

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:00 AM

**6:15-15912 Elgitha B Baldonado-Ranosa**

**Chapter 13**

**#1.00 Debtor's Motion to Avoid Junior Lien on Principal Residence with Bank of America**

EH \_\_\_\_

Docket 14

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Elgitha B Baldonado-Ranosa

Represented By  
Charles W Daff

**Movant(s):**

Elgitha B Baldonado-Ranosa

Represented By  
Charles W Daff  
Charles W Daff

**Trustee(s):**

Rod Danielson (TR)

Pro Se

**United States Bankruptcy Court  
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**6:15-16079 Tracy Lynne Crooks**

**Chapter 13**

**#2.00 Debtor's Motion Objecting to Claim Number 7 by Claimant Education Loan Solutions, LLC. with proof of service**

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Jennifer Tanios, rep. Debtor)**

Docket 128

**Tentative Ruling:**

12/3/2020

**BACKGROUND:**

On June 17, 2015, Tracy Lynn Crooks ("Debtor") filed a Chapter 13 voluntary petition. On August 4, 2015, Debtor's Chapter 13 plan was confirmed, and subsequently modified increasing the percentage to unsecured creditors to 100%.

On December 14, 2015, Education Loan Solutions, LLC ("Creditor") filed a proof of claim for an unsecured claim in the amount of \$4,436.30 ("Claim 7"). On October 30, 2020, Debtor filed the instant motion objecting to Claim 7. Debtor argues that there is nothing outstanding owed on Claim 7, and in any event, it was filed late because the deadline for filing claims was October 26, 2015.

Debtor explains that \$1,521.34 was already paid and thus this amount should be deemed allowed; however, with respect to the remaining \$2,914.96, that amount should be disallowed. Trustee has already sent this amount to the Court's unclaimed funds registry on August 5, 2020.

**DISCUSSION:**

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

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**Chapter 13**

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.

With respect to disallowing an untimely filed claim, 11 U.S.C. § 502(b)(9) provides:

- (b) Except as provided in subsections (e)(2), (f), (g), (h) and (i) of this section, if such objection to a claim is made, the court, after notice and a hearing, shall determine the amount of such claim in lawful currency of the United States as of the date of the filing of the petition, and shall allow such claim in such amount, except to the extent that –
  - (9) proof of such claim is not timely filed, except to the extent tardily filed as permitted under paragraph (1), (2), or (3) of section 726(a) of this title or under the Federal Rules of Bankruptcy Procedure, except that a claim of a governmental unit shall be timely filed if it is filed before 180 days after the date of the order for relief or such later

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**Tracy Lynne Crooks**

**Chapter 13**

time as the Federal Rules of Bankruptcy Procedure may provide, and except that in a case under chapter 13, a claim of a governmental unit for a tax with respect to a return filed under section 1308 shall be timely if the claim is filed on or before the date that is 60 days after the date on which such return was filed as required.

FED. R. BANKRP. P. Rule 3002(c) provides that the deadline for filing claims in a Chapter 13 case is 70 days after the order for relief; in this case that date was October 26, 2015. None of the exceptions in 11 U.S.C. § 502(b)(9) or Rule 3002(c) being applicable to this case, Claim 7 was filed late.

Furthermore, "the Ninth Circuit has repeatedly held that the deadline to file a proof of claim in a Chapter 13 proceeding is 'rigid,' and the bankruptcy court lacks equitable power to extent this deadline after the fact." *In re Barker*, 839 F.3d 1189, 1197 (9<sup>th</sup> Cir. 2016). "By virtue of Rule 9006(b)(3), a bankruptcy court does not have discretion to enlarge the time periods fixed by Rule 3002(c) nor permit an untimely claim when none of Rule 3002(c)'s five exceptions is applicable." *In re Hayes*, 327 B.R. 453, 458 (Bankr. C.D. Cal. 2005) (footnote omitted); *see also In re Edelman*, 237 B.R. 146, 152 (B.A.P. 9<sup>th</sup> Cir. 1999).

Finally, the Court notes that service was proper and no opposition was filed, which the Court deems consent to the relief requested pursuant to Local Rule 9013-1(h).

**TENTATIVE RULING:**

The Court is inclined to SUSTAIN the objection and DISALLOW Claim 7.

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

**Party Information**

**Debtor(s):**

Tracy Lynne Crooks

Represented By  
Steven A Alpert

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**CONT... Tracy Lynne Crooks**

**Chapter 13**

**Movant(s):**

Tracy Lynne Crooks

Represented By  
Steven A Alpert

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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11:00 AM

**6:19-15980 Jonathon Keith Stoner and Jacqueline Belinda Stoner**

**Chapter 13**

**#3.00** Application for Compensation for Sundee M Teeple, Debtor's Attorney, Fee: \$1946.00, Expenses: \$0.00

EH\_\_\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Sundee Teeple, rep. Debtor)**

Docket 66

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Jonathon Keith Stoner

Represented By  
Sundee M Teeple

**Joint Debtor(s):**

Jacqueline Belinda Stoner

Represented By  
Sundee M Teeple

**Movant(s):**

Jonathon Keith Stoner

Represented By  
Sundee M Teeple  
Sundee M Teeple

Jacqueline Belinda Stoner

Represented By  
Sundee M Teeple  
Sundee M Teeple  
Sundee M Teeple

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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**CONT... Jonathon Keith Stoner and Jacqueline Belinda Stoner**

**Chapter 13**

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**Hearing Room 303**

11:00 AM

**6:19-16338 Joseph Bellotti and Regina Bellotti**

**Chapter 13**

**#4.00 Debtors' Motion to Disallow Claim of LVNV Funding, LLC Number Twenty-One (21) and motion for order disallowing claim**

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Paul Lee, rep. Debtor)**

Docket 43

**Tentative Ruling:**

12/3/2020

**BACKGROUND:**

On July 19, 2019, Joseph and Regina Bellotti ("Debtors") filed a Chapter 13 voluntary petition. Debtors' Chapter 13 plan was confirmed on November 8, 2019.

On September 23, 2019, LVNV Funding, LLC ("Claimant") filed a proof of claim in the amount of \$1,356.78 ("Claim 21"). On November 4, 2020, Debtors filed this instant motion objecting to Claim 21. Debtors argue that under California law, C.C.P. § 337, Claim 21 is barred by the statute of limitations, as the last payment on the contract was made on June 5, 2008, over four years prior to the filing of the petition.

**DISCUSSION:**

A proof of claim is deemed allowed unless a party in interest objects. 11 U.S.C. § 502(a). 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.*



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CONT... Joseph Bellotti and Regina Bellotti

Chapter 13

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.

Pursuant to 11 U.S.C. § 502(b)(1) claim objections may be based on non-bankruptcy law. § 502(b)(1) provides:

- (b) Except as provided in subsections (e)(2), (f), (g), (h) and (i) of this section, if such objection to a claim is made, the court, after notice and a hearing, shall determine the amount of such claim in lawful currency of the United States as of the date of the filing of the petition, and shall allow such claim in such amount, except to the extent that –
- (1) such *claim is unenforceable* against the debtor and property of the debtor, *under any agreement or applicable law* for a reason other than because such claim is contingent or unmatured;

11 U.S.C. § 502(b)(1) (emphasis added). Accordingly, "[a] claim cannot be allowed if it is unenforceable under non-bankruptcy law." *Diamant v. Kasparian* (in re Southern Cal. Plastics, Inc.), 165 F.3d 1243, 1247 (9<sup>th</sup> Cir. 1999).

Here, pursuant to the applicable non-bankruptcy law, C.C.P. § 337, Claim 21 is barred

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**CONT... Joseph Bellotti and Regina Bellotti Chapter 13**

by the four-year statute of limitations, as the last payment was made over twelve years ago. Therefore, the Court is inclined to find that Debtors have met their burden in objecting to the validity of the claim.

Further, the Court notes that service was proper and no opposition was filed, which the Court deems consent to the relief requested pursuant to Local Rule 9013-1(h).

**TENTATIVE RULING:**

The Court is inclined to SUSTAIN the objection and DISALLOW Claim 21.

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

<b>Party Information</b>
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**Debtor(s):**

Joseph Bellotti

Represented By  
Paul Y Lee

**Joint Debtor(s):**

Regina Bellotti

Represented By  
Paul Y Lee

**Movant(s):**

Joseph Bellotti

Represented By  
Paul Y Lee

Regina Bellotti

Represented By  
Paul Y Lee

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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**6:19-17725 Michelle R. Rayner**

**Chapter 13**

**#5.00** Trustee's Motion under Local Bankruptcy Rule 3015-1 (n) and (w) to modify plan or suspend plan payments

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Terrence Fantauzzi, rep. Debtor)**

Docket 59

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Michelle R. Rayner

Represented By  
Terrence Fantauzzi

**Movant(s):**

Rod Danielson (TR)

Pro Se

**Trustee(s):**

Rod Danielson (TR)

Pro Se

**United States Bankruptcy Court  
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**6:19-18785 Phat M Khamkathok**

**Chapter 13**

**#6.00** Objection to Claim of Cavalry SPV I, LLC as Assignee of Capital One Bank (USA) NA Number One (1) and Motion for Order Disallowing Claim

EH \_\_\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Paul Lee, rep. Debtor)**

Docket 33

**Tentative Ruling:**

12/3/2020

**BACKGROUND:**

On October 4, 2019, Phat M. Khamkathok ("Debtor") filed a Chapter 13 voluntary petition. Debtor's Chapter 13 plan was confirmed on January 15, 2020.

On September 23, 2019, Cavalry SPVI, LLC as assignee of Capital One Bank (USA), N.A. ("Claimant") filed a proof of claim in the amount of \$1,964.81 ("Claim 1"). On November 3, 2020, Debtor filed this instant motion objecting to Claim 1. Debtor argues that under California law, C.C.P. § 337, Claim 1 is barred by the statute of limitations, as the last payment on the credit card was made on April 8, 2011, over four years prior to the filing of the petition.

**DISCUSSION:**

A proof of claim is deemed allowed unless a party in interest objects. 11 U.S.C. § 502(a). 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.

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CONT... Phat M Khamkathok  
*Id.*

Chapter 13

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.

Pursuant to 11 U.S.C. § 502(b)(1) claim objections may be based on non-bankruptcy law. § 502(b)(1) provides:

- (b) Except as provided in subsections (e)(2), (f), (g), (h) and (i) of this section, if such objection to a claim is made, the court, after notice and a hearing, shall determine the amount of such claim in lawful currency of the United States as of the date of the filing of the petition, and shall allow such claim in such amount, except to the extent that –
- (1) such *claim is unenforceable* against the debtor and property of the debtor, *under any agreement or applicable law* for a reason other than because such claim is contingent or unmatured;

11 U.S.C. § 502(b)(1) (emphasis added). Accordingly, "[a] claim cannot be allowed if it is unenforceable under non-bankruptcy law." *Diamant v. Kasparian* (in re Southern Cal. Plastics, Inc.), 165 F.3d 1243, 1247 (9th Cir. 1999).

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**CONT... Phat M Khamkathok**

**Chapter 13**

Here, pursuant to the applicable non-bankruptcy law, C.C.P. § 337, Claim 1 is barred by the four-year statute of limitations, as the last payment was made over eight years ago. Therefore, the Court is inclined to find that Debtors have met their burden in objecting to the validity of the claim.

Further, the Court notes that service was proper and no opposition was filed, which the Court deems consent to the relief requested pursuant to Local Rule 9013-1(h).

**TENTATIVE RULING:**

The Court is inclined to SUSTAIN the objection and DISALLOW Claim 1.

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

<b>Party Information</b>
--------------------------

**Debtor(s):**

Phat M Khamkathok

Represented By  
Paul Y Lee

**Movant(s):**

Phat M Khamkathok

Represented By  
Paul Y Lee

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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**6:20-15287 Rebecca R Banuelos**

**Chapter 13**

**#7.00** CONT. Debtor's Motion to Avoid Lien Junior Lien with Household Finance Corp of California Serviced by NewRez

Also #8

From: 10/19/20

EH\_\_

Docket 33

**Tentative Ruling:**

**11/19/2020**

**Service: Proper**

**Opposition: None**

The Court, having reviewed the motion, notice appearing proper and no opposition having been filed, is inclined to GRANT the motion, AVOIDING the lien of Household Finance Corporation of California conditioned upon completion of the Chapter 13 plan.

APPEARANCES REQUIRED.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Rebecca R Banuelos

Represented By  
Julie J Villalobos

**Movant(s):**

Rebecca R Banuelos

Represented By  
Julie J Villalobos

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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**6:20-15287 Rebecca R Banuelos**

**Chapter 13**

**#8.00** CONT. Confirmation of Chapter 13 Plan

From: 10/29/20,11/19/20

Also #7

EH\_\_

Docket 0

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Rebecca R Banuelos

Represented By  
Julie J Villalobos

**Trustee(s):**

Rod Danielson (TR)

Pro Se



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**6:20-15848 Nicholas Head**

**Chapter 13**

**#9.00** CONT. Confirmation of Chapter 13 Plan

From: 11/19/20

EH\_\_

Docket 0

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Nicholas Head

Represented By  
Christopher Hewitt

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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**6:20-16119 Ethel Ntom Odimegwu**

**Chapter 13**

**#10.00 Confirmation of Chapter 13 Plan**

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Joshua Mendelsohn, rep. creditor, The Marino Valley Ranch  
Community Association)**

Docket 19

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Ethel Ntom Odimegwu

Represented By  
Stephen L Burton

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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**6:20-16138 Maria Barreto**

**Chapter 13**

**#11.00 Confirmation of Chapter 13 Plan**

EH\_\_

Docket 14

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Maria Barreto

Represented By  
Jaime A Cuevas Jr.

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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**6:20-16168 Gail Flot Greenhouse**

**Chapter 13**

**#12.00 Confirmation of Chapter 13 Plan**

EH\_\_

Docket 8

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Gail Flot Greenhouse

Represented By  
Jeremiah D Raxter

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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**Hearing Room 303**

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**6:20-16177 Charles Edward Nathanie Wright and Malika Unami**

**Chapter 13**

**#13.00 Confirmation of Chapter 13 Plan**

EH\_\_

Docket 2

**\*\*\* VACATED \*\*\* REASON: CASE DISMISSED 9/15/20**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Charles Edward Nathanie Wright

Represented By  
April E Roberts

**Joint Debtor(s):**

Malika Unami Wright

Represented By  
April E Roberts

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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**6:20-16199 Deborah Lynn Mullenix**

**Chapter 13**

**#14.00 Confirmation of Chapter 13 Plan**

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Joselina Medrano, rep. Debtor)**

Docket 2

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Deborah Lynn Mullenix

Represented By  
Joselina L Medrano

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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**6:20-16201 David M. Rodarte**

**Chapter 13**

**#15.00 Confirmation of Chapter 13 Plan**

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. James Hornbuckle, rep. Debtor)**

Docket 16

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

David M. Rodarte

Represented By  
James D. Hornbuckle

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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Riverside  
Judge Mark Houle, Presiding  
Courtroom 303 Calendar**

**Thursday, December 3, 2020**

**Hearing Room 303**

11:00 AM

**6:20-16206 Craig M. Brewer and Rebecca J. Brewer**

**Chapter 13**

**#16.00 Confirmation of Chapter 13 Plan**

EH\_\_

Docket 2

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Craig M. Brewer

Represented By  
Terrence Fantauzzi

**Joint Debtor(s):**

Rebecca J. Brewer

Represented By  
Terrence Fantauzzi

**Trustee(s):**

Rod Danielson (TR)

Pro Se



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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:00 AM

**6:20-16234 Ernesto Ibarra and Maria Ibarra**

**Chapter 13**

**#17.00 Confirmation of Chapter 13 Plan**

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Erin McCartney rep. creditor, Broker Solutions, Inc. dba American Funding)**

**(Tele. appr. Donna Travis, rep. Debtors)**

Docket 2

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Ernesto Ibarra

Represented By  
Dana Travis

**Joint Debtor(s):**

Maria Ibarra

Represented By  
Dana Travis

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:00 AM

**6:20-16241 Gabrielle Mendoza**

**Chapter 13**

**#18.00 Confirmation of Chapter 13 Plan**

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Nancy Clark, rep. Debtor)**

Docket 2

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Gabrielle Mendoza

Represented By  
Michael E Clark

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:00 AM

**6:20-16244 Marisol Smith**

**Chapter 13**

**#19.00 Confirmation of Chapter 13 Plan**

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. apr. Anthony Vigil, rep. Debtor)**

Docket 2

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Marisol Smith

Represented By  
Anthony B Vigil

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:00 AM

**6:20-16253 Jesus Pabloff and Virginia Pabloff**

**Chapter 13**

**#20.00 Confirmation of Chapter 13 Plan**

EH\_\_

Docket 2

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Jesus Pabloff

Represented By  
Tom A Moore

**Joint Debtor(s):**

Virginia Pabloff

Represented By  
Tom A Moore

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:00 AM

**6:20-16266 James Henry House, III and Adria Ann House**

**Chapter 13**

**#21.00 Confirmation of Chapter 13 Plan**

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Donna Travis, rep. Debtors)**

Docket 2

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

James Henry House III

Represented By  
Dana Travis

**Joint Debtor(s):**

Adria Ann House

Represented By  
Dana Travis

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:00 AM

**6:20-16283 Reggina Louise Gaines**

**Chapter 13**

**#22.00 Confirmation of Chapter 13 Plan**

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Justin Harelik, rep. Debtor)**

Docket 2

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Reggina Louise Gaines

Represented By  
D Justin Harelik

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:00 AM

**6:20-16313 Cheryl Linda Fernandez**

**Chapter 13**

**#23.00 Confirmation of Chapter 13 Plan**

EH\_\_

Docket 15

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Cheryl Linda Fernandez

Represented By  
Brian J Soo-Hoo

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:00 AM

**6:20-16315 Jana Darlene Gentry**

**Chapter 13**

**#24.00 Confirmation of Chapter 13 Plan**

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Robert Firth, rep. Debtor)**

Docket 2

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Jana Darlene Gentry

Represented By  
Robert L Firth

**Trustee(s):**

Rod Danielson (TR)

Pro Se



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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:01 AM

**6:16-10385 Adolfo Gonzalez and Angelica Gonzalez**

**Chapter 13**

**#25.00 Trustee's Motion to Dismiss Case**

EH\_\_

Docket 121

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Adolfo Gonzalez

Represented By  
Jaime A Cuevas Jr.

**Joint Debtor(s):**

Angelica Gonzalez

Represented By  
Jaime A Cuevas Jr.

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:01 AM

**6:17-13395 Valecia Renee Knox**

**Chapter 13**

**#26.00** CONT. Trustee's Motion to Dismiss Case

From: 10/29/20

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Jennifer Tanios, rep. Debtor)**

Docket 59

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Valecia Renee Knox

Represented By  
L. Tegan Rodkey

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:01 AM

**6:17-14972 Jude Okwor**

**Chapter 13**

**#27.00** Trustee's Motion to Dismiss Case

EH\_\_

Docket 99

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Jude Okwor

Represented By  
Javier H Castillo

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:01 AM

**6:17-20240 Natona Smith and Tameiko Smith**

**Chapter 13**

**#28.00** CONT Trustee's Motion to Dismiss Case

From: 8/24/20, 11/16/20

EH\_\_\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Natalie Alvarado, rep. Debtors)**

Docket 52

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Natona Smith

Represented By  
Natalie A Alvarado

**Joint Debtor(s):**

Tameiko Smith

Represented By  
Natalie A Alvarado

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:01 AM

**6:18-10416 Jose Guadalupe Lopez and Margarita Lopez**

**Chapter 13**

**#29.00** Trustee's Motion to Dismiss Case (Tax Returns/Refunds)

EH\_\_

Docket 76

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Jose Guadalupe Lopez

Represented By  
David Lozano

**Joint Debtor(s):**

Margarita Lopez

Represented By  
David Lozano

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:01 AM

**6:18-10416 Jose Guadalupe Lopez and Margarita Lopez**

**Chapter 13**

**#30.00** Trustee's Motion to Dismiss Case (Delinquency)

EH\_\_

Docket 75

**\*\*\* VACATED \*\*\* REASON: NOTICE OF WITHDRAWAL FILED  
11/23/20**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Jose Guadalupe Lopez

Represented By  
David Lozano

**Joint Debtor(s):**

Margarita Lopez

Represented By  
David Lozano

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:01 AM

**6:18-11701 Wayne Anthony King and Traci Ann Zweck**

**Chapter 13**

**#31.00 Trustee's Motion to Dismiss Case**

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Donna Travis, rep. Debtors)**

Docket 99

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Wayne Anthony King

Represented By  
Dana Travis

**Joint Debtor(s):**

Traci Ann Zweck

Represented By  
Dana Travis

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

Thursday, December 3, 2020

Hearing Room 303

11:01 AM

6:18-12177 Rodolfo Aguiar and Irma D Aguiar

Chapter 13

#32.00 Trustee's Motion to Dismiss Case

EH\_\_

Docket 79

\*\*\* VACATED \*\*\* REASON: NOTICE OF WITHDRAWAL FILED  
10/28/20

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Rodolfo Aguiar

Represented By  
Alla Tenina

**Joint Debtor(s):**

Irma D Aguiar

Represented By  
Alla Tenina

**Trustee(s):**

Rod Danielson (TR)

Pro Se



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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:01 AM

**6:18-14053 Wallace Stanton Miles**

**Chapter 13**

#33.00 CONT. Trustee's Motion to Dismiss Case

From: 11/5/20

EH\_\_

Docket 71

**\*\*\* VACATED \*\*\* REASON: CASE DISMISSED ON 11/30/20**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Wallace Stanton Miles

Represented By  
Stuart G Steingraber

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

Thursday, December 3, 2020

Hearing Room 303

11:01 AM

6:18-17556 Daniel Javier Garcia

Chapter 13

#34.00 Trustee's Motion to Dismiss Case

EH\_\_

Docket 104

\*\*\* VACATED \*\*\* REASON: NOTICE OF WITHDRAWAL FILED  
11/23/20

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Daniel Javier Garcia

Represented By  
Steven A Alpert

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:01 AM

**6:19-11911 Jorge Manuel Azmitia and Yoshiko Azmitia**

**Chapter 13**

**#35.00** Trustee's Motion to Dismiss Case

EH\_\_

Docket 96

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Jorge Manuel Azmitia

Represented By  
Nicholas M Wajda

**Joint Debtor(s):**

Yoshiko Azmitia

Represented By  
Nicholas M Wajda

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:01 AM

**6:19-14735 Trinen Arniese Pratt**

**Chapter 13**

**#36.00 Trustee's Motion to Dismiss Case**

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Jennifer Tanios, rep. Debtor)**

Docket 91

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Trinen Arniese Pratt

Represented By  
Rabin J Pournazarian

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:01 AM

**6:19-15330 Charles Dennis West**

**Chapter 13**

**#37.00** CONT. Trustee's Motion to Dismiss Case (Delinquent Plan payments)

From: 11/19/20

EH\_\_

Docket 46

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Charles Dennis West

Represented By  
Erika Luna

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:01 AM

**6:19-15620 Linda Foster**

**Chapter 13**

**#38.00** Trustee's Motion to Dismiss Case

EH\_\_

Docket 40

**\*\*\* VACATED \*\*\* REASON: NOTICE OF WITHDRAWAL FILED  
11/30/20**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Linda Foster

Represented By  
Kevin Tang

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:01 AM

**6:20-10899 Elizabeth T Baker**

**Chapter 13**

**#39.00 Trustee's Motion to Dismiss Case**

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Nancy Korompis, rep. Debtor)**

Docket 51

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Elizabeth T Baker

Represented By  
Nancy Korompis

**Trustee(s):**

Rod Danielson (TR)

Pro Se

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

**Thursday, December 3, 2020**

**Hearing Room 303**

11:01 AM

**6:20-11946 Michelle Cadena Quinn**

**Chapter 13**

**#40.00** CONT Trustee's Motion to Dismiss Case

From 10/15/20, 11/19/20

EH\_\_

**(Tele. appr. Joey De Leon, rep. Chapter 13 Trustee)**

**(Tele. appr. Jennifer Tanios, rep. Debtor)**

Docket 43

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Michelle Cadena Quinn

Represented By  
Steven A Alpert

**Trustee(s):**

Rod Danielson (TR)

Pro Se



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

Thursday, December 3, 2020

Hearing Room 303

12:00 PM

**6:18-11520 Kiia Chree Wilson**

**Chapter 13**

**#41.00** Debtor's Motion for Relief from order entered as a result of fraud, misrepresentation, or misconduct by an opposing party, reinstatement of the protective order of April 17, 2020, and for attorney's fees

(OST entered 11/30/20)

EH\_\_

**(Tele. appr. Gordon Dayton, rep. Debtor)**

**(Tele. appr. Kiia Wilson, pro se Debtor)**

**(Tele. appr. Nancy Lee, creditor, Roshmore Loan Management Services LLC)**

Docket 84

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Kiia Chree Wilson

Represented By  
Gordon L Dayton

**Trustee(s):**

Rod Danielson (TR)

Pro Se