

**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: November 19, 2025**

**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

**Chief Bankruptcy Judge**

Sacramento, California

**November 19, 2025 at 1:00 p.m.**

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1. [25-24404](#)-B-13 JOSE FUENTES  
[ALG](#)-1 Pro Se

CONTINUED MOTION FOR RELIEF  
FROM AUTOMATIC STAY  
10-14-25 [[31](#)]

WILLIAM FREEMAN, TRUSTEE OF  
THE FREEMAN FAMILY 1991  
REVOCABLE TRUST VS.  
CASE DISMISSED: 10/30/25

**Final Ruling**

This matter was continued from November 4, 2025, to allow any party in interest to file an opposition or response by 5:00 p.m. Friday, November 7, 2025. Nothing was filed. Therefore, the court's conditional ruling at dkt. 51, granting the motion for relief from automatic stay, shall become the court's final decision. The continued hearing on November 19, 2025, at 1:00 p.m. is vacated.

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

The court will issue an order.

**November 19, 2025 at 1:00 p.m.**

2. [25-23209](#)-B-13 J JESUS IZQUIERDO GARCIA      OBJECTION TO CLAIM OF PINNACLE  
[CRG-1](#)      AND LUPE MEDINA      CREDIT SERVICES, LLC, CLAIM  
Carl R. Gustafson      NUMBER 6  
10-8-25 [[19](#)]

### **Final Ruling**

The objection has been set for hearing on at least 30 days' notice to the claimant as required by Local Bankruptcy Rule 3007-1(b)(2). When fewer than 44 days' notice of a hearing is given, 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 conditionally sustain the objection to Claim No. 6-1 of Pinnacle Credit Services, LLC and continue the matter to November 25, 2025, at 1:00 p.m.

Debtors request that the court disallow the claim of Pinnacle Credit Services, LLC ("Creditor"), Claim No. 6-1. The claim is asserted to be in the amount of \$1,775.20. Debtors assert that the claim should be disallowed because the statute of limitations has run pursuant to California Code of Civil Procedure § 337.

According to the proof of claim, the underlying debt is a contract claim, most likely based on a written contract. California law provides a four-year statute of limitations to file actions for breach of written contracts. See Cal. Civ. Pro. Code § 337. This statute begins to run from the date of the contract's breach. According to the proof of claim, the last payment was received on or about October 7, 1999, which is more than four years prior to the filing of this case. Hence, when the case was filed on June 26, 2025, this debt was time barred under applicable nonbankruptcy law, i.e., Cal. Civ. Pro. Code § 337, and must be disallowed. See 11 U.S.C. § 502(b)(1).

The Chapter 13 Trustee filed a non-opposition to the objection stating that the Creditor attempted to withdraw its claim by notice filed October 17, 2025. The non-opposition is not accompanied by a certificate of service, however.

Based on Debtor's evidence, Creditor's proof of claim, and Creditor's notice of withdrawal of claim, Creditor's claim is disallowed in its entirety.

### **Conditional Nature of this Ruling**

Because the objection has been filed, set, and served under Local Bankruptcy Rule 3007-1(b)(2), any party in interest shall have until 5:00 p.m. on Friday, November 21, 2025, to file and serve an opposition or other response to the objection. See Local Bankr. R. 3007-1(b)(2). Any opposition or response shall be served on the Chapter 13 Trustee and creditor by facsimile or email.

If no opposition or response is timely filed and served, the objection will be deemed sustained for the reasons stated hereinabove, this ruling will no longer be conditional and will become the court's final decision, and the continued hearing on November 25, 2025, at 1:00 p.m. will be vacated.

If an opposition or response is timely filed and served, the court will hear the objection on November 25, 2025, at 1:00 p.m.

3. [25-24809](#)-B-13 JOHN SARHADI  
[LGT](#)-1 Pauldeep Bains

OBJECTION TO CONFIRMATION OF  
PLAN BY LILIAN G. TSANG  
10-24-25 [[13](#)]

### **Final Ruling**

The *initial* Chapter 13 Plan filed September 5, 2025, is not confirmable and the objection is not one that may be resolved in the confirmation order. Nevertheless, because this is the *initial* Chapter 13 Plan, the procedure in Local Bankr. R. 3015-1(c)(4) applies.

The court's decision is to **continue the hearing to November 25, 2025, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan.**

First, Debtor has listed an expense of \$899.92 per month in question 43 of Form 122C-2 for an Audi lease payment. However, the lease payment is not reflected at Line 13 - Vehicle ownership or lease expense. Moreover, the maximum amount that can be claimed for a lease expense is \$662.00. Amended documents are required to correctly identify the lease and limit the expense to the allowable amounts.

Second, Debtor has listed an expense of \$569.41 per month in question 43 of Form 122C-2 for a Toyota Tundra lease payment. Schedule B and Section 4.02 of the plan indicate that the corporation, John's Transportation, Inc., pays the Toyota lease. Since Debtor does not make the vehicle lease payment, amended documents are required to remove this expense.

Third, requested documents must be provided to the Chapter 13 Trustee. Specifically, a copy of the 2024 corporate tax returns for John's Transportation, Inc. and copies of the purchase contract for the 2021 Lexus RS and the lease statements for the 2024 Audi Q5 and 2025 Toyota SR5.

Fourth, an amended Statement of Financial Affairs is required to include the business as listed on Debtor's 2024 tax return as Implementation, Support, Maintenance, Repair of Protection of Data or Computer Systems.

The plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The objection is sustained and the plan is not confirmed.

### **Conditional Nature of this Ruling**

Because the objection has been filed, set, and served under Local Bankruptcy Rules 3015-1(c)(4) and 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on November 21, 2025, to file and serve a response to the objection(s). See Local Bankr. R. 3015-1(c)(4), 9014-1(f)(2)(C). Any response shall be served on the Chapter 13 Trustee, the Debtor, the Debtor's attorney, and/or the attorney for the objecting party by facsimile or email.

If no response is timely filed and served, the objection will be deemed sustained for the reasons stated hereinabove, this ruling will no longer be conditional and will become the court's final decision, and the continued hearing on November 25, 2025, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on November 25, 2025, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY SUSTAINED for reasons stated in the minutes.

The court will issue an order.

4. [23-20710](#)-B-13 FREDERICK GROSS  
[GSJ](#)-1 Grace S. Johnson

MOTION TO MODIFY PLAN  
9-5-25 [[46](#)]

### **Final Ruling**

The motion is conditionally granted and the hearing is continued to December 2, 2025, at 1:00 p.m.

If the reply filed by debtor Frederick Gross ("Debtor") satisfies the objections raised in the opposition filed by the Chapter 13 Trustee ("Trustee"), the motion will be granted, the modified plan will be confirmed, the Trustee may upload a confirmation order that incorporates the Debtor's reply concessions, and the continued hearing will be vacated.

Debtor must provide the Trustee with requested documents by November 4, 2025.

If the Trustee's objections are not resolved by the Debtor's reply, or if the Debtor does not provide the Trustee with requested documents by November 24, 2025, by November 26, 2025, the Trustee shall file a brief declaration of unresolved issues and the motion will be heard at the continued hearing on December 2, 2025, at 1:00 p.m. If no declaration is timely filed, the court will presume all issues have been resolved and a confirmation order will be submitted.

The motion to confirm the modified plan is ORDERED CONDITIONALLY GRANTED for the reasons stated in the minutes.

The court will issue an order.

5. [25-23415](#)-B-13 JUANITA WILSON AND RONNIE MOTION TO MODIFY PLAN  
[NAR](#)-1 COOPER 10-10-25 [[18](#)]  
Natali A. Ron

**Final Ruling**

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(2), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 3015(g). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to permit the requested modification and confirm the modified plan.

11 U.S.C. § 1329 permits a debtor to modify a plan after confirmation. The Debtors have filed evidence in support of confirmation. No opposition to the motion was filed by the Chapter 13 Trustee or creditors. The modified plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329, and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

The court will issue an order.

6. [25-24715](#)-B-13 LEVENT AGDAS  
[LGT](#)-1 Lars Fuller

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY LILIAN  
G. TSANG  
10-14-25 [[14](#)]

### **Final Ruling**

This matter was continued from November 4, 2025, to allow any party in interest to file a response by 5:00 p.m. Friday, November 7, 2025. Nothing was filed. Therefore, the court's conditional ruling at dkt. 17, sustaining the objection, shall become the court's final decision. The continued hearing on November 19, 2025, at 1:00 p.m. is vacated.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.

7. [25-20717](#)-B-13 CASEY WOODBURY CONTINUED MOTION TO DISMISS  
[DPC](#)-4 Pro Se CASE  
**Thru #8** 9-24-25 [[102](#)]

NO APPEARANCE AT THE 11/19/25 HEARING IS REQUIRED. COURT ENTERED AN ORDER CONTINUING THE TRUSTEE'S MOTION TO DISMISS CASE TO 1/20/26 AT 1:00 P.M. SEE DKT. 134.

8. [25-20717](#)-B-13 CASEY WOODBURY CONTINUED MOTION FOR RELIEF  
[KSH](#)-1 Pro Se FROM AUTOMATIC STAY  
6-27-25 [[61](#)]

WILMINGTON SAVINGS FUND  
SOCIETY, FSB VS.

NO APPEARANCE AT THE 11/19/25 HEARING IS REQUIRED. COURT ENTERED AN ORDER CONTINUING THE MOTION FOR RELIEF FROM THE AUTOMATIC STAY TO 1/20/26 AT 1:00 P.M. SEE DKT. 136.



9. [25-23218](#)-B-13 VERA DEL MONTE CONTINUED OBJECTION TO  
[LGT](#)-1 Mary D. Anderson CONFIRMATION OF PLAN BY LILIAN  
G. TSANG  
DEBTOR DISMISSED: 10/30/25 8-15-25 [[16](#)]

**Final Ruling**

The case having been dismissed on October 30, 2025, the objection to confirmation of plan is overruled as moot.

The objection is ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will issue an order.

10. [25-24418](#)-B-13 JUSTIN PREWITT  
[LGT](#)-1 Robert W. Fong

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY LILIAN  
G. TSANG  
10-9-25 [[15](#)]

### **Final Ruling**

This matter was continued from November 4, 2025, to allow any party in interest to file a response by 5:00 p.m. Friday, November 7, 2025. Debtor timely filed a response stating that he has provided documentation to the Chapter 13 Trustee.

However, the Trustee filed a reply stating that Debtor has not provided verification of the monthly tax expense listed on Form 122C-2 and Schedule I. Without additional verification or explanation of the monthly tax expense, it cannot be determined if Debtor is providing all of his discretionary income into the plan for the benefit of unsecured creditors. The Trustee states that it is not opposed to a brief continuance to allow Debtor time to provide the requested information.

Given the aforementioned, the objection to confirmation will be continued to December 2, 2025, at 1:00 p.m.

The objection is ORDERED CONTINUED to December 2, 2025 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

11. [22-21927](#)-B-13 ORLANDO ANDRADE CONTINUED MOTION TO SELL  
[FAT](#)-6 Flor De Maria A. Tataje 10-21-25 [[119](#)]

**Final Ruling**

This matter was continued from November 4, 2025, to allow any party in interest to file an opposition or response by 5:00 p.m. Friday, November 7, 2025. Nothing was filed. Therefore, the court's conditional ruling at dkt. 130, granting the motion to sell, shall become the court's final decision. The continued hearing on November 19, 2025, at 1:00 p.m. is vacated.

The motion is granted.

Debtor's attorney shall submit an order consistent with the Trustee's standard sale order. The order shall be approved by the Trustee.

12. [25-26027](#)-B-13 JENNIFER ANDERSON  
[ADR-1](#) Pro Se

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
11-3-25 [[13](#)]

LALITHA PADURBIDIRI VS.

### **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 conditionally grant the motion for relief from automatic stay and continue the matter to November 25, 2025, at 1:00 p.m.

Lalitha Padurbidiri ("Movant") seeks relief from the automatic stay with respect to real property commonly known as 857 Loon Street, Lathrop, California (the "Property"). Movant has provided the Declaration of Lalitha Padurbidiri to introduce into evidence the documents upon which it bases the claim and the obligation secured by the Property.

The Declaration states that Movant is the legal owner of the property and landlord and that Debtor was a tenant. A rental Agreement has been filed in support of the motion. Movant had served a pre-petition three-day notice to quit on August 5, 2025, after Debtor failed to pay \$18,000.00 in pre-petition rent. Debtor has also failed to pay any post-petition rent.

### **Discussion**

Movant presents evidence that it is the owner of the Property. Based on the evidence presented, Debtor would be at best a tenant at sufferance. Movant states that Debtor had filed her bankruptcy petition the same day that an unlawful detainer trial was scheduled.

Based upon the evidence submitted, the court determines that there is no equity in the property for either the Debtor or the Estate. 11 U.S.C. § 362(d)(2).

Movant has presented a colorable claim for title to and possession of this real property. As stated by the Bankruptcy Appellate Panel in *Hamilton v. Hernandez*, No. CC-04-1434-MaTK, 2005 Bankr. LEXIS 3427 (B.A.P. 9th Cir. Aug. 1, 2005), relief from stay proceedings are summary proceedings which address issues arising only under 11 U.S.C. § 362(d). *Hamilton*, 2005 Bankr. LEXIS 3427 at \*8-\*9 (citing *Johnson v. Righetti (In re Johnson)*, 756 F.2d 738, 740 (9th Cir. 1985)). The court does not determine underlying issues of ownership, contractual rights of parties, or issue declaratory relief as part of a motion for relief.

The court shall issue an order terminating and vacating the automatic stay to allow Movant, and its agents, representatives and successors, to exercise its rights to obtain possession and control of property including unlawful detainer or other appropriate judicial proceedings and remedies to obtain possession thereof.

The 14-day stay of enforcement under Rule 4001(a)(3) is not waived.

No other or additional relief is granted by the court.

The motion is ORDERED CONDITIONALLY GRANTED and CONTINUED to November 25, 2025 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

13. [25-22928](#)-B-13 LITA BELLAMY  
[RAS](#)-1 Peter G. Macaluso

OBJECTION TO CONFIRMATION OF  
PLAN BY WILMINGTON SAVINGS FUND  
SOCIETY, FSB  
10-30-25 [[41](#)]

### **Final Ruling**

The objection was properly filed at least 14 days prior to the hearing on the motion to confirm a plan. See Local Bankr. R. 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). Parties in interest may, at least 7 days prior to the date of the hearing, serve and file with the court a written reply to any written opposition. Local Bankr. R. 9014-1(f)(1)(C). No written reply has been filed to the objection.

Because the plan is not confirmable and the objection is not one that may be resolved in the confirmation order, further briefing is not necessary. See Local Bankr. R. 9014-1(f)(2)(C). The court has also determined that oral argument will not assist in the decision-making process or resolution of the objection. 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 sustain the objection and deny confirmation of the plan.

Objecting creditor Wilmington Savings Fund Society, FSB, not in its individual capacity but solely as Trustee of Angel Oak Mortgage Trust 2023-7, Mortgage-Backed Certificates, Series 2023-7, by and through its authorized loan servicing agent, Select Portfolio Servicing ("Creditor") holds a deed of trust secured by Debtor's residence. The creditor has filed a timely proof of claim in which it asserts \$23,745.89 in pre-petition arrearages. The plan does not propose to cure these arrearages. Because the plan does not provide for the surrender of the collateral for this claim, the plan must provide for full payment of the arrearage and maintenance of the ongoing note installments. See 11 U.S.C. §§ 1322(b)(2), (b)(5) and 1325(a)(5)(B). Because it fails to provide for the full payment of arrearages, the plan cannot be confirmed.

The plan filed June 26, 2025, does not comply with 11 U.S.C. §§ 1322 and 1325(a). The objection is sustained and the plan is not confirmed.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.

14. [25-24728](#)-B-13 LUKE MIDDLETON CONTINUED OBJECTION TO  
[LGT](#)-1 Mikalah Liviakis CONFIRMATION OF PLAN BY LILIAN  
G. TSANG  
10-9-25 [[14](#)]

**Final Ruling**

This matter was continued from November 4, 2025, to allow any party in interest to file a response by 5:00 p.m. Friday, November 7, 2025. Nothing was filed. Therefore, the court's conditional ruling at dkt. 17, sustaining the objection, shall become the court's final decision. The continued hearing on November 19, 2025, at 1:00 p.m. is vacated.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.

15. [25-23531](#)-B-13 KRISTOPHER COOPER  
[LGT](#)-1 David C. Johnston

CONTINUED MOTION TO DISMISS  
CASE  
8-29-25 [[18](#)]

**Final Ruling**

This matter was continued from October 21, 2025, to provide Debtor additional time to resolve remaining issues raised by the Chapter 13 Trustee and for the Trustee to receive funds remitted through Moneygram. See dkt. 32.

The Trustee filed a supplemental status report on November 13, 2025, stating that Debtor is still delinquent in the amount of \$6,000.00 pursuant to the terms of the first modified plan filed November 11, 2025.

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will issue an order.

16. [25-25033](#)-B-13 JUAN VASQUEZ-RAMIREZ OBJECTION TO CONFIRMATION OF  
[LGT](#)-1 Lars Fuller PLAN BY LILIAN G. TSANG  
**Thur #17** 10-24-25 [[13](#)]

CONTINUED TO 12/02/25 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS SET FOR 11/20/25.

**Final Ruling**

No appearance at the November 19, 2025, hearing is required. The court will issue an order.

17. [25-25033](#)-B-13 JUAN VASQUEZ-RAMIREZ OBJECTION TO CONFIRMATION OF  
[RAS](#)-1 Lars Fuller PLAN BY HSBC BANK USA, NATIONAL  
ASSOCIATION  
10-30-25 [[16](#)]

CONTINUED TO 12/02/25 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS SET FOR 11/20/25.

**Final Ruling**

No appearance at the November 19, 2025, hearing is required. The court will issue an order.



18. [25-24837](#)-B-13 DOLLY CASTILLO DE LA CRUZ OBJECTION TO CONFIRMATION OF  
[LGT](#)-1 AND LUIS CASTILLO GARIBAY PLAN BY LILIAN G. TSANG  
Natali A. Ron 10-23-25 [[13](#)]

### **Final Ruling**

The *initial* Chapter 13 Plan filed September 8, 2025, is not confirmable and the objection is not one that may be resolved in the confirmation order. Nevertheless, because this is the *initial* Chapter 13 Plan, the procedure in Local Bankr. R. 3015-1(c)(4) applies.

The court's decision is to **continue the hearing to November 25, 2025, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan.**

First, the plan fails to provide for the full payment, in deferred cash payments, of all claims entitled to priority under § 507 of this title. 11 U.S.C. § 1322(a). Unless the Internal Revenue Service and Franchise Tax Board enter into and file with the court a written stipulation for the proposed plan treatment, the plan cannot be confirmed without providing for full payment of all priority claims.

Second, Debtors' plan provides for the Internal Revenue Service as a Class 2(B) claim and proposes to pay the value of the collateral securing that claim. Debtors have not filed a motion to value collateral.

The plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The objection is sustained and the plan is not confirmed.

### **Conditional Nature of this Ruling**

Because the objection has been filed, set, and served under Local Bankruptcy Rules 3015-1(c)(4) and 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on November 21, 2025, to file and serve a response to the objection(s). See Local Bankr. R. 3015-1(c)(4), 9014-1(f)(2)(C). Any response shall be served on the Chapter 13 Trustee, the Debtors, the Debtors' attorney, and/or the attorney for the objecting party by facsimile or email.

If no response is timely filed and served, the objection will be deemed sustained for the reasons stated hereinabove, this ruling will no longer be conditional and will become the court's final decision, and the continued hearing on November 25, 2025, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on November 25, 2025, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY SUSTAINED and CONTINUED to November 25, 2025 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

19. [25-21538](#)-B-13 MATTHEW DEL REAL MOTION TO CONFIRM PLAN  
[DPC](#)-2 Pro Se 10-8-25 [[83](#)]

CONTINUED TO 1/06/26 AT 1:00 P.M. PER ORDER GRANTING THE U.S. TRUSTEE'S MOTION TO STAY.

**Final Ruling**

No appearance at the November 19, 2025, hearing is required. The court will issue an order.

20. [25-24538](#)-B-13 LEEANN KRIER CONTINUED OBJECTION TO  
[LGT](#)-1 Peter G. Macaluso CONFIRMATION OF PLAN BY LILIAN  
**Thru #21** G. TSANG  
10-9-25 [[16](#)]

**Final Ruling**

This matter was continued from November 4, 2025, to allow Debtor to provide proper notice to the Chapter 13 Trustee since Debtor's opposition was not accompanied by a certificate of service, to provide requested documents to the Trustee, and to file amended Schedules I, J, and Statement of Financial Affairs. A review of the court's docket shows that nothing appears to have been filed.

Therefore, the Trustee's objection to confirmation will be sustained. The continued hearing on November 19, 2025, at 1:00 p.m. is vacated.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.

21. [25-24538](#)-B-13 LEEANN KRIER MOTION FOR RELIEF FROM  
[NAR](#)-1 Peter G. Macaluso AUTOMATIC STAY  
10-17-25 [[20](#)]

CENTURY HOMES, LLC VS.

**Final Ruling**

CONTINUED TO JANUARY 6, 2026 AT 1:00 P.M. AS REQUESTED BY CREDITOR CENTURY HOMES, LLC.

By November 21, 2025, movant Century Homes, LLC ("Movant"), shall file a Notice of Omitted Party in Interest which identifies any party in interest not previously served as represented in Movant's request for continuance, Dkt. 37, and supporting declaration. Dkt. 38. Only a party in interest identified in the notice may file and serve a response or opposition by December 23, 2025. Movant's reply to any response or opposition filed by an omitted party in interest is limited to the scope of the party in interest's opposition. No other filings are permitted. Based on Movant's request for a continuance, all time limits in 11 U.S.C. § 362(e) are deemed waived.

No appearance at the November 19, 2025, hearing is required. The court will issue an order.

22. [25-24738](#)-B-13 JUAN PEREZ  
[LGT](#)-1 Peter G. Macaluso

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY LILIAN  
G. TSANG  
10-9-25 [[12](#)]

### **Final Ruling**

This matter was continued from November 4, 2025, to allow any party in interest to file a response by 5:00 p.m. Friday, November 7, 2025. Debtor filed a timely reply stating that he has filed Business Income and Expenses to show the two part-time jobs of Debtor and his non-filing spouse totaling \$900.00.

The Chapter 13 Trustee filed a further response stating that Debtor has not resolved the issue raised by the Trustee, namely the discrepancy between Amended Schedule I listing Debtor's monthly wages at \$8,082.62 and pay statements from January 2, 2025, through September 30, 2025, that indicate Debtor's average income is \$3,811.16 a month.

Until Schedule I is amended to accurately reflect Debtor's monthly income, it cannot be determined if the plan payments are feasible. 11 U.S.C. § 1325(a)(6).

Therefore, the court's conditional ruling at dkt. 26, sustaining the objection, shall become the court's final decision. The continued hearing on November 19, 2025, at 1:00 p.m. is vacated.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.

23. [25-23841](#)-B-12 SILVERDALE FARMS, INC.  
[CAE](#)-1 David C. Johnston

CONTINUED STATUS CONFERENCE RE:  
VOLUNTARY PETITION  
7-25-25 [[1](#)]

CONTINUED TO 12/02/25 AT 1:00 P.M.

**Final Ruling**

No appearance at the November 19, 2025, hearing is required. The court will issue an order.

24. [25-24947](#)-B-13 JUSTIN PHILLIPS  
[LGT-1](#) Steven A. Alpert

OBJECTION TO CONFIRMATION OF  
PLAN BY LILIAN G. TSANG  
10-27-25 [[14](#)]

### **Final Ruling**

The *initial* Chapter 13 Plan filed September 11, 2025, is not confirmable and the objection is not one that may be resolved in the confirmation order. Nevertheless, because this is the *initial* Chapter 13 Plan, the procedure in Local Bankr. R. 3015-1(c)(4) applies.

The court's decision is to **continue the hearing to November 25, 2025, at 1:00 p.m., conditionally sustain the objection, and deny confirmation of the plan.**

The plan does not provide for all of Debtor's projected disposable income to be applied to unsecured creditors under the plan. 11 U.S.C. § 1325(b)(1)(B). Debtor's Schedule J lists an expense of \$300.00 for a vehicle installment. Based on a copy of the loan statement provided to the Chapter 13 Trustee, the maturity date for the loan is October 15, 2026. Debtor's plan payment does not increase accordingly when the vehicle installment has been paid in full.

The plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The objection is sustained and the plan is not confirmed.

### **Conditional Nature of this Ruling**

Because the objection has been filed, set, and served under Local Bankruptcy Rules 3015-1(c)(4) and 9014-1(f)(2), any party in interest shall have until 5:00 p.m. on November 21, 2025, to file and serve a response to the objection(s). See Local Bankr. R. 3015-1(c)(4), 9014-1(f)(2)(C). Any response shall be served on the Chapter 13 Trustee, the Debtor, the Debtor's attorney, and/or the attorney for the objecting party by facsimile or email.

If no response is timely filed and served, the objection will be deemed sustained for the reasons stated hereinabove, this ruling will no longer be conditional and will become the court's final decision, and the continued hearing on November 25, 2025, at 1:00 p.m. will be vacated.

If a response is timely filed and served, the court will hear the objection on November 25, 2025, at 1:00 p.m.

The objection is ORDERED CONDITIONALLY SUSTAINED and CONTINUED to November 25, 2025 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

25. [25-90348](#)-B-13 LEO JIMENEZ  
[LGT](#)-2 Peter G. Macaluso

CONTINUED MOTION TO DISMISS  
CASE  
8-1-25 [[24](#)]

**Final Ruling**

This matter was continued from September 30, 2025, to provide Debtor additional time to file, set, and serve an amended plan and set the confirmation hearing for a date prior to November 19, 2025. Nothing was filed. Therefore, the court's conditional ruling at dkt. 36, granting the motion to dismiss case, shall become the court's final decision. The continued hearing on November 19, 2025, at 1:00 p.m. is vacated.

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

The court will issue an order.

26. [25-23849](#)-B-13 DAVID GRAHAM  
[LGT](#)-1 Steven A. Alpert

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY LILIAN  
G. TSANG  
9-11-25 [[12](#)]

CONTINUED TO 12/16/25 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS  
SET FOR 12/04/25.

**Final Ruling**

No appearance at the November 19, 2025, hearing is required. The court will issue an  
order.



27. [25-24450](#)-B-13 GUY MEYERS  
[GRI](#)-2 Eric L. Seyvertsen  
**Thru #28**

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY TIM  
PICKETT  
10-14-25 [[33](#)]

**Final Ruling**

This matter was continued from November 4, 2025, to allow any party in interest to file a response by 5:00 p.m. Friday, November 7, 2025. Nothing was filed. Therefore, the court's conditional ruling at dkt. 40, sustaining the objection, shall become the court's final decision. The continued hearing on November 19, 2025, at 1:00 p.m. is vacated.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.

28. [25-24450](#)-B-13 GUY MEYERS  
[LGT](#)-1 Eric L. Seyvertsen

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY LILIAN  
G. TSANG  
10-10-25 [[29](#)]

**Final Ruling**

This matter was continued from November 4, 2025, to allow any party in interest to file a response by 5:00 p.m. Friday, November 7, 2025. Nothing was filed. Therefore, the court's conditional ruling at dkt. 41, sustaining the objection, shall become the court's final decision. The continued hearing on November 19, 2025, at 1:00 p.m. is vacated.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.

29. [25-90050](#)-B-13 TRAVIS/CONSTANCE WOOTEN MOTION TO CONFIRM PLAN  
[CRG](#)-4 Carl R. Gustafson 10-2-25 [[76](#)]

**Final Ruling**

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Opposition was filed by the Chapter 13 Trustee and subsequently withdrawn. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to confirm the amended plan.

11 U.S.C. § 1323 permits a debtor to amend a plan any time before confirmation. The Debtors have provided evidence in support of confirmation. No opposition to the motion has been filed by the Chapter 13 Trustee or creditors. The amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

The court will issue an order.

30. [25-24664](#)-B-13 JAMES/JUDITH JOHNSON  
[LGT](#)-1 Gabriel E. Liberman

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY LILIAN  
G. TSANG  
10-10-25 [[14](#)]

**Final Ruling**

This matter was continued from November 4, 2025, to allow any party in interest to file a response by 5:00 p.m. Friday, August 15, 2025. Debtors filed a timely response stating that they do not oppose increasing their monthly plan payment by an additional \$231.39 to fund the plan payments within the 60 month period. Debtors state that they can afford this increase by reducing their food and transportation expenses, and have filed supplemental Schedules I/J to reflect this. Debtors state that they also do not oppose increasing the monthly payment to Class 2(a) claim holder Sacramento County from \$134.72 per month to \$205.25 per month. Finally, Debtors have filed an amended Disclosure of Compensation of Attorney with the correct language. This resolves the objection to confirmation.

Therefore, the court's conditional ruling at dkt. 21 and the continued hearing on November 19, 2025, at 1:00 p.m. are vacated. The objection to confirmation is overruled and the plan filed August 29, 2025, will be confirmed.

The objection is ORDERED OVERRULED for reasons stated in the minutes.

IT IS FURTHER ORDERED that the plan is CONFIRMED for reasons stated in the minutes. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

The court will issue an order.

31. [25-24665](#)-B-13 JACQUELINE/OSCAR NAVARRO MOTION TO VALUE COLLATERAL OF  
[FAT](#)-1 Flor De Maria A. Tataje VALLEY FIRST CREDIT UNION  
Thru #32 10-14-25 [[22](#)]

#### **Final Ruling**

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to value the secured claim of Valley First Credit Union at \$47,000.00.

Debtors move to value the secured claim of Valley First Credit Union ("Creditor"). Debtors are the owner of a 2021 Keystone Avalanche 378BH 5th Wheel RV ("Vehicle"). Debtors seek to value the Vehicle at a replacement value of \$47,000.00 as of the petition filing date. As the owners, Debtors' opinion of value is evidence of the asset's value. *See Fed. R. Evid. 701; see also Enewally v. Wash. Mut. Bank (In re Enewally)*, 368 F.3d 1165, 1173 (9th Cir. 2004).

#### **No Proof of Claim Filed**

The court has reviewed the Claims Registry for this bankruptcy case. No proof of claim has been filed by Creditor for the claim to be valued.

#### **Discussion**

The lien on the Vehicle's title secures a purchase-money loan incurred on June 16, 2020, which is more than 910 days prior to filing of the petition, to secure a debt owed to Creditor with a balance of approximately \$58,420.00. Therefore, the Creditor's claim secured by a lien on the asset's title is under-collateralized. The Creditor's secured claim is determined to be in the amount of \$47,000.00. *See* 11 U.S.C. § 506(a). The valuation motion pursuant to Fed. R. Civ. P. 3012 and 11 U.S.C. § 506(a) is granted.

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

The court will issue an order.

32. [25-24665](#)-B-13 JACQUELINE/OSCAR NAVARRO MOTION TO VALUE COLLATERAL OF  
[FAT](#)-2 Flor De Maria A. Tataje VALLEY FIRST CREDIT UNION  
10-19-25 [[33](#)]

#### **Final Ruling**

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to value the secured claim of Valley First Credit Union at \$16,384.00.

Debtors move to value the secured claim of Valley First Credit Union ("Creditor"). Debtors are the owner of a 2019 GMC Terrain ("Vehicle"). Debtors seek to value the Vehicle at a replacement value of \$16,384.00 as of the petition filing date. As the owners, Debtors' opinion of value is evidence of the asset's value. See Fed. R. Evid. 701; see also *Enewally v. Wash. Mut. Bank (In re Enewally)*, 368 F.3d 1165, 1173 (9th Cir. 2004).

#### **No Proof of Claim Filed**

The court has reviewed the Claims Registry for this bankruptcy case. No proof of claim has been filed by Creditor for the claim to be valued.

#### **Discussion**

The lien on the Vehicle's title secures a purchase-money loan incurred on February 22, 2023, which is more than 910 days prior to filing of the petition, to secure a debt owed to Creditor with a balance of approximately \$20,369.00. Therefore, the Creditor's claim secured by a lien on the asset's title is under-collateralized. The Creditor's secured claim is determined to be in the amount of \$16,384.00. See 11 U.S.C. § 506(a). The valuation motion pursuant to Fed. R. Civ. P. 3012 and 11 U.S.C. § 506(a) is granted.

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

The court will issue an order.

33. [22-90166](#)-B-13 MICHELLE/NATHAN PERRY  
[TAA](#)-5 Kevin Tang

MOTION TO MODIFY PLAN  
10-1-25 [[111](#)]

### **Final Ruling**

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(2), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 3015(g). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to permit the requested modification and confirm the modified plan.

11 U.S.C. § 1329 permits a debtor to modify a plan after confirmation. The Debtors have filed evidence in support of confirmation. No opposition to the motion was filed by the Chapter 13 Trustee or creditors. The modified plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329, and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

The court will issue an order.

34. [24-90467](#)-B-13 MICHELLE/GABRIEL TERRY CONTINUED MOTION TO SELL  
[SLH](#)-4 Seth L. Hanson 10-9-25 [[76](#)]

**Final Ruling**

This matter was continued from November 4, 2025, to allow any party in interest to file an opposition or response by 5:00 p.m. Friday, November 7, 2025. Nothing was filed. Therefore, the court's conditional ruling at dkt. 84, granting the motion to sell, shall become the court's final decision. The continued hearing on November 19, 2025, at 1:00 p.m. is vacated.

The motion is granted.

Debtors' attorney shall submit an order consistent with the Trustee's standard sale order. The order shall be approved by the Trustee.

35. [25-24967](#)-B-13 JAIME/MARCELLA MORALES  
[LGT](#)-1 Michael T. Reid

OBJECTION TO CONFIRMATION OF  
PLAN BY LILIAN G. TSANG  
10-29-25 [[13](#)]

WITHDRAWN BY M.P.

**Final Ruling**

The Chapter 13 Trustee having filed a notice of withdrawal of its objection, the objection 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.

There being no other objection to confirmation, the plan filed September 12, 2025, will be confirmed.

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

IT IS FURTHER ORDERED that the plan is CONFIRMED for reasons stated in the minutes. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

The court will issue an order.



CENTER STREET LENDING VIII  
SPE, LLC VS.

### **Final Ruling**

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. Cf. *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to grant the motion for relief from automatic stay.

Center Street Lending VIII SPE, LLC ("Movant") seeks relief from the automatic stay with respect to real property commonly known as 14 Westlite Court, Sacramento, California (the "Property"). Movant has provided the Declaration of Luis Montero to introduce into evidence the documents upon which it bases the claim and the obligation secured by the Property.

The Montero Declaration states that Movant is the holder and in possession of the original Promissory Note dated January 4, 2024 in the principal amount of \$770,000.00 executed by Teneane Smith as Member of Foreclosure Experts LLC, a California Limited Liability Company ("Borrower"). On April 8, 2025, Movant recorded a Notice of Default evidencing a default in the amount of \$847,549.94. On July 31, 2025, Movant recorded a Notice of Trustee's Sale scheduling the sale for August 21, 2025; the sale was postponed to October 7, 2025. Meanwhile, on October 3, 2025, debtor Naveed Afzal ("Debtor") filed this chapter 13 bankruptcy. On or about October 6, 2025, Carl Dexter, as an "non authorized signer" of Arbitrage LLC, a Wyoming Limited Liability Company, transferred a 5% ownership interest in the Property to Debtor via an unrecorded grant deed. Movant states that as of October 7, 2025, the total loan balance owed to Movant is \$941,056.82

### **Discussion**

The court determines that cause exists for terminating the automatic stay pursuant to 11 U.S.C. § 362(d)(1). Debtor has no enforceable interest in the Property and obtained the Property from an alleged transfer by Carl Dexter, who had no legal or equitable interest in the Property and lacked authority to convey it.

Additionally, the court will grant relief under § 362(d)(4). See *Benzeen, Inc. v. JP Morgan Chase Bank (In re Benzeen, Inc.)*, 2018 WL 6627275 at \*4 (9th Cir. BAP Dec. 18, 2018) (noting that request for §362(d)(4) relief survives dismissal and foreclosure); *Azkam v. U.S. Bank N.A.*, 2020 WL 1700028 at \*3 (E.D. Cal. April 8, 2020) ("An order granting relief under [§ 362(d)(4)] may survive the dismissal of the bankruptcy in some cases."). An order entered under § 362(d)(4) is binding in any other bankruptcy case purporting to affect such real property filed not later than two years after the date of entry of the order.

To obtain relief under § 362(d)(4), Movant must show and the court must affirmatively find the following three elements: (1) the Debtor's bankruptcy filing must have been part of a scheme; (2) the object of the scheme must have been to delay, hinder, or defraud creditors, and (3) the scheme must have involved either the transfer of some interest in the real property without the secured creditor's consent or court approval, or multiple bankruptcy filings affecting the property. *First Yorkshire Holdings, Inc. v. Pacifica L 22, LLC (In re First Yorkshire Holdings, Inc.)*, 470 B.R. 864, 870 (B.A.P. 9th Cir. 2012).

A scheme is an intentional construct - it does not happen by misadventure or

negligence. *In re Duncan & Forbes Dev., Inc.*, 368 B.R. 27, 32 (Bankr. C.D. Cal. 2007). A § 362(d)(4)(A) scheme is an "intentional artful plot or plan to delay, hinder or defraud creditors." *Id.* It is not common to have direct evidence of an artful plot or plan to deceive others; the court must infer the existence and contents of a scheme from circumstantial evidence. *Id.* Movant must present evidence sufficient for the trier of fact to infer the existence and content of the scheme. *Id.* See *Jimenez v. ARCPE 1, LLP (In re Jimenez)*, 613 B.R. 537, 545 (B.A.P. 9th Cir. 2020).

Section 362(d)(4) "does not require that it be the debtor who has created the scheme or carried it out, or even that the debtor be a party to the scheme at all." *Duncan & Forbes*, 368 B.R. at 32. "The language of § 362(d)(4) is likewise devoid of any requirement of a finding of bad faith by the Debtor." *In re Dorsey*, 476 B.R. 261, 267 (Bankr. C.D. Cal. 2012).

The facts here demonstrate that title to the Property was improperly conveyed into a bankruptcy estate to invoke the automatic stay and obstruct enforcement of Movant's rights. Even if Debtor was an unwitting recipient and may himself be a victim of the scheme, § 362(d)(4) focuses on the intent and effect of the scheme. See *In re Duncan & Forbes Dev., Inc.*, 368 B.R. 27, 32 (Bankr. C.D. Cal. 2006) (holding that in rem relief is appropriate where a transfer of title is designed to delay or hinder a secured creditor, regardless of the transferee's intent). Accordingly, the present filing constitutes a scheme to delay and obstruct foreclosure proceedings on the Property. This scenario supports the granting of in rem relief from the automatic stay.

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 conduct a nonjudicial foreclosure sale pursuant to applicable nonbankruptcy law and their contractual rights, and for any purchaser, or successor to a purchaser, at the nonjudicial foreclosure sale to obtain possession of the Property.

This order shall be binding in any other case purporting to affect the Property filed not later than 2 years after the date of the entry of such order by the court, except that a debtor in a subsequent case under this title may move for relief from such order based upon changed circumstances or for good cause shown, after notice and a hearing.

The Property not appearing to be the residential dwelling of Debtor based on schedules filed with the court, the 14-day stay of enforcement under Rule 4001(a)(3) is waived.

No other or additional relief is granted by the court.

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

The court will issue an order.

37. [25-24272](#)-B-13 DAVID LANDER  
[LGT](#)-2 Robert L. Goldstein

OBJECTION TO DEBTOR'S CLAIM OF  
EXEMPTIONS  
10-1-25 [[24](#)]

### **Final Ruling**

IT IS ORDERED that an evidentiary hearing will be held before the Honorable Christopher D. Jaime, Courtroom No. 32, 6th Floor, United States Bankruptcy Court, 501 I Street, Sacramento, California, on January 21, 2026, at 10:00 a.m. All attorneys and any witness who will testify must be present in person. Video and telephonic appearances are not permitted.

IT IS FURTHER ORDERED that, unless otherwise ordered and as modified herein, the use of Alternate Direct Testimony Declarations under Local Bankr. R. 9017-1 will be followed. The Local Rules can be viewed on the court's website at <https://www.caeb.uscourts.gov/LocalRules>. The parties must exchange copies of their Alternate Direct Testimony Declarations and all Exhibits, and deliver their Alternate Direct Testimony Declarations and all Exhibits to the courtroom deputy, by no later than January 14, 2026. Each party shall deliver to the courtroom deputy for Department B (not file with the clerk) the original and two copies, with proof of service upon each adverse party, of all documents and other items of evidence proposed to be identified and introduced, together with a cover page consisting of an index of said documents and items of evidence. In addition, the parties must email PDF copies of their Alternate Direct Testimony Declarations to Chief Judge Jaime's chambers at [christopher\\_jaime@caeb.uscourts.gov](mailto:christopher_jaime@caeb.uscourts.gov) by no later than January 14, 2026. The use of Alternate Direct Testimony Declarations is in lieu of live direct testimony. Unless otherwise ordered, live testimony will be limited to cross-examination and re-direct.

IT IS FURTHER ORDERED that any evidentiary objections must be filed and served by no later than 5:00 p.m. on January 16, 2026. Responses to objections are not permitted. The court will address the objections at the start of the hearing. Any objections not made are deemed waived.

38. [25-24273](#)-B-13 ALEJANDRO RAMIREZ  
[LGT](#)-1 Pro Se

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY LILIAN  
G. TSANG  
9-26-25 [[17](#)]

DEBTOR DISMISSED: 10/31/25

**Final Ruling**

The case having been dismissed on October 31, 2025, the objection to confirmation of plan is overruled as moot.

The objection is ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will issue an order.

39. [24-23476](#)-B-13 SHADI SWEIDAN  
[MS-3](#) Mark Shmorgon

MOTION TO MODIFY PLAN  
10-8-25 [[39](#)]

### **Final Ruling**

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(2), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 3015(g). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to permit the requested modification and confirm the modified plan.

11 U.S.C. § 1329 permits a debtor to modify a plan after confirmation. The Debtor has filed evidence in support of confirmation. No opposition to the motion was filed by the Chapter 13 Trustee or creditors. The modified plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329, and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

The court will issue an order.

40. [25-23376](#)-B-13 CHRISTINE/JERRY BRYANT CONTINUED OBJECTION TO  
[LGT](#)-1 Peter G. Macaluso CONFIRMATION OF PLAN BY LILIAN  
G. TSANG  
8-15-25 [[12](#)]

**Final Ruling**

This matter was continued from November 4, 2025, to allow any party in interest to file a response by 5:00 p.m. Friday, November 7, 2025. Although Debtor timely filed a response, it is not accompanied by a certificate of service and therefore the Chapter 13 Trustee may not have received proper notice. Additionally, although Debtor addresses the homestead exemption and mistakenly listed mortgage arrears, Debtor does not address the improper classification of Golden One Credit Union in Class 4.

Rather than sustain the objection to confirmation, the Debtor shall be provided additional time to 5:00 p.m. Friday, November 21, 2025, to file a certificate of service and properly serve the Trustee. The objection to confirmation is **continued to November 25, 2025, at 1:00 p.m.**

The objection is ORDERED CONTINUED to November 25, 2025 at 1:00 p.m. for reasons stated in the minutes.

The court will issue an order.

41. [25-24976](#)-B-13 SERGIO CASTELLANOS AND OBJECTION TO CONFIRMATION OF  
[LGT](#)-1 MARICELA OSEGUERA PLAN BY LILIAN G. TSANG  
Nancy W. Weng 10-24-25 [[15](#)]

**Final Ruling**

The objection to confirmation was properly filed at least 14 days prior to the hearing on the motion to confirm a plan. See Local Bankruptcy Rules 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). Nonetheless, the court determines that the resolution of this matter does not require oral argument. See Local Bankr. R. 9014-1(h).

The court's decision is to overrule the objection as moot.

Subsequent to the Chapter 13 Trustee filing its objection, Debtors filed an amended plan on October 29, 2025. The confirmation hearing for the amended plan is scheduled for December 9, 2025. The earlier plan filed September 13, 2025, is not confirmed.

The objection is ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will issue an order.

42. [25-24677](#)-B-13 LEO BRACAMONTE CONTINUED OBJECTION TO  
[LGT](#)-1 Flor De Maria A. Tataje CONFIRMATION OF PLAN BY LILIAN  
G TSANG  
10-9-25 [[25](#)]

**Final Ruling**

This matter was continued from November 4, 2025, to allow any party in interest to file a response by 5:00 p.m. Friday, November 7, 2025. Nothing was filed. Therefore, the court's conditional ruling at dkt. 42, sustaining the objection, shall become the court's final decision. The continued hearing on November 19, 2025, at 1:00 p.m. is vacated.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.



43. [25-20580](#)-B-13 IVAN FERREIRA  
[KLG-2](#) Arete Kostopoulos

MOTION TO CONFIRM PLAN  
10-10-25 [[51](#)]

### **Final Ruling**

The motion has been set for hearing on the 35-days notice required by Local Bankruptcy Rules 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Opposition was filed.

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 not confirm the second amended plan.

First, Debtor will not be able to make all payments under the plan and comply with the plan. 11 U.S.C. § 1325(a)(6). Monthly payments with the Chapter 13 Trustee's administrative fees total \$5,349.28. The plan payments for months 2, 3, 4, 5, and 7 are insufficient to cover the monthly dividends and Trustee's administrative fees. In addition, the payments for months 1 through 7 only average \$4,085.85 per month. Accordingly, Debtor's plan is not feasible.

Second, Debtor is delinquent \$3,807.02. A total of \$35,407.98 has come due through and including October 25, 2025, and the Debtor has only paid a total of \$31,600.96 to date. An additional plan payment of \$6,807.02 will come due on November 25, 2025.

Third, the second amended plan does not account for the payments made to Simply Safe by the Trustee's office when this creditor was listed as a Class 1 claim holder in the first amended plan. The second amended plan has removed Simply Safe from Class 1 and provides for direct payments to Simply Safe in Section 4.02.

The amended plan does not comply with 11 U.S.C. §§ 1322, 1323, and 1325(a) and is not confirmed.

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

The court will issue an order.

44. [25-23484](#)-B-13 KIRK WENZEL  
[LGT](#)-1 Pro Se  
**Thru #45**

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY LILIAN  
G. TSANG  
9-2-25 [[20](#)]

DEBTOR DISMISSED: 10/30/25

**Final Ruling**

The case having been dismissed on October 30, 2025, the objection to confirmation of plan is overruled as moot.

The objection is ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will issue an order.

45. [25-23484](#)-B-13 KIRK WENZEL  
[RAS](#)-1 Pro Se

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY ATHENE  
ANNUITY AND LIFE COMPANY  
7-31-25 [[17](#)]

DEBTOR DISMISSED: 10/30/25

**Final Ruling**

The case having been dismissed on October 30, 2025, the objection to confirmation of plan is overruled as moot.

The objection is ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will issue an order.

46. [25-20685](#)-B-13 LAURA ENGLAND  
[LGT](#)-2 Jin Kim  
**Thru #47**

CONTINUED MOTION TO DISMISS  
CASE  
8-1-25 [[32](#)]

**Final Ruling**

This matter was continued from September 30, 2025, to provide debtor Laura England ("Debtor") additional time to cure the delinquency in plan payments and file, set, and serve a first amended plan.

While the first amended plan was filed, set, and served, see Item #47, SLG-1, the first amended plan fails to resolve the issue raised in the Chapter 13 Trustee's motion to dismiss case - the delinquent in the amount of \$6,276.40. In fact, Debtor is now further delinquent in the amount of \$9,852.56 with an additional plan payment of \$6,575.00 that was due October 25, 2025. This is an unreasonable delay that is prejudicial to creditors pursuant to 11 U.S.C. § 1307(c)(1).

Therefore, cause exists to dismiss this case. The motion is granted and the case is dismissed.

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

The court will issue an order.

47. [25-20685](#)-B-13 LAURA ENGLAND  
[SLG](#)-1 Jin Kim

MOTION TO CONFIRM PLAN  
9-29-25 [[38](#)]

**Final Ruling**

The motion has been set for hearing on the 35-days notice required by Local Bankruptcy Rules 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Opposition was filed.

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 not confirm the first amended plan.

First, pursuant to the first amended plan, Debtor is delinquent \$9,852.56. A total of \$33,516.56 has come due through and including September 2025, and the Debtor has only paid a total of \$23,664.00 to date. An additional plan payment of \$6,575.00 was due October 25, 2025.

Second, monthly dividends to Class 2(A) claims will need to be adjusted to pay claims in 60 months. Monthly dividends will need to be as follows: (1) Franchise Tax Board \$12.60; (2) Franchise Tax Board \$39.86; and (3) Internal Revenue Service \$70.83. This is an increase of \$18.29.

The amended plan does not comply with 11 U.S.C. §§ 1322, 1323, and 1325(a) and is not confirmed.

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

The court will issue an order.

48. [25-24990](#)-B-13 REMARCABLE HILL OBJECTION TO CONFIRMATION OF  
[LGT](#)-1 Peter G. Macaluso PLAN BY LILIAN G. TSANG  
**Thru #52** 10-27-25 [[38](#)]

CONTINUED TO 12/02/25 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS SET FOR 11/19/25.

**Final Ruling**

No appearance at the November 19, 2025, hearing is required. The court will issue an order.

49. [25-24990](#)-B-13 REMARCABLE HILL CONTINUED MOTION FOR RELIEF  
[RDW](#)-1 Peter G. Macaluso FROM AUTOMATIC STAY AND/OR  
MOTION FOR ADEQUATE PROTECTION  
10-20-25 [[16](#)]

ADAM L. FURMAN AND DANA H.  
FURMAN, TRUSTEE OF THE  
FURMAN FAMILY TRUST VS.

**Final Ruling**

Adam L. Furman and Dana H. Furman, Trustees of The Furman Family Trust dated May 24, 2014 as to an undivided 50.238% interest and Aaron Silva as to an undivided 49.762% interest, their successors and/or assignees ("Creditor"), holds a promissory note secured by a deed of trust encumbering the real property located at 5253 22nd Avenue, Sacramento, California ("Property").

Creditor's claim as of the petition date is approximately \$502,691.22. The loan matured prior to the filing of the bankruptcy and Debtor was unable to pay the loan upon the maturity date as required. As a result, a foreclosure was commenced on the Property. Creditor obtained a Trustee's Sale Guarantee ("TSG") in connection with the foreclosure. The TSG uncovered numerous tax and utility liens encumbering the Property exceeding \$630,000.00. With Debtor's scheduled Property value of \$700,000, these liens effectively deplete any potential equity in the Property. The Property is also subject to approximately \$40,859.30 in delinquent county property taxes.

Debtor filed an opposition *suggesting*, i.e., without any evidentiary support whatsoever, that the tax liens are incorrect and that the Internal Revenue Service and/or Franchise Tax Board must file a correct proof of claim. Debtor also states that (1) the Property is insured, (2) the Debtor is proposing to pay Movant \$4,000.00 a month pending a speculative sale that may never materialize through his proposed Chapter 13 Plan filed on September 23, 2025 ("Plan"), (3) the Property has "nearly \$200,000 in equity," and (4) the Debtor is current on his proposed plan payments.

Creditor filed a reply stating that Debtor's monthly disposable income cannot support the proposed Plan payments. Schedules I and J reflect monthly net income of Debtor and his non-filing spouse of \$9,000.00.<sup>1</sup>

As an initial matter, the court notes that Debtor does not dispute that tax and utility liens encumber the Property. Instead, Debtor merely suggests, again without any supporting evidence, that the amount of the tax liens uncovered by the TSG is inaccurate. The Debtor also does not dispute the Property is subject to delinquent

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<sup>1</sup>In the Business Income and Expenses attachment, Debtor declares that his estimated average net monthly income is \$8,500, not \$10,500. Pursuant to Debtor's Schedule J, his monthly expenses total \$2,933.37. This would leave disposable monthly income of \$7,000.

county property taxes. This leaves the court in a position of being unable to conclude that there is \$200,000.00 in equity in the Property as the Debtor asserts. Also problematic for Debtor is that the Plan fails to provide for payment of any tax or utility liens.

Critical here is that Debtor's obligation to Creditor is fully-matured and it matured before the petition that commenced this Chapter 13 case was filed. Although Debtor may be able to pay that debt through a Chapter 13 plan, the Debtor must do so with payments over the proposed plan term. The proposed Plan term here is 36-months. Monthly payments to Creditor over that time period are at least \$13,963.00. Even if the Plan is amended to provide for a 60-month term, it would still require monthly payments to Creditor of at least \$8,378.00. The Plan proposes monthly payments to Creditor of only \$4,000.00. The Plan also proposes to pay \$4,000.00 per month for debt on Debtor's other property located at 4391 Stockton Blvd., Sacramento, California, on which Debtor owes approximately \$400,700.49 as of the Chapter 13 petition date. Monthly payments to Creditor on that debt over a 36-month period are at least \$11,130.00 or at least \$6,678.00 over a 60-month period. Inasmuch as Schedules I and J reflect monthly net income of \$9,000.00, possibly \$7,000.00, it is impossible for the Debtor to make the proposed Plan payments, pay tax and utility liens, and maintain living and business expenses. The Plan is therefore not feasible and it is effectively dead on arrival.

The Plan is also not feasible and dead on arrival because it proposes to satisfy Creditor's debt through a speculative sale or refinance of the Property. The sale is speculative because the Property is not listed, there are no potential buyers, and there is no pending escrow. No refinance is pending. This renders the Plan not feasible and not confirmable. *In re Bertrand*, 2010 WL 1740906, \*4 (Bankr. D. Ariz., April 29, 2010) ("The Debtors have offered the court no fact by which the court could conclude that ... sale by ... the Debtors ... is probable. Thus, the plan's provisions are speculative. Bankruptcy courts cannot confirm speculative plans."); *In re Stanley*, 296 B.R. 402, 409 (Bankr. E.D. Va. 2002) (denying confirmation where plan would be funded by a speculative sale of land). There is also no refinance pending and, in fact, the Debtor states he was unable to obtain refinancing.

The point here is that Debtor lacks any ability to pay Creditor's claim. Consequently, Creditor and its interest in the Property are not adequately protected and there is cause under 11 U.S.C. § 362(d)(1) to terminate the automatic stay of 11 U.S.C. § 362(a). The 14-day stay of Fed. R. Bankr. P. 4001(a)(4) will also be waived. All other relief requested is denied.

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

The court will issue an order.

50. [25-24990](#)-B-13 REMARCABLE HILL CONTINUED MOTION FOR RELIEF  
[RDW](#)-2 Peter G. Macaluso FROM AUTOMATIC STAY AND/OR  
MOTION FOR ADEQUATE PROTECTION  
10-21-25 [[23](#)]

ROGER E. LARSEN AND  
ELIZABETH E. LARSEN,  
TRUSTEES OF THE LARSEN  
FAMILY TRUST VS.

### **Final Ruling**

No opposition was filed by Debtor ReMarcable Hill ("Debtor") despite a stipulation between the parties for Debtor to do so. See dkt. 44. The defaults of all parties in interest who did not oppose or respond are entered.

Roger E. Larsen and Elizabeth E. Larsen, Trustees of The Larsen Family Trust dated March 15, 2006, their successors and/or assignees ("Creditor"), hold a promissory note

secured by a deed of trust encumbering real property located at 4391 Stockton Blvd Sacramento, California ("Property").

Creditor's claim as of the petition date is approximately \$400,700.49. The loan matured prior to the filing of the bankruptcy case and Debtor was unable to pay the loan upon the maturity date as required. As a result, a foreclosure was commenced on the Property. Creditor obtained a Trustee's Sale Guarantee ("TSG") which uncovered numerous tax and utility liens encumbering the Property totaling over \$794,000.00. The Property is also subject to delinquent property taxes in the approximate amount of \$50,437.51. With Debtor's scheduled Property value at \$600,000.00, the additional liens deplete any equity in the Property.

Debtor's petition was filed the day before a scheduled foreclosure sale. Debtor also filed a Chapter 13 Plan ("Plan") that proposes monthly payments of \$4,000.00 to Creditor until the Property is sold. No time frame for a sale is specified. Notably, the tax and utility liens are omitted from the Plan. Creditor asserts it is entitled to relief pursuant to 11 U.S.C. § 362(d)(1) for "cause" and (d)(2) for lack of equity, and that any stay of Bankruptcy Rule 4001(a)(4) should be waived.

As an initial matter, there is no evidence that refutes Creditor's evidence that the Property is encumbered by significant tax and utility liens and subject to delinquent property taxes. Also problematic is that the Plan fails to provide for payment of tax and utility liens.

Critical here is that Debtor's obligation to Creditor is fully-matured and it matured before the bankruptcy case was filed. Although Debtor may be able to pay that debt through a Chapter 13 plan, Debtor must do so with payments over the plan term. The proposed Plan term here is 36 months. Monthly payments to Creditor over that time period are at least \$11,130.00. Even if the Plan is amended to provide for a 60-month term, it would still require monthly payments to Creditor of at least \$6,678.00. The Plan proposes monthly payments to Creditor of only \$4,000.00. The Plan also proposes to pay \$4,000.00 per month for debt on Debtor's other property located at 5253 22nd Ave., Sacramento, California, and on which Debtor owes \$502,691.22 as of the Chapter 13 petition date. Monthly payments on that debt over a 36-month period are at least \$13,963.00 or \$8,378.00 over a 60-month period. Inasmuch as Schedules I and J reflect monthly net income of \$9,000.00, possibly \$7,000.00, it is impossible for the Debtor to make the proposed Plan payments, pay tax and utility liens, and maintain living and business expenses.<sup>1</sup> The Plan is not feasible and it is effectively dead on arrival.

The Plan is also not feasible and dead on arrival because it proposes to satisfy Creditor's debt through a speculative sale or refinance of the Property. The sale is speculative because the Property is not listed, there are no potential buyers, and there is no pending escrow. There is no refinance pending. This renders the Plan not feasible and therefore not confirmable. *In re Bertrand*, 2010 WL 1740906, \*4 (Bankr. D. Ariz., April 29, 2010) ("The Debtors have offered the court no fact by which the court could conclude that ... sale by ... the Debtors ... is probable. Thus, the plan's provisions are speculative. Bankruptcy courts cannot confirm speculative plans."); *In re Stanley*, 296 B.R. 402, 409 (Bankr. E.D. Va. 2002) (denying confirmation where plan would be funded by a speculative sale of land). There is also no refinancing pending and, in fact, the Debtor states he was unable to obtain refinancing.

It is apparent that the Debtor lacks any ability to pay Creditor's claim. Consequently, Creditor and its interest in the Property are not adequately protected. There is therefore cause under 11 U.S.C. § 362(d)(1) to terminate the automatic stay of 11 U.S.C. § 362(a). The 14-day stay of Fed. R. Bankr. P. 4001(a)(4) will also be waived. All other relief requested is denied.

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<sup>1</sup>In the Business Income and Expenses attachment, Debtor declares that his estimated average net monthly income is \$8,500, not \$10,500. Pursuant to Debtor's Schedule J, his monthly expenses total \$2,933.37. This would leave disposable monthly income of \$7,000.

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

The court will issue an order.

51. [25-24990](#)-B-13 REMARCABLE HILL OBJECTION TO CONFIRMATION OF  
[RDW](#)-3 Peter G. Macaluso PLAN BY ADAM L. FURMAN AND DANA  
H. FURMAN, TRUSTEE OF THE  
FURMAN FAMILY TRUST  
10-23-25 [[32](#)]

CONTINUED TO 12/02/25 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS  
SET FOR 11/19/25.

**Final Ruling**

No appearance at the November 19, 2025, hearing is required. The court will issue an  
order.

52. [25-24990](#)-B-13 REMARCABLE HILL OBJECTION TO CONFIRMATION OF  
[RDW](#)-4 Peter G. Macaluso PLAN BY ROGER E. LARSEN AND  
ELIZABETH E. LARSEN, TRUSTEES  
OF THE LARSEN FAMILY TRUST  
10-23-25 [[35](#)]

CONTINUED TO 12/02/25 AT 1:00 P.M. TO BE HEARD AFTER THE CONTINUED MEETING OF CREDITORS  
SET FOR 11/19/25.

**Final Ruling**

No appearance at the November 19, 2025, hearing is required. The court will issue an  
order.

53. [25-21991](#)-B-13 NICOLE LEVIEN  
[LGT](#)-3 David Foyil

OBJECTION TO DEBTOR'S CLAIM OF  
EXEMPTIONS  
10-15-25 [[67](#)]

### **Final Ruling**

The objection has been set for hearing on the notice required by Local Bankruptcy Rule 9014-1(f)(1) and Federal Rule of Bankruptcy Procedure 4003(b). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to sustain the objection and limit exemption C.C.P. § 704.730(c) to Debtor's principal dwelling located in Elmore Court, Pioneer, California.

The Trustee objects to the Debtor's use of C.C.P. § 704.730(c) to exempt three separate properties that are at three separate addresses: (1) \$279,500.00 for 1385 Lilli Valley Circle; (2) \$310,000.00 for 26772 Elmore Court; and (3) \$10,500.00 for 69 Winton Road. The automatic homestead exemption is limited to a debtor's principal residence at the time of bankruptcy filing. Here, two of the properties are not Debtor's principal dwelling and actually generate rental income for Debtor. Debtor's principal dwelling appears to be that at Elmore Court based on documents filed with the court.

The Trustee's objection is sustained and the claimed exemption is limited to the Elmore Court, Pioneer, California residential dwelling.

The objection is ORDERED SUSTAINED and the claimed exemption is limited for reasons stated in the minutes.

The court will issue an order.



54. [24-24297](#)-E-13 LATASHA RICHARDSON AMENDED OBJECTION TO CLAIM OF  
[LDR](#)-3 Pro Se U.S. BANK TRUST COMPANY,  
**Thru #55** NATIONAL ASSOCIATION, CLAIM  
NUMBER 16-2  
10-28-25 [[186](#)]

REMOVE FROM CALENDAR. COURT ENTERED AN ORDER DENYING O.S.T. TO HEAR CLAIM OBJECTION.  
SEE DKT. 209.

55. [24-24297](#)-E-13 LATASHA RICHARDSON CONTINUED MOTION FOR RELIEF  
[RAS](#)-1 Pro Se FROM AUTOMATIC STAY AND/OR  
MOTION FOR RELIEF FROM  
U.S. BANK TRUST COMPANY, CO-DEBTOR STAY  
NATIONAL ASSOCIATION VS. 4-21-25 [[101](#)]

NO APPEARANCE AT THE 11/19/25 HEARING IS REQUIRED. COURT ENTERED AN ORDER DENYING  
MOTION FOR RELIEF FROM THE AUTOMATIC STAY AND CO-DEBTOR STAY. SEE DKT. 213.

56. [24-25197](#)-B-13 DENISE REES  
[LGT](#)-3 Peter G. Macaluso

CONTINUED MOTION TO DISMISS  
CASE  
9-16-25 [[84](#)]

**Final Ruling**

This matter was continued from October 28, 2025, and November 4, 2025, to allow Debtor to file a motion to sell and/or a motion to confirm amended plan by November 18, 2025, or the case will be dismissed on the Trustee's ex parte application.

Debtor timely filed a second amended plan with a confirmation hearing set for January 6, 2025, at 1:00 p.m. This resolves the basis for dismissing the case at this time.

Therefore, the court's conditional ruling at dkt. 90 and the continued hearing on November 19, 2025, at 1:00 p.m. are vacated. The motion to dismiss case is denied without prejudice.

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

The court will issue an order.

57. [23-20999](#)-E-13 ROBERT/JENNIFER SHARP CONTINUED MOTION TO SELL  
[CYB](#)-2 Candace Y. Brooks 10-22-25 [[49](#)]

**Final Ruling**

This matter was continued from November 4, 2025, to allow any party in interest to file an opposition or response by 5:00 p.m. Friday, November 7, 2025. Nothing was filed. Therefore, the court's conditional ruling at dkt. 60, granting the motion to sell, shall become the court's final decision. The continued hearing on November 19, 2025, at 1:00 p.m. is vacated.

The motion is granted.

Debtors' attorney shall submit an order consistent with the Trustee's standard sale order. The order shall be approved by the Trustee.