

**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

DAY: TUESDAY

DATE: October 30, 2018

CALENDAR: 1:00 P.M. CHAPTER 13

**PLEASE REVIEW CAREFULLY AS THE COURT'S ORDER PREPARATION AND SUBMISSION
PROCEDURE IN CHAPTER 13 CASES HAS CHANGED EFFECTIVE SEPTEMBER 3, 2018.**

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 30, 2018 at 1:00 p.m.

1.	18-22404 -B-13	ALICE SHARP	MOTION TO DISMISS CASE
	JPJ -2	Steele Lanphier	10-11-18 [43]

No Ruling

2. [18-24315](#)-B-13 FALLON SIMS
Mohammad M. Mokarram

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
9-13-18 [[23](#)]

Final Ruling

The court's decision is to discharge the Order to Show Cause and the case will remain pending.

The Second Order to Show Cause was issued due to Debtor's failure to pay \$56.00 due September 10, 2018. Dkt. 23. The court's docket reflects that the default was cured on September 20, 2018, and an additional payment was made on September 25, 2018. The September 25, 2018 payment constituted the final installment.

THE COURT WILL PREPARE A MINUTE ORDER.

3. [18-25618](#)-B-13 BENJAMEN VERMA
Pro Se

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
10-10-18 [[14](#)]

Tentative Ruling

The Order to Show Cause will be discharged and the case will remain pending, but the court will modify the terms of its order permitting the Debtor to pay the filing fee in installments.

The court granted Benjamin Verma, the debtor ("Debtor"), permission to pay the filing fee in installments. Debtor failed to pay the \$79.00 installment when due on October 5, 2018. Dkt. 14. While the delinquent installment was paid on October 25, 2018, the fact remains that the court was required to issue an order to show cause to compel the payment. Therefore, as a sanction for the late payment, the court will modify its prior order allowing installment payments to provide that if a future installment is not received by its due date, the case will be dismissed without further notice or hearing.

THE COURT WILL PREPARE A MINUTE ORDER.

4. [18-25321](#)-B-13 VICTORIA BOONE
Stanley P. Berman

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
9-28-18 [[21](#)]

Tentative Ruling

Oral argument may be presented by the parties at the scheduled hearing, where the parties shall address the issues identified in this tentative ruling and such other issues as are necessary and appropriate to the court's resolution of the matter. If the court's tentative ruling becomes its final ruling, the court will make the following findings of fact and conclusions of law.

The court's tentative decision is to sustain the Order to Show Cause and order the case dismissed.

The Order to Show Cause was issued due to debtor Victoria Boone's failure to pay \$79.00 due September 24, 2018. Dkt. 21. The court's docket reflects that the default has not been cured.

THE COURT WILL PREPARE A MINUTE ORDER.

5. [18-24222](#)-B-13 ATTILA MESKO
Timothy J. Walsh

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
9-10-18 [[23](#)]

DEBTOR DISMISSED: 10/02/2018

Final Ruling

This matter is dismissed as moot, as the case was dismissed on October 2, 2018. Dkt. 37.

THE COURT WILL PREPARE A MINUTE ORDER.

6. [18-24927](#)-B-13 ILYA MARKEVICH
Pro Se

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
9-10-18 [[29](#)]

DEBTOR DISMISSED: 09/27/2018

Final Ruling

This matter is dismissed as moot, as the case was dismissed on September 27, 2018.
Dkt. 38.

THE COURT WILL PREPARE A MINUTE ORDER.

7. [18-25527](#)-B-13 MARCIA SCHILLER
Scott J. Sagaria

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
9-14-18 [[12](#)]

Final Ruling

The court's decision is to discharge the Order to Show Cause and the case will remain pending.

The Order to Show Cause was issued due to debtor Marcia Schiller's failure to pay the \$310.00 filing fee when the debtor filed this case on August 31, 2018. Dkt. 12. The court's docket reflects that the default was cured on September 20, 2018. The payment constituted the full filing fee.

THE COURT WILL PREPARE A MINUTE ORDER.

8. [17-22634](#)-B-13 RANDY RICHARDSON AND CONTINUED MOTION TO CONVERT
[JPJ](#)-1 JACQUELYN CASE TO CHAPTER 7 AND/OR MOTION
Thru #9 W. Steven Shumway TO DISMISS CASE
3-30-18 [[86](#)]

No Ruling

9. [17-22634](#)-B-13 RANDY RICHARDSON AND CONTINUED MOTION TO MODIFY PLAN
[WSS](#)-9 JACQUELYN 9-5-18 [[125](#)]
W. Steven Shumway

No Ruling

10. [18-25236](#)-B-13 VICTORIA JIMENEZ
Peter G. Macaluso

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
9-25-18 [[19](#)]

Tentative Ruling

Oral argument may be presented by the parties at the scheduled hearing, where the parties shall address the issues identified in this tentative ruling and such other issues as are necessary and appropriate to the court's resolution of the matter. If the court's tentative ruling becomes its final ruling, the court will make the following findings of fact and conclusions of law.

The court's tentative decision is to sustain the Order to Show Cause and order the case dismissed.

The Order to Show Cause was issued due to debtor Victoria Jimenez's ("Debtor's") failure to pay \$79.00 due September 20, 2018. Dkt. 19. The court's docket reflects that the default has not been cured, and a second Order to Show Cause was issued for Debtor's failure to pay \$77.00 due October 22, 2018. Dkt. 25.

THE COURT WILL PREPARE A MINUTE ORDER.

11. [18-25455](#)-B-13 GWENDOLYN/HORACE SIMPSON
Peter G. Macaluso

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
10-3-18 [[15](#)]

Tentative Ruling

Oral argument may be presented by the parties at the scheduled hearing, where the parties shall address the issues identified in this tentative ruling and such other issues as are necessary and appropriate to the court's resolution of the matter. If the court's tentative ruling becomes its final ruling, the court will make the following findings of fact and conclusions of law.

The court's tentative decision is to sustain the Order to Show Cause and order the case dismissed.

The Order to Show Cause was issued due to debtors Gwendolyn and Horace Simpson's failure to pay \$79.00 due September 28, 2018. Dkt. 15. The court's docket reflects that the default has not been cured.

THE COURT WILL PREPARE A MINUTE ORDER.

12. [18-25156](#)-B-13 LAJUAN ANDREWS
Richard L. Jare

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
9-20-18 [[17](#)]

Tentative Ruling

The Order to Show Cause will be discharged and the case will remain pending, but the court will modify the terms of its order permitting the Debtor to pay the filing fee in installments.

The court granted debtor Lajuan Andrews ("Debtor") permission to pay the filing fee in installments. The Debtor failed to pay the \$79.00 installment when due on September 17, 2018. Dkt. 17. While the delinquent installment was paid on October 1, 2018, the fact remains that the court was required to issue an order to show cause to compel the payment. Therefore, as a sanction for the late payment, the court will modify its prior order allowing installment payments to provide that if a future installment is not received by its due date, the case will be dismissed without further notice or hearing.

THE COURT WILL PREPARE A MINUTE ORDER.

13. [18-24457](#)-B-13 TONYA MILLER
Thomas L. Amberg

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
9-20-18 [[20](#)]

Tentative Ruling

The Order to Show Cause will be discharged and the case will remain pending, but the court will modify the terms of its order permitting the Debtor to pay the filing fee in installments.

The court granted debtor Tonya Miller ("Debtor") permission to pay the filing fee in installments. The Debtor failed to pay the \$77.00 installment when due on September 17, 2018. Dkt. 20. While the delinquent installment was paid on September 24, 2018, the fact remains that the court was required to issue an order to show cause to compel the payment. Therefore, as a sanction for the late payment, the court will modify its prior order allowing installment payments to provide that if a future installment is not received by its due date, the case will be dismissed without further notice or hearing.

THE COURT WILL PREPARE A MINUTE ORDER.

14. [18-23080](#)-B-13 JUANITA ROEHRIG
Pauldeep Bains

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
9-18-18 [[21](#)]

Final Ruling

The court's decision is to discharge the Order to Show Cause and the case will remain pending.

The Order to Show Cause was issued due to Debtor's failure to pay \$76.00 due September 13 2018. Dkt. 21. The court's docket reflects that the default was cured on September 24, 2018. The payment constituted the final installment.

THE COURT WILL PREPARE A MINUTE ORDER.

15. [18-25185](#)-B-13 KIM CLARK
Pro Se

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
9-21-18 [[21](#)]

Tentative Ruling

The Order to Show Cause will be discharged and the case will remain pending, but the court will modify the terms of its order permitting the Debtor to pay the filing fee in installments.

The court granted debtor Kim Clark ("Debtor") permission to pay the filing fee in installments. The Debtor failed to pay the \$79.00 installment when due on September 17, 2018. Dkt. 21. While the delinquent installment was paid on October 2, 2018, the fact remains that the court was required to issue an order to show cause to compel the payment. Therefore, as a sanction for the late payment, the court will modify its prior order allowing installment payments to provide that if a future installment is not received by its due date, the case will be dismissed without further notice or hearing.

THE COURT WILL PREPARE A MINUTE ORDER.

16. [17-25090](#)-B-13 MARTHA RAMIREZ
[PGM](#)-5 Peter G. Macaluso

CONTINUED OBJECTION TO CLAIM OF
CITIBANK, N.A., CLAIM NUMBER 6
7-25-18 [[104](#)]

No Ruling

17. [18-24795](#)-B-13 MAURICE PRINGLE
[JPJ](#)-3 Michael Avanesian
DEBTOR DISMISSED: 10/05/2018

MOTION TO DISMISS CASE
9-17-18 [[26](#)]

Final Ruling

This matter is dismissed as moot, as the case was dismissed on October 5, 2018. Dkt. 41.

THE COURT WILL PREPARE A MINUTE ORDER.

18. [18-25595](#)-B-13 STEVEN/SHARON COLLINS
Peter G. Macaluso

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
10-9-18 [[28](#)]

Final Ruling

The court's decision is to discharge the Order to Show Cause and the case will remain pending.

The Order to Show Cause was issued due to Debtors' failure to pay \$79.00 due October 4, 2018. The court's docket reflects that the default was cured on October 25, 2018. The payment constituted the final installment.

THE COURT WILL PREPARE A MINUTE ORDER.

19. [15-29573](#)-B-13 SAUNDRA BATTAGLIA
[17-2091](#) BMV-6
BATTAGLIA V. THE BANK OF NEW
YORK MELLON ET AL

MOTION TO MODIFY SCHEDULING
ORDER
10-15-18 [[142](#)]

Final Ruling

The court's decision is to grant the motion. An amended scheduling order was filed on October 23, 2018. Dkt. 151.

THE COURT WILL PREPARE A MINUTE ORDER.