

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Michael S. McManus
Bankruptcy Judge
Sacramento, California

November 20, 2017 at 2:00 p.m.

1. 17-24409-A-13 BENJAMIN/DEBRA EDOKPAYI MOTION TO
JPJ-3 DISMISS CASE
10-31-17 [63]

- ☐ Telephone Appearance
- ☐ Trustee Agrees with Ruling

Tentative Ruling: The motion will be granted and the case dismissed.

First, the debtor has failed to commence making plan payments and has not paid approximately \$1,800 to the trustee as required by the proposed plan. This has resulted in delay that is prejudicial to creditors and suggests that the plan is not feasible. This is cause for dismissal. See 11 U.S.C. § 1307(c)(1) & (c)(4).

Second, the plan proposed was denied confirmation on September 18. The debtor thereafter failed to promptly propose a modified plan and set it for a confirmation hearing. This fact suggests to the court that the debtor either does not intend to confirm a plan or does not have the ability to do so. This is cause for dismissal. See 11 U.S.C. § 1307(c)(1) & (c)(5).

2. 14-23468-A-13 ROBERT/RHONDA WELCH MOTION TO
JPJ-3 DISMISS CASE
10-31-17 [66]

Final Ruling: The motion has been voluntarily dismissed.

November 20, 2017 at 2:00 p.m.