

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, December 01, 2016

Hearing Room 304

8:30 AM

6:16-16829 Oscar Rosales and Yizzel Rosales

Chapter 7

#1.00 Hrg re reaffirmation agreement filed 11-2-16 between Debtor's and Daniel's Jewelers in the amount of \$695.54

RE: 1-1/8 CTW Ladies Diamond Ring

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Oscar Rosales

Represented By
Michael E Clark

Joint Debtor(s):

Yizzel Rosales

Represented By
Michael E Clark

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, December 01, 2016

Hearing Room 304

8:30 AM

6:16-17219 Maria Dolores Payan

Chapter 7

#2.00 Hrg re reaffirmation agreement filed 11-03-16 between Debtor and Nissan Motor Acceptance Corporation in the amount of \$14,074.29

RE: 2013 Nissan Rogue

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Maria Dolores Payan

Pro Se

Trustee(s):

Lynda T. Bui (TR)

Pro Se

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

Hearing Room 304

8:30 AM

6:16-16829 Oscar Rosales and Yizzel Rosales

Chapter 7

#2.01 Hrg re reaffirmation agreement filed 11-14-16 between Debtor's and Toyota Motor Credit Corp in the amount of \$26,091.97

RE: 2014 Toyota Camry

Docket 16

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Oscar Rosales

Represented By
Michael E Clark

Joint Debtor(s):

Yizzel Rosales

Represented By
Michael E Clark

Trustee(s):

Larry D Simons (TR)

Pro Se

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

Hearing Room 304

10:00 AM

6:16-17600 James E Harrison

Chapter 7

#3.00 Motion for relief from stay

SANTANDER CONSUMER USA INC. VS DEBTOR

Property: 2014 Dodge Ram 1500
[Personal Prop] Sheryl K. Ith, attorney/movant

Docket 30

Tentative Ruling:

12/1/2016:

None.

Final Ruling. This motion for relief from the automatic stay has been set for hearing on regular notice pursuant to Rule 9013-1(d)(2) of the Local Bankruptcy Rules. Pursuant to Rule 9013-1(h), the failure of the trustee, the debtor and other parties in interest to file written opposition at least fourteen days prior to the hearing is construed as consent to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Furthermore, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Parties who have been properly served with the motion are considered in default and, as a consequence, the matter will be resolved without oral argument. *See* Rule 9013-1(j)(3). **No appearance is necessary.**

For the reasons set forth in the motion, the Court hereby finds that sufficient grounds exist to grant the motion pursuant to 11 U.S.C. §§ 362(d)(1) and 362(d)(2) with the following relief:

(1) Termination of the stay to allow movant (and any successors or assigns) to proceed under applicable non-bankruptcy law to enforce its remedies to obtain

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10:00 AM

CONT... James E Harrison Chapter 7

possession of the property, foreclose its lien upon the property and to sell the property.

(2) The order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code.

(3) Waiver of the 14-day stay prescribed by Bankruptcy Rule 4001(a)(3).

Counsel for the moving party shall prepare and upload a proposed order within seven days.

Party Information

Debtor(s):

James E Harrison

Represented By
Edward T Weber

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, December 01, 2016

Hearing Room 304

10:00 AM

6:16-18898 Dynasty S Woods

Chapter 7

#4.00 Motion for relief from stay

SANTANDER CONSUMER USA VS DEBTOR

Property: 2010 Dodge Charger
[Personal Prop] Sheryl K. Ith, attorney/movant

Docket 11

***** VACATED *** REASON: CASE DISMISSED 11-17-16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dynasty S Woods	Pro Se
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Trustee(s):

Charles W Daff (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, December 01, 2016

Hearing Room 304

10:00 AM

6:16-18927 Ruchir Prafullanand Patel and Debra Shannon Patel

Chapter 7

#5.00 Motion for relief from stay

SANTANDER CONSUMER USA VS DEBTORS

Property: 2014 Dodge Charger
[Personal Prop] Sheryl K. Ith, attorney/movant

Docket 13

Tentative Ruling:

12/1/2016:

None.

Final Ruling. This motion for relief from the automatic stay has been set for hearing on regular notice pursuant to Rule 9013-1(d)(2) of the Local Bankruptcy Rules. Pursuant to Rule 9013-1(h), the failure of the trustee, the debtor and other parties in interest to file written opposition at least fourteen days prior to the hearing is construed as consent to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Furthermore, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Parties who have been properly served with the motion are considered in default and, as a consequence, the matter will be resolved without oral argument. *See* Rule 9013-1(j)(3). **No appearance is necessary.**

For the reasons set forth in the motion, the Court hereby finds that sufficient grounds exist to grant the motion pursuant to 11 U.S.C. §§ 362(d)(1) and 362(d)(2) with the following relief:

(1) Termination of the stay to allow movant (and any successors or assigns) to proceed under applicable non-bankruptcy law to enforce its remedies to obtain

**United States Bankruptcy Court
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10:00 AM

CONT... **Ruchir Prafullanand Patel and Debra Shannon Patel** **Chapter 7**
possession of the property, foreclose its lien upon the property and to sell the property.

(2) The order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code.

(3) Waiver of the 14-day stay prescribed by Bankruptcy Rule 4001(a)(3).

Counsel for the moving party shall prepare and upload a proposed order within seven days.

Party Information

Debtor(s):

Ruchir Prafullanand Patel

Represented By
Karen E Lockhart

Joint Debtor(s):

Debra Shannon Patel

Represented By
Karen E Lockhart

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Hearing Room 304

10:00 AM

6:16-19873 Gustavo Mendoza

Chapter 7

#5.01 Motion for relief from stay

JASON HAN VS DEBTOR

Property: 722 North Lassen Ave, San Bernardino, CA 92410
[UD] William E. Windham, attorney/movant

Docket 10

***** VACATED *** REASON: CASE DISMISSED 11-22-16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gustavo Mendoza

Pro Se

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Judge Wayne Johnson, Presiding
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Thursday, December 01, 2016

Hearing Room 304

10:00 AM

6:16-19312 Grace Chungja Johung

Chapter 7

#6.00 Motion for relief from stay

ALYSSA CHIA VS DEBTOR

Property: 2476 Moon Dust Drive, Chino Hills, CA 91709
[UD] Robert A. Krasney, attorney/movant

Docket 12

Tentative Ruling:

12/1/2016:

The hearing regarding this motion shall be heard on shortened notice and any opposition is due at the hearing. Therefore, appearances are required at the hearing.

The motion requests relief from the automatic stay to complete an eviction. Using a bankruptcy case to delay an eviction is not appropriate. *See, e.g., In re Smith*, 105 B.R. 50, 53 & 55 (Bankr. C.D. Cal. 1989) (describing cases filed to delay an eviction as “abusive” and designed to “delay improperly the landlord from obtaining possession of his property.”). Therefore, the tentative ruling of the court is to grant the motion pursuant to 11 U.S.C. §§ 362(d)(1) and 362(d)(2) with the following relief:

(1) Termination of the stay to allow movant (and any successors or assigns) to proceed under applicable non-bankruptcy law to enforce its remedies to obtain possession of the property.

(2) Waiver of the 14-day stay prescribed by Bankruptcy Rule 4001(a)(3).

Party Information

**United States Bankruptcy Court
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Riverside
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10:00 AM

CONT... Grace Chungja Johung

Chapter 7

Debtor(s):

Grace Chungja Johung

Pro Se

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, December 01, 2016

Hearing Room 304

10:00 AM

6:16-18436 Christopher Gary Lowe and Jessica Lynn Lowe

Chapter 7

#6.01 Motion for relief from stay

BMW FINANCIAL SERVICES VS DEBTORS

Property: 2014 Dodge Journey
[Personal Prop] Timothy J. Silverman, attorney/movant

Docket 18

Tentative Ruling:

12/1/2016:

None.

Final Ruling. This motion for relief from the automatic stay has been set for hearing on regular notice pursuant to Rule 9013-1(d)(2) of the Local Bankruptcy Rules. Pursuant to Rule 9013-1(h), the failure of the trustee, the debtor and other parties in interest to file written opposition at least fourteen days prior to the hearing is construed as consent to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Furthermore, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Parties who have been properly served with the motion are considered in default and, as a consequence, the matter will be resolved without oral argument. *See* Rule 9013-1(j)(3). **No appearance is necessary.**

For the reasons set forth in the motion, the Court hereby finds that sufficient grounds exist to grant the motion pursuant to 11 U.S.C. §§ 362(d)(1) and 362(d)(2) with the following relief:

(1) Termination of the stay to allow movant (and any successors or assigns) to proceed under applicable non-bankruptcy law to enforce its remedies to obtain

**United States Bankruptcy Court
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10:00 AM

CONT... **Christopher Gary Lowe and Jessica Lynn Lowe** **Chapter 7**
possession of the property, foreclose its lien upon the property and to sell the property.

(2) Waiver of the 14-day stay prescribed by Bankruptcy Rule 4001(a)(3).

Counsel for the moving party shall prepare and upload a proposed order within seven days.

Party Information

Debtor(s):

Christopher Gary Lowe

Represented By
Suzette Douglas

Joint Debtor(s):

Jessica Lynn Lowe

Represented By
Suzette Douglas

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
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Thursday, December 01, 2016

Hearing Room 304

10:15 AM

6:16-20116 Antonio Acevedo

Chapter 13

#6.02 Hrg re status conference

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Antonio Acevedo

Pro Se

Trustee(s):

Rod (WJ) Danielson (TR)

Pro Se

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

Hearing Room 304

10:15 AM

6:16-20092 Richard West

Chapter 13

#6.03 Hrg re status conference

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard West

Pro Se

Trustee(s):

Rod (WJ) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
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Thursday, December 01, 2016

Hearing Room 304

10:15 AM

6:16-20319 Elmer E Linares

Chapter 13

#6.04 Hrg re status conference

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Elmer E Linares

Pro Se

Trustee(s):

Rod (WJ) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, December 01, 2016

Hearing Room 304

10:15 AM

6:16-20351 Manuel Haro Perez and Kristina Perez

Chapter 13

#6.05 Hrg re status conference

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Manuel Haro Perez	Pro Se
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Joint Debtor(s):

Kristina Perez	Pro Se
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Trustee(s):

Rod (WJ) Danielson (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
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Thursday, December 01, 2016

Hearing Room 304

10:30 AM

6:11-29321 Guillermo Estrada

Chapter 13

Adv#: 6:16-01227 Estrada et al v. OCWEN LOAN SERVICING et al

#7.00 Status conference re: Complaint to void second trust deed lien

[Property: 1695 Macy Avenue, Colton, CA 92324]

Docket 1

***** VACATED *** REASON: DEFAULT JUDGMENT ENTERED 10-17-16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Guillermo Estrada

Represented By
Manfred Schroer

Defendant(s):

Credit Suisse Securities LLC

Pro Se

Nationwide Credit Inc

Pro Se

OCWEN LOAN SERVICING

Pro Se

Mortgage Electronic Systems, Inc

Pro Se

Joint Debtor(s):

Claudia Cecilia Estrada

Represented By
Manfred Schroer

Plaintiff(s):

Claudia Cecilia Estrada

Represented By
Manfred Schroer

Guillermo Estrada

Represented By
Manfred Schroer

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CONT... Guillermo Estrada

Chapter 13

Trustee(s):

Rod (WJ) Danielson (TR)

Represented By
Rod (WJ) Danielson (TR)

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

Hearing Room 304

10:30 AM

6:15-19317 Eastward Sports Group, Inc.

Chapter 7

Adv#: 6:16-01231 Whitmore v. Thompson et al

#8.00 Status conference re: Complaint for 1) Breach of written contract; 2) Breach of oral contract; 3) Goods sold and delivered; 4) Reasonable value of goods sold and delivered; 5) Open book account; and 6) Account stated

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Eastward Sports Group, Inc.

Represented By
Stuart G Steingraber

Defendant(s):

War Time Scooters

Pro Se

The Scooter Zone

Pro Se

James Earl Thompson

Pro Se

Plaintiff(s):

Robert S. Whitmore

Represented By
Thomas J Eastmond

Trustee(s):

Robert Whitmore (TR)

Represented By
Franklin C Adams
Thomas J Eastmond