

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-18918 Martha Alvarado Ramirez

Chapter 13

#1.00 Notice of Motion and Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate 1737 Lugo avenue, San Bernardino, CA 92404

MOVANT: MARTHA ALVARADO RAMIREZ

EH__

Docket 14

Tentative Ruling:

11/01/2016
Service proper
No opposition

The Debtor has provided sufficient evidence to overcome the presumption of bad faith. The Court is inclined to GRANT the Motion and continue the stay as to all creditors.

APPEARANCES WAIVED. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Martha Alvarado Ramirez

Represented By
Claudia L Phillips

Movant(s):

Martha Alvarado Ramirez

Represented By
Claudia L Phillips

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-18517 Armando Anaya and Sylvia Macias

Chapter 7

#2.00 Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: 27197 Crest Street, Highland, Ca

MOVANT: TERESA AYALA MORENO

EH__

Docket 14

Tentative Ruling:

11/01/16
Service is Proper
Opposition: None

GRANT relief from the stay under § 362(d)(1). GRANT waiver of 4001(a)(3) stay, and GRANT relief from the co-debtor stay.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing, the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Armando Anaya

Represented By
Inez Tinoco-Vaca

Joint Debtor(s):

Sylvia Macias

Represented By
Inez Tinoco-Vaca

Movant(s):

Teresa Moreno

Represented By
Helen G Long

**United States Bankruptcy Court
Central District of California
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10:00 AM

CONT... Armando Anaya and Sylvia Macias

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-18057 Noe Sanchez and Jami Sanchez

Chapter 7

#3.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2009 TOYOTA CAMRY, VIN 4T4BE46K49R051230

MOVANT: SANTANDER CONSUMER USA INC

EH__

Docket 9

Tentative Ruling:

11/01/16
Service is Proper
Opposition: None

GRANT relief from the stay under §§ 362(d)(1) and (d)(2). GRANT waiver of 4001 (a)(3) stay. GRANT as binding and effective despite conversion.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing, the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Noe Sanchez

Represented By
M Wayne Tucker

Joint Debtor(s):

Jami Sanchez

Represented By
M Wayne Tucker

Movant(s):

Santander Consumer USA Inc.

Represented By
Sheryl K Ith

**United States Bankruptcy Court
Central District of California
Riverside
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Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

CONT... Noe Sanchez and Jami Sanchez

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-18024 Michael Overton, II and Mehi Overton

Chapter 7

#4.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2008 NISSAN ALTIMA, VIN 1N4AL21E38N513121

MOVANT: SANTANDER CONSUMER USA INC

EH__

Docket 11

Tentative Ruling:

11/01/2016
Service is Proper
Opposition: None

GRANT relief from the stay under §§ 362(d)(1) and (d)(2). GRANT waiver of 4001 (a)(3) stay. GRANT as binding and effective despite conversion.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing, the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Michael Overton II Pro Se

Joint Debtor(s):

Mehi Overton Pro Se

Movant(s):

Santander Consumer USA Inc. Represented By
Jennifer H Wang

Trustee(s):

Lynda T. Bui (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
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Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-17911 Elizabeth T Baker

Chapter 13

#5.00 CONT Notice of Motion and Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate

MOVANT: ELIZABETH T. BAKER

From: 10/4/16

EH__

Docket 27

Tentative Ruling:

11/01/2016

The prior hearing was continued for Debtor to (1) provide notice of the continued hearing to her ex-husband and his counsel as well as to the electric company and garnishing creditor; and (2) to provide further evidence that she would be able to confirm and consummate a chapter 13 plan (in particular, the Debtor was to provide an specificity as to the historical basis for the charitable contribution expense, and explanation regarding the status of the tax returns that were not turned over to the Trustee in her prior case).

Here, the Debtor has failed to file a notice of continuance as required by the Court. In fact, there is no proof of service at all attached to the supplemental declaration of the Debtor.

As to the charitable contributions, the Court is satisfied with the supplemental evidence provided. However, the Debtor has provided no evidence to corroborate her statements indicating that she used the tax return monies for necessary expenses.

Based on the foregoing, the Cout is inclined to DENY the Motion for failure to provide notice and also for failure to prove by clear and convincing evidence sufficient to rebut the presumption that the Debtor's case has not been filed in good faith.

**United States Bankruptcy Court
Central District of California
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10:00 AM

CONT... Elizabeth T Baker
APPEARANCES REQUIRED.

Chapter 13

10/4/16

Service: Proper

Opposition: Due at hearing

Debtor's declaration says that she will file an Application for Shortened Time, but did not file one. The Notice of the Motion says that the hearing is on shortened notice, but an Application for Shortened Time was not required pursuant to the Judge's self calendaring procedures. Regardless, the Notice and Motion were served on 9/8/16, which is more than 21 days prior to the 10/4/16 hearing date; thus it appears that the Motion was set on regular notice, but advised parties that any opposition was due at the hearing.

Debtor alleges that the instant case was filed in good faith to reorganize her debts. Debtor alleges that she had to file the instant case because a creditor threatened to turn off her electricity and another creditor was attempting to garnish her wages after dismissal of her last bankruptcy. However, Debtor did not identify these creditors in the notice of the motion. Moreover, Debtor's declaration lacks specificity and does not provide any basis for her assertions that the instant case was filed in good faith or that she will be able to consummate her chapter 13 plan. In addition, Debtor does not address the status of her tax returns and refunds that were the basis for dismissal of her prior case. Last, the Court will require evidence of historical charitable contributions.

Additionally, the Court will require the Debtor to serve Clarence Baker, and his counsel of record (if not already served) with the notice and motion.

Based on the foregoing, the Court's tentative ruling is to CONTINUE the hearing on the Motion to allow Debtor to address the issues set forth above.

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Elizabeth T Baker

Represented By
Nancy Korompis

**United States Bankruptcy Court
Central District of California
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Judge Mark Houle, Presiding
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Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

CONT... Elizabeth T Baker

Chapter 13

Movant(s):

Elizabeth T Baker

Represented By
Nancy Korompis

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
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Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:13-12182 Stacey Jo West

Chapter 13

#6.00 Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 13049 Beach Drive, Topock, Arizona 86436

MOVANT: WELLS FARGO BANK N.A.

EH__

Docket 145

Tentative Ruling:

11/01/2016
Service: Proper
Opposition: None

GRANT relief from the stay under § 362(d)(1). GRANT waiver of 4001(a)(3) stay.
GRANT requests under ¶¶3 and 6. Request for adequate protection is DENIED as moot.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing, the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Stacey Jo West

Represented By
Arnold H Wuhrman

Movant(s):

Wells Fargo Bank, NA

Represented By
Bradley S Beherns
Megan E Lees

Trustee(s):

Rod (MH) Danielson (TR)

Represented By
Rod (MH) Danielson (TR)

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
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Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:14-23388 Jose N Recinos and Patricia Recinos

Chapter 13

#7.00 Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 3118 Whitestag Rd, Ontario, CA 91761-0366

MOVANT: WELLS FARGO BANK, N.A.

EH__

Docket 172

Tentative Ruling:

11/01/2016
Service: Proper
Opposition: Yes

Parties to discuss the status of Debtors' efforts to cure, and APO negotiations, if any.

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Jose N Recinos

Represented By
Michael Smith

Joint Debtor(s):

Patricia Recinos

Represented By
Michael Smith

Movant(s):

WELLS FARGO BANK, NA

Represented By
Rebecca G Early
Shainna Surles
DeMarcus Jones
Corey Phuse

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
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Hearing Room 303

10:00 AM

CONT... Jose N Recinos and Patricia Recinos

Chapter 13

Taft W Scott
Melissa A Anderson
John Chandler
Megan E Lees
Christopher Darden
Oneika White-Dovlo
Darlene C Vigil

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
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Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-17280 Jesus Ramirez Guillen and Yovana Mondagron Guillen

Chapter 7

#8.00 Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: for the Property located at 5127 Split Rock Avenue, Twentynine Palms, CA 92277

MOVANT: BSI FINANCIAL SERVICES

EH__

Docket 15

Tentative Ruling:

11/01/2016
Service is Proper
Opposition: None

GRANT relief from the stay under §§ 362(d)(1) and (d)(2). GRANT waiver of 4001 (a)(3) stay. Movant's request for adequate protection is DENIED as moot.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing, the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Jesus Ramirez Guillen Pro Se

Joint Debtor(s):

Yovana Mondagron Guillen Pro Se

Movant(s):

BSI Financial Services, as servicer Represented By
Bethany Wojtanowicz

Trustee(s):

Arturo Cisneros (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-17215 Carmen Saucedo

Chapter 13

#9.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2016 TOYOTA CAMRY

MOVANT: TOYOTA MOTOR CREDIT CORPORATION

EH__

Docket 16

Tentative Ruling:

11/01/2016

The Debtor filed a notice of nonopposition to the Motion and the Movant has provided sufficient evidence to support granting of the relief requested. The Motion is GRANTED. The request for a waiver of the 4001(a)(3) stay is GRANTED.

APPEARANCES WAIVED. Movant to lodge an order within 7 days.

Party Information

Debtor(s):

Carmen Saucedo

Represented By
Michael Smith

Movant(s):

Toyota Motor Credit Corporation

Represented By
Erica T Loftis

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
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Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-16909 Edward Edmund Zozaya and Georgia Parrilla Zozaya

Chapter 13

#10.00 Motion for relief from the automatic stay with supporting declarations
PERSONAL PROPERTY RE: 2012 Nissan Sentra, VIN 3N1AB6AP6CL756259

MOVANT: SANTANDER CONSUMER USA INC

EH__

Docket 23

Tentative Ruling:

11/01/2016
Service is Proper
Opposition: None

GRANT relief from the stay under §§ 362(d)(1). GRANT waiver of 4001(a)(3) stay.
GRANT as binding and effective despite conversion. DENY request for APO as
moot.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing,
the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Edward Edmund Zozaya

Represented By
Dana Travis

Joint Debtor(s):

Georgia Parrilla Zozaya

Represented By
Dana Travis

Movant(s):

Santander Consumer USA Inc.

Represented By
Sheryl K Ith

**United States Bankruptcy Court
Central District of California
Riverside
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10:00 AM

CONT... Edward Edmund Zozaya and Georgia Parrilla Zozaya

Chapter 13

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-16365 Guillermo Hernandez

Chapter 13

#11.00 Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 8601 Panorama Lane, Hesperia Area, CA 92344

MOVANT: WELLS FARGO BANK NA

EH__

Docket 23

Tentative Ruling:

11/01/2016
Service is Proper
Opposition: None

GRANT relief from the stay under §§ 362(d)(1) and (d)(4). Court finds that bankruptcy case was part of a scheme to hinder, delay and defraud creditors based on multiple bankruptcy filings affecting this property. The Court makes a finding that the Debtor was involved in the scheme. The Motion is further granted as follows:
GRANT waiver of 4001(a)(3) stay; GRANTED as to ¶¶ 3 and 11.

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Guillermo Hernandez Pro Se

Movant(s):

Wells Fargo Bank, NA Represented By
Brett P Ryan

Trustee(s):

Rod (MH) Danielson (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
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Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-15581 Dexter Humphrey

Chapter 13

#12.00 Motion for relief from the automatic stay with supporting declarations
PERSONAL PROPERTY RE: 2010 Jaguar XF-Series, VIN No.
SAJWA0GB4ALR56839

MOVANT: CAPITAL ONE AUTO FINANCE A DIV OF CAPITAL ONE NA

EH__

Docket 25

***** VACATED *** REASON: ORDER ENTERED 10/31/16**

Tentative Ruling:

11/01/2016

Service is Proper

Opposition: Yes

The Debtor has indicated that he made one payment on October 17, 2016 and that he would make a second payment by the end of the week of October 17, 2016. The Debtor provided no evidence to corroborate the statement and did not provide specifics as to whether the amounts being paid would cure the existing arrearage. Parties to appear and update the Court as to the status of cure, if any, and to discuss appropriateness of APO.

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Dexter Humphrey

Represented By
Michael J Hemming

Movant(s):

Capital One Auto Finance, a division

Represented By
Timothy J Silverman

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
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Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

CONT... Dexter Humphrey

Chapter 13

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-15097 Arlene Wilson Jackson

Chapter 13

#13.00 CONT Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 416 Dale Street, Perris, California 92571

MOVANT: WELLS FARGO BANK, N.A.

From: 10/4/16

EH__

Docket 18

Tentative Ruling:

Tentative Ruling:

10/4/16

Service: Proper

Opposition: Filed 9/22/16

Initially, the Court notes that the stay terminated by operation of law on July 7, 2016, pursuant to § 362(c)(3)(B) because Debtor had a case pending within the year preceding the instant filing (Case No. 15-18025, filed on 8/12/15 and dismissed on 4/13/16).

Debtor alleges that the fair market value of the Property is \$263,000, but does not provide any evidence to support such allegation. Thus, Debtor's arguments that there is equity in the Property and that Movant has an equity cushion are without merit.

Parties are to appear and discuss Debtor's request for an APO.

APPEARANCES REQUIRED.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
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Tuesday, November 01, 2016

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10:00 AM

CONT... Arlene Wilson Jackson

Chapter 13

Debtor(s):

Arlene Wilson Jackson

Represented By
Christopher Hewitt

Movant(s):

Wells Fargo Bank, N.A.

Represented By
Erica T Loftis
Mark D Estle

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
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Hearing Room 303

10:00 AM

6:16-14838 Kevin Gerald Matty

Chapter 13

#14.00 Motion for relief from the automatic stay with supporting declarations REAL
PROPERTY RE: 39773 Knollridge Drive

MOVANT: PNC BANK, NATIONAL ASSOCIATION

EH__

Docket 22

Tentative Ruling:

11/01/2016
Service: Proper
Opposition: Yes

The Court is inclined to DENY the Motion as improper. The Motion seeks relief from the automatic stay for a lack of adequate protection and/or under § 362(d)(2) based on a lack of equity and assertion that the property is not necessary to the Debtor's reorganization. However, the Debtor's conversion of his case to a case under chapter 13 undercuts the assumption made in a chapter 7 case that the property is not necessary to a reorganization. Additionally, the Court is disinclined to grant relief under § 362(d)(1) absent a showing that the Debtor is not performing under the obligations of his proposed chapter 13 plan, or has otherwise acted in bad faith.

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Kevin Gerald Matty

Represented By
Danny K Agai

Movant(s):

PNC Bank, National Association

Represented By
Kristin A Zilberstein

**United States Bankruptcy Court
Central District of California
Riverside
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10:00 AM

CONT... Kevin Gerald Matty

Chapter 13

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
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Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-14202 Sam Venero

Chapter 13

#15.00 Motion for relief from the automatic stay with supporting declarations
PERSONAL PROPERTY RE: 2013 Toyota Sienna, VIN No.
5TDZK3DC2DS287626

MOVANT: CAPITAL ONE AUTO FINANCE A DIV OF CAPITAL ONE NA

EH__

Docket 40

Tentative Ruling:

11/01/16
Service is Proper
Opposition: None

GRANT relief from the stay under § 362(d)(1). GRANT waiver of 4001(a)(3) stay.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing,
the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Sam Venero

Represented By
Edward T Weber

Movant(s):

Capital One Auto Finance, a division

Represented By
Timothy J Silverman

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-13246 Gwendolyn Washington

Chapter 13

#16.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2010 Mercedes Benz E-Class, VIN WDDHF5GB5AA094108

MOVANT: EXETER FINANCE CORP

EH__

Docket 29

Tentative Ruling:

11/01/2016
Service is Proper
Opposition: None

GRANT relief from the stay under §§ 362(d)(1). GRANT waiver of 4001(a)(3) stay.
GRANT relief from the § 1301 co-debtor stay.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing, the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Gwendolyn Washington

Represented By
Julie J Villalobos

Movant(s):

Exeter Finance Corp.

Represented By
Marian Garza
Timothy J Silverman

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
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Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-11794 ROBERT A HAGUE and DIANNE L HAGUE

Chapter 13

#17.00 CONT Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 4830 Genevieve Street, San Bernardino, CA 92407

MOVANT: U.S. BANK NATIONAL ASSOCIATION

From: 8/23/16, 10/4/16

EH__

Docket 34

***** VACATED *** REASON: ORDER ENTERED 10/31/16**

Tentative Ruling:

Party Information

Debtor(s):

ROBERT A HAGUE

Represented By
Manfred Schroer

Joint Debtor(s):

DIANNE L HAGUE

Represented By
Manfred Schroer

Movant(s):

U.S. Bank National Association, as

Represented By
Kristin A Zilberstein

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-11745 Alfredo Manzo Arrieta and Mayte Hernandez- Arrieta

Chapter 13

#18.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2014 BMW 328i, VIN WBA3C1C59EK110345

MOVANT: BMW BANK OF NORTH AMERICA

EH__

Docket 53

Tentative Ruling:

11/01/2016
Service is Proper
Opposition: Yes

The Debtors have provided evidence to indicate that they are or will be current. Movant to discuss whether the payments have been received and an adequate protection order.

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Alfredo Manzo Arrieta

Represented By
Andy C Warshaw

Joint Debtor(s):

Mayte Hernandez- Arrieta

Represented By
Andy C Warshaw

Movant(s):

BMW Bank of North America

Represented By
Marian Garza
Timothy J Silverman

**United States Bankruptcy Court
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10:00 AM

CONT... Alfredo Manzo Arrieta and Mayte Hernandez- Arrieta

Chapter 13

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
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Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-11465 Susie Ware

Chapter 13

#19.00 Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 2103 Caprice Drive, Killeen, TX 76543

MOVANT: U.S. BANK NATIONAL ASSOCIATION

EH__

Docket 25

Tentative Ruling:

11/01/2016
Service: Proper
Opposition: None

GRANT relief from the stay under § 362(d)(1). The Motion is granted as follows:
GRANTED as to waiver of 4001(a)(3) stay; GRANTED as to ¶¶ 3 and 12.

APPEARANCES WAIVED. If written or oral opposition is presented at the hearing, the hearing may be continued. Movant to lodge order within 7 days.

Party Information

Debtor(s):

Susie Ware

Represented By
S Renee Sawyer Blume

Movant(s):

U.S. Bank National Association, as

Represented By
Kristin A Zilberstein

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Tuesday, November 01, 2016

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10:00 AM

6:15-10334 Alberto H. Garcia and Gina Caceres

Chapter 13

#20.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2013 Hyundai Sonata

MOVANT: HYUNDAI MOTOR FINANCE

EH__

Docket 36

***** VACATED *** REASON: ORDER ENTERED 10/27/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alberto H. Garcia

Represented By
Carey C Pickford

Joint Debtor(s):

Gina Caceres

Represented By
Carey C Pickford

Movant(s):

Hyundai Motor Finance

Represented By
Austin P Nagel

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 303

10:00 AM

6:16-10167 Ever M Henderson

Chapter 13

#21.00 Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 1344 Brentwood Cir. Unit B, Corona, CA 92882-7048

MOVANT: OAKVIEW HOMEOWNERS ASSOCIATION

EH__

Docket 37

Tentative Ruling:

11/01/2016
Service: Proper
Opposition: None

GRANT relief from the stay under § 362(d)(1). The Motion is GRANTED as to the waiver of the 4001(a)(3) stay. The Movant's request for attorney fees and costs is DENIED for failure by Movant to establish a legal basis for the awarding of fees and costs. Movant's additional request for "relief to immediately move ahead with foreclosure proceedings" is DENIED to the extent it seeks authority to pursue nonbankruptcy forum litigation against the Debtor. Movant's alternative request for an Adequate Protection Order is DENIED as moot.

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Ever M Henderson

Represented By
Michael Smith

Movant(s):

Oakview Homeowners Association

Represented By
Austin P Nagel

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

CONT... Ever M Henderson

Chapter 13

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:15-18416 Dyana Lynn Moore

Chapter 7

#22.00 Motion for relief from the automatic stay with supporting declarations REAL
PROPERTY RE: 26095 Prado Street, Moreno Valley, CA 92555

MOVANT: NATIONSTAR MORTGAGE LLC

EH__

Docket 72

*** VACATED *** REASON: WITHDRAWAL OF MOTION FILED
10/27/16

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dyana Lynn Moore

Represented By
Nancy Korompis

Movant(s):

Nationstar Mortgage LLC as

Represented By
Kristin A Zilberstein

Trustee(s):

Helen R. Frazer (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:15-16189 Nikea N Jackson

Chapter 13

#23.00 Motion for relief from the automatic stay with supporting declarations
PERSONAL PROPERTY RE: 2007 BMW 5 Series, VIN No.
WBANE73527CM55297

MOVANT: CAPITAL ONE AUTO FINANCE

EH__

Docket 38

***** VACATED *** REASON: ORDER ENTERED 10/31/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nikea N Jackson

Represented By
M Wayne Tucker

Movant(s):

Capital One Auto Finance

Represented By
Timothy J Silverman

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:15-14501 Vonetta M Mays

Chapter 13

#24.00 Motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 20233 Scobey Ave, Carson, CA

MOVANT: WILMINGTON SAVINGS FUND SOCIETY FSB dba CHRISTIANA TRUST

EH__

Docket 99

Tentative Ruling:

11/01/2016
Service is Proper
Opposition: None

GRANT relief from the stay under §§ 362(d)(1), (d)(2), and (d)(4). Court finds that bankruptcy case was part of a scheme to hinder, delay and defraud creditors based on unauthorized transfers affecting this property. The Motion is further GRANTED as to waiver of 4001(a)(3) stay; GRANTED as to ¶¶ 6, 8(b) and 10(b); and DENIED as to ¶ 11(b).

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Vonetta M Mays

Represented By
Christopher J Langley

Movant(s):

Wilmington Savings Fund Society,

Represented By
Angie M Marth

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-17342 Natasha Marie Kiehl and Phillip Nathan Kiehl

Chapter 13

#25.00 CONT Notice of Motion and Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate Mobile Home on 2.5 acres
HOLDING DATE

MOVANT: NATASHA MARIE KIEHL AND PHILLIP NATHAN KIEHL

Also #26

EH__

Docket 21

***** VACATED *** REASON: CONTINUED TO 12/13/16 AT 10:00 AM**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Natasha Marie Kiehl

Represented By
Bill J Parks

Joint Debtor(s):

Phillip Nathan Kiehl

Represented By
Bill J Parks

Movant(s):

Phillip Nathan Kiehl

Represented By
Bill J Parks

Natasha Marie Kiehl

Represented By
Bill J Parks

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-17342 Natasha Marie Kiehl and Phillip Nathan Kiehl

Chapter 13

#26.00 CONT Motion for relief from the automatic stay with supporting declarations
UNLAWFUL DETAINER RE: 10822 Manada Rd Phelan CA 92371
HOLDING DATE

MOVANT: NICOLE TRACY C WANG

Also #25

EH__

Docket 17

***** VACATED *** REASON: CONTINUED TO 12/13/16 AT 10:00 AM**

Tentative Ruling:

8/30/16

Service is Improper

Opposition: Due at the hearing.

Service is improper because Movant did not serve the Debtors, in addition to Debtors' counsel, with the Notice and Motion as required by LBR 4001-1(c). Additionally, Movant has not provided any evidence that she provided telephonic notice of the hearing to all parties entitled to receive notice, as set forth in the Judge's self calendar instructions.

The Court also notes that Movant sets forth a basis for relief under § 362(d)(1) on page 3 of the Motion, but failed to request such relief on page 5 of the Motion. Thus, unless an amended motion is filed and served addressing such discrepancy, the Court would be inclined to deny any relief sought under § 362(d)(1).

Finally, it appears the underlying foreclosure sale may be void as occurring during the prior case filed by Natasha Kiehl.

APPEARANCES REQUIRED.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

CONT... Natasha Marie Kiehl and Phillip Nathan Kiehl

Chapter 13

Debtor(s):

Natasha Marie Kiehl

Represented By
Bill J Parks

Joint Debtor(s):

Phillip Nathan Kiehl

Represented By
Bill J Parks

Movant(s):

Nicole Wang

Represented By
Chi L Ip
Gerald N Sims

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-10597 Natasha M Kiehl

Chapter 13

#27.00 Motion For Contempt and Sanctions Against Wells Fargo Bank for the Willful Contempt of Stay, When it Sold Debtors ome in Violation of the Stay

EH__

Docket 19

***** VACATED *** REASON: CONTINUED TO 12/13/16 AT 10:00 AM**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Natasha M Kiehl

Represented By
Bill J Parks

Movant(s):

Natasha M Kiehl

Represented By
Bill J Parks

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

6:16-10385 Adolfo Gonzalez and Angelica Gonzalez

Chapter 13

#27.10 Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 1137 Kewen Street, San Fernando, CA 91340 .

MOVANT: US BANK NATIONAL ASSOCIATON

EH__

Docket 38

Tentative Ruling:

11/01/2016
Service is Proper
Opposition: None

The Motion was filed and served on October 21, 2016. Pursuant to LBR 9013-1, notice for hearings on motions in contested matters must be filed and served not later than 21 days before the hearing date. Here, the notice provided is insufficient. The hearing on the Motion shall be continued to November 15, 2016, at 10:00 a.m. for the notice period to run.

APPEARANCES WAIVED. The Movant shall file and serve notice of the continuance by November 2, 2016.

Party Information

Debtor(s):

Adolfo Gonzalez

Represented By
Luis G Torres

Joint Debtor(s):

Angelica Gonzalez

Represented By
Luis G Torres

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

10:00 AM

CONT... Adolfo Gonzalez and Angelica Gonzalez

Chapter 13

Movant(s):

U.S. Bank National Association, as

Represented By
Brett P Ryan

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

2:00 PM

6:16-14140 Welch Management Corporation

Chapter 11

#28.00 CONT Order (1) Setting Scheduling Hearing And Case Management
Conference And (2) Requiring Status Report

From: 6/7/16, 8/30/16

EH__

Docket 4

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Welch Management Corporation

Represented By
Stephen R Wade
W. Derek May

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

2:00 PM

6:16-14273 Allied Injury Management, Inc.

Chapter 11

Adv#: 6:16-01225 Cambridge Medical Funding Group II, LLC v. Allied Injury Management,

#29.00 Status Conference Re: Complaint by Cambridge Medical Funding Group II, LLC against Allied Injury Management, Inc., John C. Larson. 02 - Other e.g. other actions that would have been brought in state court if unrelated to bankruptcy

EH__

Docket 1

***** VACATED *** REASON: CONTINUED TO 12/6/16 AT 2:00 P.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allied Injury Management, Inc.

Represented By
Alan W Forsley

Defendant(s):

John C. Larson

Pro Se

Allied Injury Management, Inc.

Represented By
Alan W Forsley

Plaintiff(s):

Cambridge Medical Funding Group

Represented By
Kenneth Hennesay

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

2:00 PM

6:16-13096 Tarek El Sayed Ayoub

Chapter 7

Adv#: 6:16-01219 Candee et al v. Ayoub et al

#30.00 Status Conference Re: Complaint by Keith H Candee, Original Thurber Ranch LLC against Tarek El Sayed Ayoub, Gabriela Villeda Ayoub

EH__

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tarek El Sayed Ayoub

Represented By
Sherif Fathy

Defendant(s):

Gabriela Villeda Ayoub

Represented By
Sherif Fathy

Tarek El Sayed Ayoub

Represented By
Sherif Fathy

Joint Debtor(s):

Gabriela Villeda Ayoub

Represented By
Sherif Fathy

Plaintiff(s):

Original Thurber Ranch LLC

Represented By
Jon H Lieberg

Keith H Candee

Represented By
Jon H Lieberg

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

2:00 PM

CONT... Tarek El Sayed Ayoub

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

2:00 PM

6:16-13096 Tarek El Sayed Ayoub and Gabriela Villeda Ayoub

Chapter 7

#31.00 CONT Motion for Temporary Allowance for Voting Disputed Claim as General Unsecured (Class 4A) Creditor

From: 10/4/16

Also #32 - #36

EH__

Docket 122

***** VACATED *** REASON: CASE CONVERTED TO CHAPTER 7 ON
10/31/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tarek El Sayed Ayoub

Represented By
Sherif Fathy

Joint Debtor(s):

Gabriela Villeda Ayoub

Represented By
Sherif Fathy

Movant(s):

Keith Candee

Represented By
Jon H Lieberg

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

2:00 PM

6:16-13096 Tarek El Sayed Ayoub and Gabriela Villeda Ayoub

Chapter 7

#32.00 Motion RE: Objection to Claim Number 4 by Claimant Keith Candee

Also #31 - #36

EH__

Docket 130

***** VACATED *** REASON: CASE CONVERTED TO CHAPTER 7 ON
10/31/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tarek El Sayed Ayoub

Represented By
Sherif Fathy

Joint Debtor(s):

Gabriela Villeda Ayoub

Represented By
Sherif Fathy

Movant(s):

Gabriela Villeda Ayoub

Represented By
Sherif Fathy

Tarek El Sayed Ayoub

Represented By
Sherif Fathy

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

2:00 PM

6:16-13096 Tarek El Sayed Ayoub and Gabriela Villeda Ayoub

Chapter 7

#33.00 Application to Employ Sherif Fathy as Counsel

Also #31 - #36

EH__

Docket 84

***** VACATED *** REASON: CASE CONVERTED TO CHAPTER 7 ON
10/31/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tarek El Sayed Ayoub

Represented By
Sherif Fathy

Joint Debtor(s):

Gabriela Villeda Ayoub

Represented By
Sherif Fathy

Movant(s):

Gabriela Villeda Ayoub

Represented By
Sherif Fathy

Tarek El Sayed Ayoub

Represented By
Sherif Fathy

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

2:00 PM

6:16-13096 Tarek El Sayed Ayoub and Gabriela Villeda Ayoub

Chapter 7

#34.00 Motion in Individual Ch 11 Case for Order Employing Professional (LBR 2014-1): Mace Abdullah Esq and Abacus Law Group as Counsel

Also #31 - #36

EH__

Docket 92

***** VACATED *** REASON: CASE CONVERTED TO CHAPTER 7 ON
10/31/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tarek El Sayed Ayoub

Represented By
Sherif Fathy

Joint Debtor(s):

Gabriela Villeda Ayoub

Represented By
Sherif Fathy

Movant(s):

Gabriela Villeda Ayoub

Represented By
Sherif Fathy

Tarek El Sayed Ayoub

Represented By
Sherif Fathy

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

2:00 PM

6:16-13096 Tarek El Sayed Ayoub and Gabriela Villeda Ayoub

Chapter 7

#35.00 Chapter 11 Disclosure Statement

Also #31 - #36

EH__

Docket 115

***** VACATED *** REASON: CASE CONVERTED TO CHAPTER 7 ON
10/31/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tarek El Sayed Ayoub

Represented By
Sherif Fathy

Joint Debtor(s):

Gabriela Villeda Ayoub

Represented By
Sherif Fathy

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Houle, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

2:00 PM

6:16-13096 Tarek El Sayed Ayoub and Gabriela Villeda Ayoub

Chapter 7

#36.00 CONT Order (1) Setting Scheduling Hearing And Case Management Conference And (2) Requiring Status Report

From: 6/28/16, 8/30/16

Also #31 - #35

EH__

Docket 61

***** VACATED *** REASON: CASE CONVERTED TO CHAPTER 7 ON
10/31/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tarek El Sayed Ayoub

Represented By
Sherif Fathy

Joint Debtor(s):

Gabriela Villeda Ayoub

Represented By
Sherif Fathy

Trustee(s):

Wesley H Avery (TR)

Pro Se