

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Thomas C. Holman  
Bankruptcy Judge  
Sacramento, California

November 12, 2014 at 9:31 A.M.

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1. [12-26138](#)-B-13 MOLLIE PEARSON MOTION FOR RELIEF FROM  
TJS-1 AUTOMATIC STAY  
10-9-14 [[66](#)]  
JPMORGAN CHASE BANK, N.A.  
VS.

**Tentative Ruling:** The debtor's opposition is sustained. The motion is denied.

The movant seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) with respect to a 2008 Toyota Corolla (VIN 1NXBR32EX8Z004520) (the "Collateral") on the ground that the debtor is in default in payments under the terms of her confirmed chapter 13 plan. The movant alleges that it has not received the dividend of \$233.00 for its secured claim required by the confirmed plan since February 28, 2014.

Relief under 11 U.S.C. § 362(d)(1) is not appropriate because the debtor has cured the default under the plan and came current in plan payments on October 15, 2014. The movant is adequately protected by the ongoing dividend required by the treatment of its secured claim pursuant to the confirmed plan. The movant is also adequately protected by an equity cushion in the Collateral; the debtor alleges without dispute that the Collateral has a value of \$10,038.00, and by its own figures the movant is owed \$7,837.82 on the secured obligation.

The court will issue a minute order.

2. [14-20863](#)-B-7 SUNJESH/RESHMI NARAYAN MOTION FOR RELIEF FROM  
CJO-1 AUTOMATIC STAY  
10-23-14 [[16](#)]  
GREEN TREE SERVICING LLC VS.

**Disposition Without Oral Argument:** This motion is unopposed. The court issues the following abbreviated ruling.

The motion is continued to November 18, 2014, at 9:31 a.m.

This motion for relief from the automatic stay filed in a chapter 7 case was improperly set for hearing on this calendar, which is reserved for motions for relief from the automatic stay filed in chapter 13 cases.

The court will issue a minute order.