

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

Thursday, December 01, 2016

Hearing Room 303

11:30 AM

6:16-19604 Sam Daniel Dason DDS,A Professional Dental Corpora

Chapter 11

#1.00 CONT Motion Regarding Chapter 11 First Day Motions Emergency First Day Motion for Order Determining Adequate Assurance of Payment for Postpetition Utility Services

From: 11/2/16

Also #2

EH__

Docket 6

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sam Daniel Dason DDS,A

Represented By
Michael S Kogan

Movant(s):

Sam Daniel Dason DDS,A

Represented By
Michael S Kogan
Michael S Kogan
Michael S Kogan
Michael S Kogan

**United States Bankruptcy Court
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Thursday, December 01, 2016

Hearing Room 303

11:30 AM

6:16-19604 Sam Daniel Dason DDS,A Professional Dental Corpora

Chapter 11

#2.00 CONT Motion Regarding Chapter 11 First Day Motions Emergency Motion for Authority to (A) Use Cash Collateral on an Interim Basis Pending a Final Hearing and (B) Grant Replacement Liens

From: 11/2/16

Also #1

EH__

Docket 4

***** VACATED *** REASON: CONTINUED TO 1/24/17 AT 2:00 PM**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sam Daniel Dason DDS,A

Represented By
Michael S Kogan

Movant(s):

Sam Daniel Dason DDS,A

Represented By
Michael S Kogan
Michael S Kogan
Michael S Kogan
Michael S Kogan

**United States Bankruptcy Court
Central District of California
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Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:14-21301 Joseph Andrew Rodriguez

Chapter 13

#3.00 Objection to Claim #1

Also #4

EH__

Docket 0

Tentative Ruling:

12/1/16

Background:

On September 5, 2014, Joseph Rodriguez ("Debtor") filed a Chapter 13 voluntary petition. On September 23, 2014, Key Bank National Association ("Key Bank") filed a secured claim in the amount of \$26,356.07. On December 4, 2014, Debtor's Chapter 13 plan was approved and an order was entered the next day. The plan provided for 100% payment of unsecured creditors.

On April 21, 2016, Debtor filed a motion to modify plan. The proposed modification provided that plan payments would be reduced from \$672 to \$375 for May 2016 to October 2016, resulting in a reduction in the payout to general unsecured creditors from 100% to 60%. This proposal was approved by the trustee the next day and an order was entered granting the modification on April 28, 2016.

On June 20, 2016, Debtor filed a motion to avoid the junior lien of Key Bank. That motion was granted on July 26, 2016 and provided, in part, that "[t]he claim of the junior lienholder is to be treated as an unsecured claim and is to be paid through the plan pro rata with all other unsecured claims."

On August 10, 2016, the trustee filed a notice of increased claim. This notice was filed despite no new claim having been filed by Key Bank; nor was an amendment to the original claim filed. The notice incorrectly identified Key Bank's claim as Number 3 and identified a 100% distribution. On October 21, 2016, Debtor

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Chapter 13

filed an objection to Key Bank's claim. Debtor requests a reduction of Key Bank's claim from 100% to 60%.

Applicable Law:

Pursuant to 11 U.S.C. § 502(a), a proof of claim is deemed allowed unless a party in interest objects. Absent an objection, a proof of claim constitutes *prima facie* evidence of the validity and amount of the claim under Federal Rule of Bankruptcy Procedure ("FRBP") 3001(f). See *Lundell v. Anchor Constr. Specialists, Inc.*, 223 F.3d 1035, 1039 (9th Cir. 2000). When a party files an objection to a proof of claim, that filing "creates a dispute which is a contested matter" within the meaning of FRBP 9014 and the Court must resolve the matter after notice and opportunity for hearing upon a motion for relief. *Id.*

When a creditor has filed a proof of claim that complies with the rules (thereby giving rise to the presumption of validity), the burden shifts to the objecting party who must "present evidence to overcome the *prima facie* case." *In re Medina*, 205 B.R. 216, 222 (9th Cir. B.A.P. 1996). To defeat the claim, the objecting party must provide sufficient evidence and "show facts tending to defeat the claim by probative force equal to that of the allegations of the proofs of claim themselves." *Lundell*, 223 F.3d at 1039 (*quoting In re Holm*, 931 F.2d 620, 623 (9th Cir. 1991)). "The objector must produce evidence, which, if believed, would refute at least one of the allegations that is essential to the claim's legal sufficiency." *Lundell*, 223 F.3d at 1040 (*quoting In re Allegheny Int'l, Inc.*, 954 F.2d 167, 173-74 (3d Cir. 1992)). If the objecting party produces sufficient evidence to negate one or more of the sworn facts in the proof of claim, the burden reverts back to the claimant to prove the validity of the claim by a preponderance of the evidence. See *In re Consol. Pioneer Mort*, 178 B.R. 222, 226 (9th Cir. BAP 1995), *aff'd*, 91 F.3d 151 (9th Cir. 1996) (*quoting Allegheny Int'l*, 954 F.2d at 173-74). The ultimate burden of persuasion remains at all times on the claimant. See *Lundell*, 223 F.3d at 1039; *see also Holm*, 931 F.2d at 623.

Analysis:

Here it is unclear why Trustee increased payment on Key Bank's unsecured claim to 100 percent, given that the Order on the Motion to Modify Plan paid general unsecured creditors at sixty percent. Nonetheless, it appears movant has sufficiently shown cause to allow the claim as a general unsecured claim only, although it begs the

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question why the Order on the Motion to Avoid Lien is not sufficient – it appears the better approach would be for Debtor to oppose the Notice of Increased Claim.

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Joseph Andrew Rodriguez

Represented By
Hovanes Margarian

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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6:14-21301 Joseph Andrew Rodriguez

Chapter 13

#4.00 Application for Payment of Interim Fees

Also #3

EH__

Docket 103

Tentative Ruling:

12/01/2016

Application: On October 21, 2014, Joseph Rodriguez's counsel, Hovanes Margarian ("Margarian") filed an application for payment of interim fees. Notice was not delivered to the twenty largest unsecured creditors in accordance with Local Rule 2016-1(a)(2). The application also fails to satisfy the narrative requirements of Local Rule 2016-1(a)(1)(A)(iii), and does not specify the amount of time spent on the case (2016-1(a)(1)(D)) does not satisfy the biography requirement of Local Rule 2016-1(a)(1)(H), the client review requirement of Local Rule 2016-1(a)(1)(J), or the review of the rule requirement of Local Rule 2016-1(a)(1)(K).

Applicant was originally paid a \$1,000 retainer, and now requests an additional \$3,350 pursuant to a flat fee agreement with Debtor. Debtor requests the following compensation: (1) \$600 for studying file and preparing substitution of attorney; (2) \$600 for opposition to motion for relief from stay; (3) \$750 for loan modification with Citibank; (4) \$1,200 for motion to modify plan; and (5) \$1,200 for lien avoidance motion.

Opposition: On October 25, 2016, the Trustee filed his comments on the application, recommending a reduction of \$600. Specifically, Trustee recommend a 25% (\$150) reduction for task #1 (above) and a 37.5% (\$450) reduction for task #4 (above).

Trustee argues that these fees appear to exceed the usual and customary fees for

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similar tasks in this district and division.

Analysis: 11 U.S.C. § 330(a)(3) (2005) provides factors to be considered in determining the reasonableness of requested compensation. Section 330(a)(3)(f) provides that the court should consider "whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under this title." Court Manual 2-50 provides a recommended default fee for an unopposed motion to modify plan of \$750. Furthermore, this court agrees that \$750 is an excessive amount for filing a substitution of attorney form and getting up to speed in a relatively straightforward Chapter 13 case. It is counsel's burden to establish the value of the services rendered. *See In re Jastrem*, 253 F.3d 438, 443 (9th Cir. 2001). In the absence of any argument responding to the trustee's proposed reductions, the Court is inclined to adopt the recommendation of the Trustee.

Tentative:

The Court is inclined to GRANT the motion to the extent of \$2,750 and DENY the motion to the extent of \$600.

Movant may choose to not appear, which will be deemed consent to the tentative, or may appear to argue the tentative.

Party Information

Debtor(s):

Joseph Andrew Rodriguez

Represented By
Hovanes Margarian

Movant(s):

Joseph Andrew Rodriguez

Represented By
Hovanes Margarian

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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6:16-12335 Philip Jerry Moreb

Chapter 7

#5.00 CONT Motion to Convert Case From Chapter 7 to 13

From: 11/16/16

Also #6 & #7

EH__

Docket 39

Tentative Ruling:

Party Information

Debtor(s):

Philip Jerry Moreb

Represented By
Jenny L Doling

Movant(s):

Philip Jerry Moreb

Represented By
Jenny L Doling

Trustee(s):

Howard B Grobstein (TR)

Pro Se

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6:16-12335 Philip Jerry Moreb

Chapter 7

#6.00 Motion to Avoid Junior (Second) Lien with Andrew Coldicutt, Esq. Trustee for Thomas D. Coldicutt

Also #5 & #7

EH__

Docket 44

Tentative Ruling:

Tentative:

Hearing Date: 12/1/16

Summary of the Motion:

Notice: Proper

Opposition: Yes

Address: 72020 Palm Crest Dr., Rancho Mirage, CA

First trust deed: \$ 943,372 (Debtor relies on Creditor's relief from stay motion filed on June 22nd for this amount. That valuation appears to be solely based on the declaration included in the motion

Second trust deed (to be avoided per matter 6): \$ 31,911 (based on deed dated June 30, 2013)

Third trust deed (to be avoided per matter 7): \$57,500 (based on deed dated July 3, 2014)

Fair market value (per appraisal & appraiser declaration): \$ 849,000

As an initial matter the motion is premature as the case was a Chapter 7 at the time of filing. Next, Sakhivel Balasubrammanian, Sampta Kiran, Hardeep Luthra, Vita Nova Holdings, the previous holder of the third trust deed, has provided evidence they foreclosed on May 10, 2016. Due to the foreclosure, there is no longer any third lien to be avoided. It appears that Debtor does not have any remaining interest in the property and, that Debtor does not have standing to bring this motion. Debtor alternatively states that he is the owner of the real property at issue, and was the owner

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CONT... Philip Jerry Moreb

Chapter 7

of the real property at issue at the time the petition was filed. Evidence has been provided that controverts the former, and the latter is insufficient to establish standing (or subject matter jurisdiction).

TENTATIVE

The Court is inclined to DENY the motion.

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Philip Jerry Moreb

Represented By
Jenny L Doling

Movant(s):

Philip Jerry Moreb

Represented By
Jenny L Doling

Trustee(s):

Howard B Grobstein (TR)

Pro Se

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6:16-12335 Philip Jerry Moreb

Chapter 7

#7.00 Motion to Avoid Junior (Third) Lien with Sakthivel Balasubrammanian, Sampat Kiran, Hardeep Luthra & Vita Holdings, Inc.

Also #5 & #6

EH__

Docket 45

Tentative Ruling:

Tentative:

Hearing Date: 12/1/16

Summary of the Motion:

Notice: Proper

Opposition: Yes

Address: 72020 Palm Crest Dr., Rancho Mirage, CA

First trust deed: \$ 943,372 (Debtor relies on Creditor's relief from stay motion filed on June 22nd for this amount. That valuation appears to be solely based on the declaration included in the motion)

Second trust deed (to be avoided per matter 6): \$ 31,911 (based on deed dated June 30, 2013)

Third trust deed (to be avoided per matter 7): \$57,500 (based on deed dated July 3, 2014)

Fair market value (per appraisal & appraiser declaration): \$ 849,000

As an initial matter the motion is premature as the case was a Chapter 7 at the time of filing. Next, Sakthivel Balasubrammanian, Sampat Kiran, Hardeep Luthra, Vita Nova Holdings, the previous holder of the third trust deed, has provided evidence they foreclosed on May 10, 2016. Due to the foreclosure, there is no longer any third lien to be avoided. It appears that Debtor does not have any remaining interest in the property and, that Debtor does not have standing to bring this motion. Debtor alternatively states that he is the owner of the real property at issue, and was the owner

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CONT... Philip Jerry Moreb

Chapter 7

of the real property at issue at the time the petition was filed. Evidence has been provided that controverts the former, and the latter is insufficient to establish standing (or subject matter jurisdiction).

TENTATIVE

The Court is inclined to DENY the motion.

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Philip Jerry Moreb

Represented By
Jenny L Doling

Movant(s):

Philip Jerry Moreb

Represented By
Jenny L Doling

Trustee(s):

Howard B Grobstein (TR)

Pro Se

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6:16-15668 Roger C Jefferson

Chapter 13

#8.00 CONT Motion to Avoid Junior Lien with Deutsche Bank National Trust Company

From: 7/28/16, 8/25/16, 10/6/16, 11/3/16

Also #9

EH__

Docket 19

*** VACATED *** REASON: CONTINUED TO 1/5/17 AT 12:30 PM

Tentative Ruling:

7/28/16

Summary of the Motion:

Notice: Improper

Opposition: Filed 7/19/16

Address: 4372 Edenwild Lane Corona CA 92883

First trust deed: \$584,000 with Longbeach Mortgage Company ("Longbeach"), its successors and/or assignees

Second trust deed (to be avoided): \$136,061.39 with Longbeach, its successors and/or assignees

Fair market value: \$550,000.00 (Appraiser Declaration and Report)

TENTATIVE

On July 19, 2016, Deutsche Bank, N.A. ("Deutsche") successor and/or assignee to Longbeach, filed an opposition to the Motion ("Opposition") alleging that Property's FMV is greater than the \$550,000 value proposed by Debtor. Deutsche provides a BPO in support of the Opposition, which reflects that the FMV of the Property is \$635,000. In addition, Deutsche asserts that it was not served with the Motion.

Given the Opposition and the Movant's failure to serve the Motion on Deutsche, the Court is inclined to continue the hearing on the Motion for an evidentiary hearing and to allow Deutsche to file a competing appraisal with an

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CONT... **Roger C Jefferson**
appraiser's declaration, signed under penalty of perjury, in support thereof.

Chapter 13

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Roger C Jefferson

Represented By
Paul Y Lee

Movant(s):

Roger C Jefferson

Represented By
Paul Y Lee

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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6:16-15668 Roger C Jefferson

Chapter 13

#9.00 CONT Confirmation of Chapter 13 Plan

From: 7/28/16, 8/25/16, 9/1/16, 10/6/16, 11/3/16

Also #8

EH __

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Roger C Jefferson

Represented By
Paul Y Lee

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
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6:16-17130 Raul Luna

Chapter 13

#10.00 Motion to Avoid Junior Lien on Principal Residence located at: 16426 Iris Drive
Fontana CA 92335; Creditor Holding Lien: Shellpoint Mortgage Servicing

Also #11

EH__

Docket 16

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Raul Luna

Represented By
James D. Hornbuckle

Movant(s):

Raul Luna

Represented By
James D. Hornbuckle

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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6:16-17130 Raul Luna

Chapter 13

#11.00 CONT Confirmation of Chapter 13 Plan

From: 9/22/16, 11/3/16

Also #10

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Raul Luna

Represented By
James D. Hornbuckle

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
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6:16-17736 Willie Elvin Chambers and Marlene Shirley Chambers

Chapter 13

#12.00 Motion to Disallow Claims Number 3 filed by Check Into Cash

Also #13

EH__

Docket 33

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Willie Elvin Chambers

Represented By
Heather J Canning
Barry E Borowitz

Joint Debtor(s):

Marlene Shirley Chambers

Represented By
Heather J Canning
Barry E Borowitz

Movant(s):

Marlene Shirley Chambers

Represented By
Heather J Canning
Heather J Canning
Barry E Borowitz
Barry E Borowitz

Willie Elvin Chambers

Represented By
Heather J Canning
Barry E Borowitz

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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CONT... Willie Elvin Chambers and Marlene Shirley Chambers

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6:16-17736 Willie Elvin Chambers and Marlene Shirley Chambers

Chapter 13

#13.00 CONT Confirmation of Chapter 13 Plan

From: 10/6/16, 11/10/16

Also #12

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Willie Elvin Chambers

Represented By
Heather J Canning
Barry E Borowitz

Joint Debtor(s):

Marlene Shirley Chambers

Represented By
Heather J Canning
Barry E Borowitz

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 303

12:30 PM

6:16-18248 Juan Jose Franco

Chapter 13

#14.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Juan Jose Franco

Represented By
Paul Y Lee

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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6:16-19161 Elizabeth Breton Aguilar

Chapter 13

#15.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Elizabeth Breton Aguilar

Pro Se

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

**United States Bankruptcy Court
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12:30 PM

6:16-19169 Alfredo Navas

Chapter 13

#16.00 Motion for Authority for Debtor's Mother to Appear and Testify on Behalf of the Debtor at the 341(a) Meeting

Also #17

EH__

Docket 16

Tentative Ruling:

12/01/2016

BACKGROUND

On October 17, 2016, Alfredo Navas ("Debtor") filed a Chapter 13 voluntary petition. On October 28, 2016, Debtor filed a Chapter 13 plan. The meeting of creditors is scheduled for December 1, 2016.

On November 3, 2016, Debtor filed a motion for authority for Debtor's mother to appear and testify on behalf of the Debtor at the 341(a) meeting. Debtor states that he has given his mother a California Durable Power of Attorney that has been notarized and that, among other things, allows his mother to appear and testify on his behalf at the § 341(a) meeting. Debtor cites no case law for the proposition, other than quoting § 105(a) and saying that the provisions allows the Court to approve Debtor's request. Additionally, the hearing on Debtor's motion is scheduled to be heard after the meeting of creditors occurs.

On November 7, 2016, Trustee filed his comments, recommending disapproval of the motion. Trustee argues that (1) no evidence has been provided that supports the assertion that Debtor is incompetent and unable to appear and testify; (2) there is no evidence that Debtor's mother has been appointed by a government agency to act on behalf of Debtor; (3) § 343 requires Debtor to appear at the meeting in the absence of proof of Debtor's incompetency.

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DISCUSSION

11 U.S.C. § 343 (1986) provides:

The debtor shall appear and submit to examination under oath at the meeting of creditors under section 341(a) of this title. Creditors, any indenture trustee, any trustee or examiner in this case, or the United States trustee may examine the debtor. The United States trustee may administer the oath required under this section.

See also in Bergeron, 235 B.R. 641, 643 (Bankr. N.D. Cal. 1999) (§ 341 requires attendance unless its enforcement would lead to "absurd or impracticable consequences."). Fed. R. Bankr. P. Rule 1004.1 provides that a voluntary petition may be filed on behalf of an infant or incompetent person. The Advisory Committee Notes state that the rule is derived from Fed. R. Civ. P. Rule 17(c). In interpreting the doctrine in connection with Fed. R. Civ. P. Rule 17(c), the Ninth Circuit has held that some minimum showing of incompetence must appear before a hearing is necessary to determine if a third party has standing to pursue relief. *See Lenhard v. Wolff*, 603 F.2d 91 (9th Cir. 1979). The failure to provide affirmative evidence of incompetency will result in a finding that Debtor has failed to carry his burden. *See, e.g., Ross ex. rel. Ross v. Rell*, 392 F. Supp. 2d 224, 227 (D. Conn. 2005) ("The plaintiff has provided no affirmative evidence of incompetence, incapacity, or other disability suffered by Michael Ross. While the plaintiff has alleged in his papers that 'Michael Ross suffers from substantial mental diseases and/or defects which affect his ability to manage his affairs and care for himself,' the only evidence offered by plaintiff to support that assertion is that by waiving his right to further appeal his death sentence, Michael Ross is endangering his health by committing 'state-assisted suicide.'").

Fed. R. Civ. P. Rule 17(b) provides that incompetency under that rule is determined by the law of the state of the individual's domicile. Cal. Prob. Code § 810 *et. seq.* provides the relevant standard and states, in part:

For purposes of this part, there shall exist a rebuttable presumption affecting the burden of proof that all persons have the capacity to make decisions and to be responsible for their acts or decisions. . . .

A judicial determination that a person is totally without understanding, or is of unsound mind, or suffers from one or more mental deficits so substantial that, under the circumstances, the person should be deemed to lack the legal capacity to perform a specific act, should be based on evidence of a deficit in one or more of the person's mental functions rather than on a diagnosis of a

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Alfredo Navas

Chapter 13

person's mental or physical disorder.

California state law imposes a heavy burden of proof to establish incompetency. *See, e.g.*, 241 Cal. App. 4th 529, 545-46 (Cal. Ct. App. 2015). Typically, extensive expert evidence is considered. *See, e.g., Sterling v. Sterling*, 242 Cal. App. 185, 197-98 (Cal. Ct. App. 2015). Here, the fact that Debtor gave his mother a durable power of attorney after he filed, reviewed, and signed his bankruptcy petition weighs in favor of Debtor's competency, not against it. The declaration of Debtor's mother is the only evidence which could be considered to weight in favor of a finding of incompetency, but it simply describes an individual who is "depressed and housebound." As Trustee notes, it certainly falls short of proof of incompetency. Finally, if evidence of the incompetency of Debtor were provided, the very validity of this bankruptcy petition and proceeding would be in question since it was signed and reviewed by Debtor. Fed. R. Bankr. Pro. Rule 1004.1 provides an alternative avenue of the filing of bankruptcy petitions by incompetent individuals, and that avenue was not utilized here.

TENTATIVE RULING

For the foregoing reasons, the Court is inclined to DENY the motion.

APPERANCES REQUIRED.

Party Information

Debtor(s):

Alfredo Navas

Represented By
Sunita N Sood

Movant(s):

Alfredo Navas

Represented By
Sunita N Sood

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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6:16-19169 Alfredo Navas

Chapter 13

#17.00 Confirmation of Chapter 13 Plan

Also #16

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alfredo Navas

Represented By
Sunita N Sood

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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6:16-19180 Barbara Rammell

Chapter 13

#18.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Barbara Rammell

Represented By
Carey C Pickford

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19189 Verrene MARRISA PALMER

Chapter 13

#19.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Verrene MARRISA PALMER

Represented By
Todd L TUROCI

Trustee(s):

Rod (MH) DANIELSON (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19192 Juan Vargas

Chapter 13

#20.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

***** VACATED *** REASON: CASE DISMISSED 11/7/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Juan Vargas

Pro Se

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19232 Chris Pedersen

Chapter 13

#21.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

***** VACATED *** REASON: CASE DISMISSED 11/7/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Chris Pedersen

Pro Se

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19237 Romain Marcel Champion

Chapter 13

#22.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Romain Marcel Champion

Represented By
M Wayne Tucker

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19238 Debora Susan Johsnon

Chapter 13

#23.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Debora Susan Johsnon

Represented By
Paul Y Lee

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19240 Octavio Rubio Mata

Chapter 13

#24.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Octavio Rubio Mata

Represented By
Paul Y Lee

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19277 Sharon Lister

Chapter 13

#25.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

***** VACATED *** REASON: CASE DISMISSED 11/7/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sharon Lister

Pro Se

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19304 Elizebeth J Tuason

Chapter 13

#26.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Elizebeth J Tuason

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**

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19305 Sabrina Kyle

Chapter 13

#27.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

***** VACATED *** REASON: CASE DISMISSED 11/7/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sabrina Kyle

Pro Se

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19325 Gilbert Castillo, Jr and Elsa Castillo

Chapter 13

#28.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

***** VACATED *** REASON: CASE DISMISSED 11/7/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gilbert Castillo Jr

Represented By
Marc A Duxbury

Joint Debtor(s):

Elsa Castillo

Represented By
Marc A Duxbury

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19359 Jerry A La Cues

Chapter 13

#29.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

***** VACATED *** REASON: CASE DISMISSED 11/7/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jerry A La Cues

Pro Se

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19360 Viengkhone Nina Bouabay

Chapter 13

#30.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Viengkhone Nina Bouabay

Represented By
Shawn Anthony Doan
Wilfred E Briesemeister

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19365 Ziming Li

Chapter 13

#31.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

***** VACATED *** REASON: CASE DISMISSED 11/8/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ziming Li

Pro Se

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19384 Angelica Rodriguez

Chapter 13

#32.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

***** VACATED *** REASON: CASE DISMISSED 11/8/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Angelica Rodriguez

Pro Se

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19394 Ramon Ariel Caceres

Chapter 13

#33.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ramon Ariel Caceres

Represented By
M Wayne Tucker

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19396 Pamela Lynn King

Chapter 13

#34.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Pamela Lynn King

Represented By
M Wayne Tucker

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19428 Jose De Jesus Conchas

Chapter 13

#35.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

***** VACATED *** REASON: CASE DISMISSED 11/14/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose De Jesus Conchas

Pro Se

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19429 Patricia Morales

Chapter 13

#36.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Patricia Morales

Represented By
Michael C Maddux

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19453 Gary Lynn Thompson and Rebecca Lynn Thompson

Chapter 13

#37.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gary Lynn Thompson

Represented By
Edward G Topolski

Joint Debtor(s):

Rebecca Lynn Thompson

Represented By
Edward G Topolski

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19456 Enrique Cuellar Beltran

Chapter 13

#38.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

***** VACATED *** REASON: CASE DISMISSED 11/14/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Enrique Cuellar Beltran

Pro Se

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19475 Roman S Terry

Chapter 13

#39.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Roman S Terry

Represented By
Christopher Hewitt

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19476 Sharon Burnom

Chapter 13

#40.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sharon Burnom

Represented By
Christopher Hewitt

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19531 Irma Hernandez

Chapter 13

#41.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

***** VACATED *** REASON: CASE DISMISSED 11/14/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Irma Hernandez

Represented By
David T Egli

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19536 Douglas C Bell, Jr.

Chapter 13

#42.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Douglas C Bell Jr.

Represented By
Neil R Hedtke

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19588 Celestial Melody Morrison

Chapter 13

#43.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

***** VACATED *** REASON: CASE DISMISSED 11/28/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Celestial Melody Morrison

Pro Se

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19589 Alex Lee Rowe

Chapter 13

#44.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

***** VACATED *** REASON: CASE DISMISSED 11/28/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alex Lee Rowe

Pro Se

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:30 PM

6:16-19608 Steven Arthur Bell

Chapter 13

#45.00 Confirmation of Chapter 13 Plan

EH__

Docket 0

***** VACATED *** REASON: CASE DISMISSED 11/28/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Steven Arthur Bell

Pro Se

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:31 PM

6:13-13198 Clinton Jerome White and Dolores Estelle Green

Chapter 13

#46.00 Motion for Order Dismissing Chapter 13 Proceeding (Delinquency)

EH__

Docket 97

*** VACATED *** REASON: VOLUNTARY DISMISSAL OF MOTION
FILED 11/30/2016

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Clinton Jerome White

Represented By
Michael E Clark
Barry E Borowitz

Joint Debtor(s):

Dolores Estelle Green

Represented By
Michael E Clark
Barry E Borowitz

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
Courtroom 303 Calendar**

Thursday, December 01, 2016

Hearing Room 303

12:31 PM

6:13-14560 David Sandoval and Mary Celine Sandoval

Chapter 13

#47.00 CONT Motion for Order Dismissing Chapter 13 Proceeding (Delinquency)

From: 10/20/16, 11/17/16

EH__

Docket 49

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Sandoval

Represented By
Bryant C MacDonald

Joint Debtor(s):

Mary Celine Sandoval

Represented By
Bryant C MacDonald

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:31 PM

6:13-21974 Carlos Enrique Mendoza and Michelle Lea Mendoza

Chapter 13

#48.00 CONT Trustee's Motion to Dismiss Case

From: 11/17/16

EH__

Docket 88

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carlos Enrique Mendoza

Represented By
John F Brady
Lisa H Robinson

Joint Debtor(s):

Michelle Lea Mendoza

Represented By
John F Brady
Lisa H Robinson

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:31 PM

6:14-11369 Robert Wayne Cook, Sr. and Kelly Danielle Cook

Chapter 13

#49.00 Trustee's Motion to Dismiss Case

EH__

Docket 74

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Robert Wayne Cook Sr.

Represented By
Steven A Alpert

Joint Debtor(s):

Kelly Danielle Cook

Represented By
Steven A Alpert

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:31 PM

6:14-16672 Nicole Reyes

Chapter 13

#50.00 Motion for Order Dismissing Chapter 13 Proceeding (Delinquency)

EH__

Docket 101

***** VACATED *** REASON: WITHDRAWAL OF MOTION FILED
11/28/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nicole Reyes

Represented By
Steven A Alpert

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:31 PM

6:15-14680 Jose Jesus Reveles and Joanna Reveles

Chapter 13

#51.00 Trustee's Motion to Dismiss Case

EH__

Docket 33

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose Jesus Reveles

Represented By
Donald M Medeiros

Joint Debtor(s):

Joanna Reveles

Represented By
Donald M Medeiros

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:31 PM

6:15-14835 Bennea Cynthia Travis

Chapter 13

#52.00 Trustee's Motion to Dismiss Case

EH__

Docket 41

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bennea Cynthia Travis

Represented By
Nicholas M Wajda

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se

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

Thursday, December 01, 2016

Hearing Room 303

12:31 PM

6:16-10423 Ihtsham Nabi

Chapter 13

#53.00 Trustee's Motion to Dismiss Case

EH__

Docket 51

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ihtsham Nabi

Represented By
Yoon O Ham

Trustee(s):

Rod (MH) Danielson (TR)

Pro Se