

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Christopher D. Jaime  
Bankruptcy Judge  
Sacramento, California

November 25, 2015 at 10:00 a.m.

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1. [15-27104](#)-B-13 VALERIE SMITH MOTION TO DISMISS CASE  
JPJ-2 Julius M. Engel 10-22-15 [[18](#)]

**And Item #25**

**Final Ruling:** No appearance at the November 25, 2015, hearing is required.

The Trustee's Motion to Dismiss Case has been set for hearing on the 28-days' notice required by 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)(ii) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. *See Law Offices of David A. Boone v. Derham-BuTrk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Therefore, the defaults of the respondent and other parties in interest are entered. Upon review of the record there are no disputed material factual issues and the matter will be resolved without oral argument. The court will issue its ruling from the parties' pleadings.

The court's decision is to dismiss the case.

First, the Debtor has not filed a certificate of completion from an approved nonprofit budget and credit counseling agency. This is not the same as the financial management course certificate. The Debtor has failed to comply with 11 U.S.C. § 521(e)(2)(A)(1).

Second, the Debtor has not provided the Trustee with a copy of her tax return for the most recent tax year a return was filed. The Debtor has not complied with 11 U.S.C. § 521(e)(2)(A)(1).

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

The court shall enter an appropriate civil minute order consistent with this ruling.

November 25, 2015 at 10:00 a.m.

2. [14-24805](#)-B-13 IRA ROSS MOTION TO DISMISS CASE  
JPJ-2 Mitchell L. Abdallah 11-3-15 [[138](#)]

**Tentative Ruling:** Because less than 28 days' notice of the hearing was given, the Trustee's Motion to Dismiss Case is deemed brought pursuant to Local Bankruptcy Rule 9014-1(f)(2). Consequently, the Debtor, Creditors, the Trustee, the U.S. Trustee, and any other parties in interest were not required to file a written response or opposition to the motion. If any of these potential respondents appear at the hearing and offers opposition to the motion, the court will set a briefing schedule and a final hearing unless there is no need to develop the record further.

The court's decision is to not dismiss the case, provided that the Chapter 13 Trustee confirm at the hearing that it has received the requested documents as asserted in the Debtor's declaration and that the Debtor has cured the delinquency of \$25.00.

The court shall enter an appropriate civil minute order consistent with this ruling.

3. [15-24907](#)-B-13 YVONNE SILVEIRA  
Scott J. Sagaria

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
10-26-15 [[39](#)]

**Final Ruling:** No appearance at the November 25, 2015, hearing is required.

The Order to Show Cause was served by the Clerk of the Court on the Debtor, Trustee, and other parties in interest as stated on the Certificate of Service on October 26, 2015.

The Order to Show Cause was issued due to Debtor's failure to pay the \$30.00 filing fee when it filed an amended master address list on October 12, 2015. The court's docket reflects that the default was cured on November 3, 2015.

The court shall enter an appropriate civil minute order consistent with this ruling.

4.     [15-26307](#)-B-13   ANTONIO BROWN AND LAKIYA           ORDER TO SHOW CAUSE - FAILURE  
                          LOWE-BROWN                   TO PAY FEES  
                          Scott D. Shumaker           10-14-15 [[30](#)]

DISMISSED: 11/17/15

**Final Ruling:** No appearance at the November 25, 2015 hearing is required.

The case having previously been dismissed, the Order to Show Cause is discharged as moot.

5.     [15-25709](#)-B-13   MICHAEL/JESSICA SHELTON  
                                  Michael O'Dowd Hays

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
10-20-15 [[30](#)]

DISMISSED: 10/30/2015

**Final Ruling:** No appearance at the November 25, 2015 hearing is required.

The case having previously been dismissed, the Order to Show Cause is discharged as moot.

6. [15-27710](#)-B-13 SHANE/EDEN JACK  
Kristy A. Hernandez

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
11-5-15 [[19](#)]

**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 Debtors to pay the filing fee in installments.

The court granted the Debtors permission to pay the filing fee in installments. The Debtors failed to pay the \$79.00 installment when due on November 2, 2015. While the delinquent installment was paid on November 12, 2015, the fact remains 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 shall enter an appropriate civil minute order consistent with this ruling.

**Tentative Ruling:** Because less than 28 days' notice of the hearing was given, the Trustee's Motion to Dismiss Case is deemed brought pursuant to Local Bankruptcy Rule 9014-1(f)(2). Consequently, the Debtor, Creditors, the Trustee, the U.S. Trustee, and any other parties in interest were not required to file a written response or opposition to the motion. If any of these potential respondents appear at the hearing and offers opposition to the motion, the court will set a briefing schedule and a final hearing unless there is no need to develop the record further.

The court's decision is to dismiss the case.

First, the Debtor is delinquent to the Trustee in the amount of \$1,500.00, which represents approximately 3 plan payments. The day this motion will be heard, an additional plan payment in the amount of \$500.00 will be due. The Debtor has not made any plan payments since the petition was filed on July 7, 2015.

Second, the Debtor has not prosecuted this case causing unreasonable delay that is prejudicial to creditors pursuant to 11 U.S.C. § 1307(c)(1). The Trustee's objection to confirmation of plan was heard and sustained on September 16, 2015, and the Debtor has not taken further action to confirm a plan.

Third, the deadline for filing delinquent tax returns expired on August 19, 2015, for the Debtor. Thus, it is not possible for the Debtor to comply with 11 U.S.C. § 1308.

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

The court shall enter an appropriate civil minute order consistent with this ruling.

8. [15-27132](#)-B-13 LYNN/ARMIE SLATER  
Chinonye Ugorji

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
10-15-15 [[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 Debtors to pay the filing fee in installments.

The court granted the Debtors permission to pay the filing fee in installments. The Debtors failed to pay the \$79.00 installment when due on October 13, 2015. While the delinquent installment was paid on November 9, 2015, the fact remains 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 shall enter an appropriate civil minute order consistent with this ruling.



9.     [15-27036](#)-B-13   PATRICK/PENSRI MAMMOLITE           ORDER TO SHOW CAUSE - FAILURE  
                          Dale A. Orthner                   TO PAY FEES  
  11-9-15 [[26](#)]

**Final Ruling:** No appearance at the November 25, 2015, hearing is required.

The Order to Show Cause will be discharged and the case will remain pending.

The court granted the Debtors permission to pay the filing fee in installments. The Debtors failed to pay the \$77.00 installment when due on November 3, 2015. The court's docket reflects that \$231.00 was paid on November 13, 2015, and that payment includes the second, third, and final installment payments.

The court shall enter an appropriate civil minute order consistent with this ruling.

10. [15-27538](#)-B-13 CHRISTINA JIMENEZ  
Marc A. Caraska

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
10-26-15 [[27](#)]

**Final Ruling:** No appearance at the November 25, 2015, hearing is required.

The Order to Show Cause was served by the Clerk of the Court on the Debtor, Trustee, and other parties in interest as stated on the Certificate of Service on October 26, 2015.

The Order to Show Cause was issued due to Debtor's failure to pay the \$30.00 filing fee when it filed an amended verification and master address list on October 10, 2015. The court's docket reflects that the default was cured on November 2, 2015.

The court shall enter an appropriate civil minute order consistent with this ruling.

11. [15-25941](#)-B-13 DEDRA RUSSELL  
Pro Se

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
11-2-15 [[33](#)]

**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 the Debtor permission to pay the filing fee in installments. The Debtor failed to pay the \$77.00 installment when due on October 26, 2015. While the delinquent installment was paid on November 18, 2015, the fact remains 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 shall enter an appropriate civil minute order consistent with this ruling.

12. [15-26241](#)-B-13 REMINGTON PAUL  
JPJ-2 Peter G. Macaluso

MOTION TO DISMISS CASE  
11-2-15 [[41](#)]

**And Item #26**

**Tentative Ruling:** Because less than 28 days' notice of the hearing was given, the Trustee's Motion to Dismiss Case is deemed brought pursuant to Local Bankruptcy Rule 9014-1(f)(2). Consequently, the Debtors, Creditors, the Trustee, the U.S. Trustee, and any other parties in interest were not required to file a written response or opposition to the motion. If any of these potential respondents appear at the hearing and offers opposition to the motion, the court will set a briefing schedule and a final hearing unless there is no need to develop the record further.

The court's decision is to dismiss the case.

First, the Debtor is delinquent to the Trustee in the amount of \$9,490.00, which represents approximately 2 plan payments. They day this motion will be heard, an additional plan payment in the amount of \$4,745.00 will also be due. The Debtor has not made any plan payments since this petition was filed on August 5, 2015.

Second, the Debtor did not submit proof of his social security number to the Trustee at the meeting of creditors as required pursuant to Fed. R. Bankr. P. 4002(b)(1)(B).

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

The court shall enter an appropriate civil minute order consistent with this ruling.

**Final Ruling:** No appearance at the November 25, 2015, hearing is required.

The Trustee's Motion to Dismiss Case has been set for hearing on the 28-days' notice required by 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)(ii) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. *See Law Offices of David A. Boone v. Derham-BuTrk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Therefore, the defaults of the respondent and other parties in interest are entered. Upon review of the record there are no disputed material factual issues and the matter will be resolved without oral argument. The court will issue its ruling from the parties' pleadings.

The court's decision is to dismiss the case.

First, the Debtor did not appear at the duly noticed first meeting of creditors set for October 15, 2015, as required pursuant to 11 U.S.C. § 343.

Second, although the Debtor filed a certificate of completion from an approved nonprofit budget and credit counseling agency, the briefing was not received during the 180-day period preceding the date of the filing of the petition. As such, the Debtor is not eligible for relief under the United States Bankruptcy Code pursuant to 11 U.S.C. § 190(h).

Third, the Debtor did not provide the Trustee with a copy of his tax return for the most recent tax year a return was filed. The Debtor has not complied with 11 U.S.C. § 521(e)(2)(A)(1).

Fourth, the Debtor did not provide the Trustee with copies of his payment advices or other evidence of income received within the 60-day period prior to the filing of the petition. The Debtor has not complied with 11 U.S.C. § 521(a)(1)(B)(iv).

Fifth, the Debtor has not provided the Trustee with copies of certain items related to Debtor's business including, but not limited to, a completed business examination checklist, income tax returns for the 2-year period prior to the filing of the petition, bank account statements for the 6-month period prior to the filing of the petition, proof of all required insurance, and proof of required licenses or permits.

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

The court shall enter an appropriate civil minute order consistent with this ruling.

14. [15-27551](#)-B-13 SUSAN LAUGHERY  
Pro Se

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
11-2-15 [[38](#)]

**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 the Debtor permission to pay the filing fee in installments. The Debtor failed to pay the \$79.00 installment when due on October 28, 2015. While the delinquent installment was paid on November 5, 2015, the fact remains 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 shall enter an appropriate civil minute order consistent with this ruling.

15. [15-27752](#)-B-13 JOSE CUIEL  
Michael O'Dowd Hays

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
11-5-15 [[14](#)]

**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's failure to pay \$79.00 due November 2, 2015. The court's docket reflects that the default has not been cured.

The court shall enter an appropriate civil minute order consistent with this ruling.

16. [15-22254](#)-B-13 MIKHAIL/YULIYA VARKEKENTIN MOTION TO DISMISS CASE  
JPJ-1 Mark Shmorgon 10-22-15 [[108](#)]

**Final Ruling:** No appearance at the November 25, 2015, hearing is required.

The Trustee's Motion to Dismiss Case has been set for hearing on the 28-days' notice required by 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)(ii) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. *See Law Offices of David A. Boone v. Derham-BuTrk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Therefore, the defaults of the respondent and other parties in interest are entered. Upon review of the record there are no disputed material factual issues and the matter will be resolved without oral argument. The court will issue its ruling from the parties' pleadings.

The court's decision is to dismiss the case.

First, the Debtors have not prosecuted this case causing unreasonable delay that is prejudicial to creditors pursuant to 11 U.S.C. § 1307(c)(1). The Debtors' motion to confirm amended plan was heard and denied on September 2, 2015, and the Debtors have not taken further action to confirm a plan.

Second, Debtors are delinquent to the Trustee in the amount of \$207.00, which represents approximately 1 plan payment. By the time this motion is heard, an additional plan payment totaling \$414.00 will also be due (\$207.00 each for October and November 2015).

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

The court shall enter an appropriate civil minute order consistent with this ruling.



17. [15-25761](#)-B-13 FRANCISCO QUEMA  
Mikalah R. Liviakis

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
10-26-15 [[37](#)]

DEBTOR DISMISSED: 10/30/2015

**Final Ruling:** No appearance at the November 25, 2015 hearing is required.

The case having previously been dismissed, the Order to Show Cause is discharged as moot.

18. [11-32869](#)-B-13 MATTHEW MORENO MOTION TO DISMISS CASE  
JPJ-1 Brandon Scott Johnston 9-24-15 [[22](#)]

**Final Ruling:** No appearance at the November 25, 2015, hearing is required.

The Trustee's Motion to Dismiss Case has been set for hearing on the 28-days' notice required by 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)(ii) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. *See Law Offices of David A. Boone v. Derham-BuTrk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Therefore, the defaults of the respondent and other parties in interest are entered. Upon review of the record there are no disputed material factual issues and the matter will be resolved without oral argument. The court will issue its ruling from the parties' pleadings.

The court's decision is to dismiss the case.

The Internal Revenue Service filed a priority claim in the amount of \$6,525.45. However, the Debtor scheduled this creditor in the amount of \$2,078.00. This case is currently in month 54 but the confirmed plan will take a total of 87 months to complete, which results in a commitment period that exceeds the limit imposed by 11 U.S.C. § 1325(b)(4) and which is 27 months longer than the proposed commitment period of 60 months. The Debtor has neither filed an objection to the IRS claim nor timely filed a modified plan pursuant to Paragraph 6 of General Order 05-03. This constitutes unreasonable delay that is prejudicial to creditors.

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

The court shall enter an appropriate civil minute order consistent with this ruling.

**Tentative Ruling:** Because less than 28 days' notice of the hearing was given, the Trustee's Motion to Dismiss Case is deemed brought pursuant to Local Bankruptcy Rule 9014-1(f)(2). Consequently, the Debtor, Creditors, the Trustee, the U.S. Trustee, and any other parties in interest were not required to file a written response or opposition to the motion. If any of these potential respondents appear at the hearing and offers opposition to the motion, the court will set a briefing schedule and a final hearing unless there is no need to develop the record further.

The court's decision is to dismiss the case.

First, the Debtor is delinquent to the Trustee in the amount of \$3,454.28, which represents approximately 2 plan payments. The day this motion will be heard, an additional plan payment in the amount of \$1,727.14 will also be due. The Debtor has not made any plan payments since the petition was filed on August 12, 2015.

Second, the Debtor did not submit proof of his social security number to the Trustee at the meeting of creditors as required pursuant to Fed. R. Bankr. P. 4002(b)(1)(B).

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

The court shall enter an appropriate civil minute order consistent with this ruling.

20. [15-25179](#)-B-13 TINA INGRASSIA  
Mikalah R. Liviakis

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
11-2-15 [[29](#)]

**Final Ruling:** No appearance at the November 25, 2015, hearing is required.

The Order to Show Cause will be discharged and the case will remain pending.

The court granted the Debtor's permission to pay the filing fee in installments. The Debtor failed to pay the \$77.00 installment when due on October 27, 2015. The court's docket reflects that \$77.00 was paid on November 9, 2015, and that payment was the final installment.

The court shall enter an appropriate civil minute order consistent with this ruling.

**Final Ruling:** No appearance at the November 25, 2015, hearing is required.

The Trustee's Motion to Dismiss Case has been set for hearing on the 28-days' notice required by 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)(ii) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. *See Law Offices of David A. Boone v. Derham-BuTrk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Therefore, the defaults of the respondent and other parties in interest are entered. Upon review of the record there are no disputed material factual issues and the matter will be resolved without oral argument. The court will issue its ruling from the parties' pleadings.

The court's decision is to dismiss the case.

The confirmed plan will take a total of 74 months to complete, which results in a commitment period that exceeds the limit imposed by 11 U.S.C. § 1325(b)(4) and which is 14 months longer than the proposed commitment period of 60 months. The Debtor has neither filed objections to claims nor timely filed a modified plan pursuant to Paragraph 6 of General Order 05-03. This constitutes unreasonable delay that is prejudicial to creditors.

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

The court shall enter an appropriate civil minute order consistent with this ruling.

22. [11-38992](#)-B-13 SHANE/LISA FANTONI MOTION TO DISMISS CASE  
JPJ-2 Peter G. Macaluso 10-5-15 [[58](#)]

**Final Ruling:** CONTINUED TO 1/06/16 AT 10:00 A.M. TO BE HEARD IN CONJUNCTION  
WITH MOTION TO AVOID LIEN OF HOLT OF CALIFORNIA.

23. [15-26694](#)-B-13 BOUNTHEU THIENPHETH  
Pro Se

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
10-29-15 [[28](#)]

DEBTOR DISMISSED: 10/30/2015

**Final Ruling:** No appearance at the November 25, 2015 hearing is required.

The case having previously been dismissed, the Order to Show Cause is discharged as moot.

24. [15-27496](#)-B-13 JAMES FAIRCHILD  
Pro Se

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
10-19-15 [[22](#)]

DEBTOR DISMISSED: 10/26/2015

**Final Ruling:** No appearance at the November 25, 2015 hearing is required.

The case having previously been dismissed, the Order to Show Cause is discharged as moot.



25. [15-27104](#)-B-13 VALERIE SMITH  
JPJ-1 Julius M. Engel

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY JAN P.  
JOHNSON, TRUSTEE  
10-21-15 [[15](#)]

**And Item #1**

**Tentative Ruling:** The Trustee's Objection to Confirmation of the Chapter 13 Plan 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). The Debtor, Creditors, the Trustee, the U.S. Trustee, and any other 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 Bankruptcy Rule 9014-1(f)(1)(C). The Debtor has filed a written reply to the objection.

The court's decision is to dismiss as moot the objection to confirmation, the case having been dismissed for reasons stated at Item #1.

The court shall enter an appropriate civil minute order consistent with this ruling.

26. [15-26241](#)-B-13 REMINGTON PAUL  
DVW-1 Peter G. Macaluso

CONTINUED MOTION FOR RELIEF  
FROM AUTOMATIC STAY  
11-2-15 [[35](#)]

U.S. BANK, N.A. VS.

**And Item #12**

**Tentative Ruling:** The Motion for Relief From the Automatic Stay; Memorandum of Points & Authorities in Support Thereof has been set for hearing on the notice required by 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)(ii) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). The Debtor has filed a written reply to the objection.

The court's decision is to deny as moot the motion for relief from stay, the case having been dismissed for reasons stated at Item #12.

The court shall enter an appropriate civil minute order consistent with this ruling.

27. [15-25582](#)-B-13 ASHWANI/ASHWANI MAYER CONTINUED MOTION FOR SUMMARY  
[15-2154](#) SBM-1 JUDGMENT  
MAYER ET AL V. WELLS FARGO 10-2-15 [[28](#)]  
BANK, N.A.  
**Thru #28**

ORDER FILED 11/23/15.

**Final Ruling:** No appearance at the November 25, 2015, hearing is required.

28. [15-25582](#)-B-13 ASHWANI/ASHWANI MAYER CONTINUED STATUS CONFERENCE RE:  
[15-2154](#) Peter G. Macaluso AMENDED COMPLAINT  
MAYER ET AL V. WELLS FARGO 9-12-15 [[18](#)]  
BANK, N.A.

ORDER FILED 11/23/15.

**Final Ruling:** No appearance at the November 25, 2015, hearing is required.

29. [15-22784](#)-B-13 JOSEPH/HEATHER ADKINS CONTINUED MOTION TO RECONSIDER  
DBJ-3 Bonnie Baker 10-14-15 [[96](#)]

**Final Ruling:** CONTINUED TO 12/02/15 AT 10:00 A.M. SUBJECT TO FURTHER  
CONTINUANCE.