. No appearance is necessary.

2. [15-10006](#)-B-7 JUAN TREVINO AMENDED MOTION FOR RELIEF FROM
RDW-1 AUTOMATIC STAY .
CAM IX TRUST/MV 10-15-15 [[47](#)]
RICHARD STURDEVANT/Atty. for dbt.
REILLY WILKINSON/Atty. for mv.
CAM IX TRUST VS.

3. [13-16109](#)-B-7 ARMANDO/MAYDA LUTAP MOTION TO COMPROMISE
JES-4 CONTROVERSY/APPROVE SETTLEMENT
JAMES SALVEN/MV AGREEMENT WITH ARMANDO LUTAP
AND MAYDA G. LUTAP
9-25-15 [[41](#)]
SCOTT LYONS/Atty. for dbt.

The motion will be continued to November 10, 2015 at 10:00 a.m. The form of the proof of service does not comply with Local Bankruptcy Rule 9014-1(d)(2) and needs to be amended (see Local Rules, Appendix II, EDC.002-901, Revised Guidelines for the Preparation of Documents (5)). The court will prepare a minute order. No appearance is necessary.

4. [15-13932](#)-B-7 VICTOR PASNICK ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
10-9-15 [[14](#)]
\$335.00 FILING FEE PAID

The record shows that the required fee has been paid in full. The OSC will be dropped from calendar. No appearance is necessary.

5. [13-11642](#)-B-7 MERCED MILLING COMPANY,
SAS-5 LLC
SHERYL STRAIN/MV

MOTION TO ALLOW AN UNTIMELY
REQUEST FOR ADMINISTRATIVE
EXPENSES AND/OR MOTION TO ALLOW
FOR PAYMENT OF ADMINISTRATIVE
EXPENSES NUNC PRO TUNC
9-25-15 [[139](#)]

THOMAS ARMSTRONG/Atty. for dbt.
TRUDI MANFREDO/Atty. for mv.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

6. [15-10152](#)-B-7 ELIGIO GOMEZ
JES-2
JAMES SALVEN/MV
MARK ZIMMERMAN/Atty. for dbt.

MOTION TO SELL
9-30-15 [[25](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

7. [15-12556](#)-B-7 HELEN AVILES
JES-2
JAMES SALVEN/MV
SCOTT LYONS/Atty. for dbt.

MOTION TO SELL
9-28-15 [[28](#)]

This matter was fully noticed in compliance with the Local Rules. A "limited opposition" was late filed by the holder of a claim secured by the collateral that is a subject of this motion. The motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order that has been approved by the responding secured creditor. No appearance is necessary.

8. [15-13164](#)-B-7 KENNETH MATNEY
UST-1
TRACY DAVIS/MV
ROBIN TUBESING/Atty. for mv.

MOTION TO DISMISS CASE
10-1-15 [[19](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown and the case will be dismissed. The U.S. Trustee shall submit a proposed order. No appearance is necessary.

9. [15-11696](#)-B-7 PATRICK/AMBER DEMING
SCF-1
VALLEY FIRST CREDIT UNION/MV
HILTON RYDER/Atty. for dbt.
STEPHEN FERLMANN/Atty. for mv.
DISCHARGED
RESCHEDULED HEARING RE: MOTION
FOR RELIEF FROM AUTOMATIC STAY
7-30-15 [[18](#)]
10. [15-12198](#)-B-7 JEREMIAH/FRANCESCA
TMT-1 MESSICK
TRUDI MANFREDO/MV
RAYMOND ISLEIB/Atty. for dbt.
TRUDI MANFREDO/Atty. for mv.
MOTION TO SELL
9-29-15 [[22](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

11. [15-13169](#)-B-7 KEITH ENBERG
TMT-1
CONTINUED OPPOSITION RE:
TRUSTEE'S MOTION TO DISMISS FOR
FAILURE TO APPEAR AT SEC.
341(A) MEETING OF CREDITORS
9-17-15 [[9](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

11:00 A.M.

1. [15-12702](#)-B-7 MARTIN STEBBEN

REAFFIRMATION AGREEMENT WITH
U.S. BANK NATIONAL ASSOCIATION
9-30-15 [[22](#)]

GLEN GATES/Atty. for dbt.

The court intends to deny approval of this reaffirmation agreement. Both the reaffirmation agreement and the bankruptcy schedules show that reaffirmation of this debt creates a presumption of undue hardship which has not been rebutted in the reaffirmation agreement. No appearance is necessary.

2. [15-12933](#)-B-7 RAMIRO TOVAR AND MARIA
ESPARZA

PRO SE REAFFIRMATION AGREEMENT
WITH TUCOEMAS FEDERAL CREDIT
UNION - 2006 NISSAN ALTIMA
10-6-15 [[13](#)]

THOMAS GILLIS/Atty. for dbt.

The hearing will be dropped from calendar. The court is not approving or denying approval of the reaffirmation agreement. Debtors were represented by counsel when they entered into the reaffirmation agreement. Pursuant to 11 U.S.C. §524(c)(3), if the debtor is represented by counsel, the agreement must be accompanied by an affidavit of the debtor's attorney attesting to the referenced items before the agreement will have legal effect. *In re Minardi*, 399 B.R. 841, 846 (Bankr. N.D. Ok, 2009) (emphasis in original). The reaffirmation agreement, in the absence of a declaration by debtor's counsel, does not meet the requirements of 11 U.S.C. §524(c) and is not enforceable.

In addition, both the reaffirmation agreement and the bankruptcy schedules show that the debtors cannot afford the payments required by the reaffirmation agreement.

3. [15-12933](#)-B-7 RAMIRO TOVAR AND MARIA
ESPARZA

PRO SE REAFFIRMATION AGREEMENT
WITH TUCOEMAS FEDERAL CREDIT
UNION - 2013 GMC ACADIA
10-6-15 [[16](#)]

THOMAS GILLIS/Atty. for dbt.

The court intends to deny approval of the reaffirmation agreement and the hearing will be dropped from calendar. Debtors were represented by counsel when they entered into the reaffirmation agreement. Pursuant to 11 U.S.C. §524(c)(3), if the debtor is represented by counsel, the agreement must be accompanied by an affidavit of the debtor's attorney attesting to the referenced items before the agreement will have legal effect. *In re Minardi*, 399 B.R. 841, 846 (Bankr. N.D. Ok, 2009) (emphasis in original). In this case, the debtors' attorney affirmatively represented that he could not recommend the reaffirmation agreement. Therefore, the agreement does not meet the requirements of 11 U.S.C. §524(c) and is not enforceable. No appearance is necessary at this hearing.

4. [15-12933](#)-B-7 RAMIRO TOVAR AND MARIA
ESPARZA

PRO SE REAFFIRMATION AGREEMENT
WITH TUCOEMAS FEDERAL CREDIT
UNION - 2005 FORD F-150
10-7-15 [[19](#)]

THOMAS GILLIS/Atty. for dbt.

The court intends to deny approval of the reaffirmation agreement and the hearing will be dropped from calendar. Debtors were represented by counsel when they entered into the reaffirmation agreement. Pursuant to 11 U.S.C. §524(c)(3), if the debtor is represented by counsel, the agreement must be accompanied by an affidavit of the debtor's attorney attesting to the referenced items before the agreement will have legal effect. *In re Minardi*, 399 B.R. 841, 846 (Bankr. N.D. Ok, 2009) (emphasis in original). In this case, the debtors' attorney affirmatively represented that he could not recommend the reaffirmation agreement. Therefore, the agreement does not meet the requirements of 11 U.S.C. §524(c) and is not enforceable. No appearance is necessary at this hearing.

5. [15-11897](#)-B-7 KIMBERLY ESTES

REAFFIRMATION AGREEMENT WITH
SANTANDER CONSUMER USA INC.
10-5-15 [[58](#)]

VARDUHI PETROSYAN/Atty. for dbt.

The court intends to deny approval of this reaffirmation agreement. Both the reaffirmation agreement and the bankruptcy schedules show that reaffirmation of this debt creates a presumption of undue hardship which has not been rebutted in the reaffirmation agreement. No appearance is necessary.

1:30 P.M.

1. [12-12100](#)-B-13 DOUGLAS MCDONOUGH
MHM-2
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO DISMISS CASE
9-17-15 [[82](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

2. [14-12900](#)-B-13 MEILY YIP
DRJ-5
MEILY YIP/MV
DAVID JENKINS/Atty. for dbt.

MOTION TO MODIFY PLAN
8-16-15 [[51](#)]

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

3. [14-15801](#)-B-13 JACKIE/MARIA WEECE
MHM-1
MICHAEL MEYER/MV
SCOTT LYONS/Atty. for dbt.

MOTION TO DISMISS CASE
9-17-15 [[33](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondents' default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

4. [13-14106](#)-B-13 CHANTEL DICKSON
MHM-2
MICHAEL MEYER/MV
OVIDIO OVIEDO/Atty. for dbt.

MOTION TO DISMISS CASE
9-17-15 [[63](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

5. [15-10412](#)-B-13 SAMUEL/MARIA ZENDEJAS
MHM-1
MICHAEL MEYER/MV
GEOFFREY ADALIAN/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
9-17-15 [[23](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

6. [13-11014](#)-B-13 HOA/JENNIFER LE
TCS-2
HOA LE/MV
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO SELL
10-9-15 [[30](#)]

7. [10-15520](#)-B-13 ROGELIO/DOMITILA ROJAS
MHM-2
MICHAEL MEYER/MV

THOMAS GILLIS/Atty. for dbt.
MICHAEL MEYER/Atty. for mv.

AMENDED OBJECTION TO CLAIM OF
NORTHERN LEASING SYSTEMS INC.,
CLAIM NUMBER 15
9-15-15 [[78](#)]

The objection will be sustained as modified below. Claim # 15 was untimely and will not receive any distribution in this chapter 13 proceeding. However, if this case is converted to a case under any other chapter, and a new bar date is set for the filing of claims, this claim shall be deemed timely and, in the absence of a new objection, shall be allowed pursuant to 11 U.S.C. 502(a), without the necessity of filing a new proof of claim. The objecting party shall submit a proposed order consistent with this ruling. No appearance is necessary.

8. [15-10024](#)-B-13 LAO CHA
MHM-3
MICHAEL MEYER/MV
DAVID JENKINS/Atty. for dbt.

MOTION TO DISMISS CASE
9-17-15 [[68](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

9. [15-10024](#)-B-13 LAO CHA
RCO-1
THE GOLDEN 1 CREDIT UNION/MV

DAVID JENKINS/Atty. for dbt.
NANCY LEE/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY AND/OR MOTION
FOR RELIEF FROM CO-DEBTOR STAY,
MOTION FOR ADEQUATE PROTECTION
9-29-15 [[75](#)]

This motion for relief from the automatic stay will be denied as moot. The court intends to dismiss the case on the trustee's unopposed motion above. The court will issue a civil minute order denying the motion as moot if the case is dismissed pursuant to the above ruling.

If the above motion to dismiss is not granted, this hearing will proceed as scheduled.

10. [13-10830](#)-B-13 ANTONIO/BLANCA HOLGUIN
MHM-2
MICHAEL MEYER/MV
HENRY NUNEZ/Atty. for dbt.

MOTION TO DISMISS CASE
9-17-15 [[114](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

11. [11-11431](#)-B-13 DENNIS/JAYLENE OSENA
MHM-2
MICHAEL MEYER/MV
GARY HUSS/Atty. for dbt.

MOTION TO DISMISS CASE
9-16-15 [[61](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules. The record shows that there is a material default in the chapter 13 plan payments. The debtors' response is not supported by evidence that the default has been cured and the trustee's motion has not been withdrawn. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

12. [15-11433](#)-B-13 ALEXANDER MATA AND
MHM-1 ALEJANDRA CARDONA
MICHAEL MEYER/MV
CHRISTOPHER FISHER/Atty. for dbt.

MOTION TO DISMISS CASE
9-16-15 [[19](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondents' default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

13. [15-13937](#)-B-13 ROEUNG BO
TCS-1
ROEUNG BO/MV
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO EXTEND AUTOMATIC STAY
10-13-15 [[8](#)]

14. [15-13539](#)-B-13 TIMOTHY/SHARON TEGTMEYER

ERIC ESCAMILLA/Atty. for dbt.

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
10-13-15 [[17](#)]

15. [12-18048](#)-B-13 CAROL CASTILLO
MHM-2
MICHAEL MEYER/MV
GARY HUSS/Atty. for dbt.

MOTION TO DISMISS CASE
9-17-15 [[56](#)]

16. [14-15549](#)-B-13 PEDRO PEREZ
MHM-1
MICHAEL MEYER/MV
SCOTT LYONS/Atty. for dbt.

MOTION TO DISMISS CASE
9-17-15 [[36](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

17. [15-12349](#)-B-13 ANTHONY/KIMBERLY MIRELEZ MOTION TO VALUE COLLATERAL OF
JDR-1 CITIMORTGAGE INC.
ANTHONY MIRELEZ/MV 9-25-15 [[21](#)]
JEFFREY ROWE/Atty. for dbt.

This motion to value the collateral for a consensual lien against real property was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted for cause shown without oral argument. Based on the evidence offered in support of the motion, the respondent's junior priority mortgage claim is found to be wholly unsecured and may be treated as a general unsecured claim in the chapter 13 plan. The debtors may proceed under state law to obtain a reconveyance of respondent's trust deed upon completion of the chapter 13 plan and entry of the discharge. If the chapter 13 plan has not been confirmed, then the order shall specifically state that it is not effective until confirmation of the plan. The debtors shall submit a proposed order consistent with this ruling. No appearance is necessary.

This ruling is only binding on the named respondent in the moving papers and any successor who takes an interest in the property after service of the motion.

18. [15-13250](#)-B-13 CHAD/GINA GORDON MOTION TO VALUE COLLATERAL OF
PBB-1 CAPITAL ONE, N.A.
CHAD GORDON/MV 9-28-15 [[14](#)]
PETER BUNTING/Atty. for dbt.

This motion will be continued to November 25, 2015, at 1:30 p.m., for submission of evidence that the proposed valuation of the respondent's collateral complies with the "hanging paragraph" of 11 U.S.C. §1325(a)(9).

19. [15-13652](#)-B-13 MERCEDITA ABRAHAM MOTION TO EXTEND AUTOMATIC STAY
RWS-2 10-14-15 [[17](#)]
MERCEDITA ABRAHAM/MV
RICHARD SNYDER/Atty. for dbt.

20. [12-15765](#)-B-13 STELLA ACEVES MOTION TO DISMISS CASE
MHM-2 9-17-15 [[51](#)]
MICHAEL MEYER/MV
F. GIST/Atty. for dbt.

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

21. [14-13575](#)-B-13 ROBERT ZOELLNER
MHM-1
MICHAEL MEYER/MV
ERIC SCHWAB/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO DISMISS CASE
9-17-15 [[57](#)]

22. [15-12085](#)-B-13 STACEY CALK
MHM-2
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO DISMISS CASE
9-16-15 [[38](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

23. [14-13888](#)-B-13 TIMOTHY ALTOMARE
MHM-1
MICHAEL MEYER/MV
BENNY BARCO/Atty. for dbt.

MOTION TO DISMISS CASE
9-17-15 [[29](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

24. [11-17390](#)-B-7 MARICELA MENDOZA
MHM-2
MICHAEL MEYER/MV
STEPHEN LABIAK/Atty. for dbt.
CONVERTED 9/24/15

MOTION TO DISMISS CASE
9-16-15 [[81](#)]

The motion will be dropped from calendar without a disposition. This case was voluntarily converted to chapter 7 and performance under the chapter 13 plan is no longer an issue.

25. [10-13792](#)-B-13 CARLOS GARCIA AND SANDRA OBJECTION TO DISCHARGE BY
MHM-3 MOLINERO MICHAEL H. MEYER
MICHAEL MEYER/MV 9-23-15 [[99](#)]
DONALD BLOOM/Atty. for dbt.

The chapter 13 trustee's objection was fully noticed in compliance with the Local Rules and there is no opposition. The trustee filed a supplement to the objection noting that the debtors' attempt to comply with the requirements of 1328 were deficient and stating that the debtor, Carlos Garcia, must complete and sign a new 1328 certificate in which all required information is included. Accordingly, the respondents' default will be entered and the objection will be sustained without oral argument. The trustee shall submit a proposed order. No appearance is necessary.

26. [11-61192](#)-B-13 ARMANDO/PATRICIA MATA MOTION TO DISMISS CASE
MHM-1 9-17-15 [[21](#)]
MICHAEL MEYER/MV
GARY HUSS/Atty. for dbt.

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondents' default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

27. [14-15894](#)-B-13 DAVID CANIGLIA MOTION TO DISMISS CASE
MHM-1 9-17-15 [[31](#)]
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.
WITHDRAWN

The trustee's motion has been withdrawn. No appearance is necessary.

28. [11-10496](#)-B-13 CHARLES BROWN AND SHUANTA MOTION TO DISMISS CASE
MHM-2 WHITEMON 9-14-15 [[52](#)]
MICHAEL MEYER/MV
GARY HUSS/Atty. for dbt.
WITHDRAWN

The trustee's motion has been withdrawn. No appearance is necessary.

29. [14-15797](#)-B-13 MISTY PEREZ
MHM-1
MICHAEL MEYER/MV
PETER BUNTING/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO DISMISS CASE
9-17-15 [[30](#)]

The motion will be denied as moot. The debtor has filed and set for hearing a modified plan which appears to resolve the trustee's motion and the plan to which this motion is related is deemed to be withdrawn. The court will issue a civil minute order denying the motion as moot. No appearance is necessary.

30. [14-15098](#)-B-13 SAMUEL ACEVEDO AND DEBBIE
MHM-2 SURROCK
MICHAEL MEYER/MV
PETER BUNTING/Atty. for dbt.

MOTION TO DISMISS CASE
9-17-15 [[63](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondents' default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

31. [14-14399](#)-B-13 CYNTHIA WILLIAMS
MHM-1
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO DISMISS CASE
9-17-15 [[33](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.