

**United States Bankruptcy Court
Central District of California
Riverside
Mark Houle, Presiding
Courtroom 301 Calendar**

Tuesday, February 4, 2025

Hearing Room 301

11:00 AM

6:24-10429 Angel Jacob Garcia

Chapter 7

#1.00 Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 16019 North Culver Road, Victorville, CA 92394

MOVANT: LAKEVIEW LOAN SERVICING, LLC

EH____

[Tele. appr. Josephine E. Salmon, rep. Movant, Lakeview Loan Servicing, LLC]

Docket 33

Tentative Ruling:

2/4/2025

Service: Proper

Opposition: None

Having reviewed the motion, service being proper, no opposition having been filed, which the Court deems consent to the relief requested pursuant to § 362(g)(2), and good cause appearing, the Court is inclined to:

- GRANT relief from stay pursuant to § 362(d)(1);
- GRANT waiver of Rule 4001(a)(3) stay;
- GRANT requests under ¶¶ 2 and 3;

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):

Angel Jacob Garcia

Represented By
Dana Travis

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CONT... Angel Jacob Garcia

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Tuesday, February 4, 2025

Hearing Room 301

11:00 AM

6:24-14886 Keith Martin Alexis

Chapter 7

#2.00 Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 1520 Broken Oak Drive, 23C, Winter Garden, FL 34787

MOVANT: NEW REZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING

EH__

[Tele. appr. Larry D. Simons, Chapter 7 Trustee]

[Tele. appr. Patrick J. Kane, rep. Movant New Rez LLC dba Shellpoint Mortgage Servicing]

Docket 14

Tentative Ruling:

2/4/2025

Service: Proper

Opposition: Trustee

Based upon the opposition filed by Trustee --- and noting that Trustee has filed an application to employ a real estate broker that is currently pending --- the Court is inclined to either DENY the motion or CONTINUE the matter for Trustee to market and sell the subject property.

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Keith Martin Alexis

Represented By
Todd L Turoci

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
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CONT... Keith Martin Alexis

Chapter 7

**United States Bankruptcy Court
Central District of California
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Hearing Room 301

11:00 AM

6:24-15450 Nicholas Paul Hertneck and Lawrence Robert Lazzaro

Chapter 7

#3.00 Amended Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2020 Lincoln Aviator Black Label Sport Utility 4D, VIN: 5LM5J9XC0LGL03680 (Motion filed 1/6/25)

MOVANT: FORD MOTOR CREDIT COMPANY LLC

[Tele. appr. Jennifer Wong, rep. Creditor Ford Motor Credit Company LLC]

Docket 28

Tentative Ruling:

2/4/2025

11 U.S.C. § 362 provides in relevant part:

(h)(1) In a case in which the debtor is an individual, the stay provided by subsection (a) is terminated with respect to personal property of the estate or of the debtor securing in whole or in part a claim, or subject to an unexpired lease, and such personal property shall no longer be property of the estate if the debtor fails within the applicable time set by section 521(a)(2)--

(A) to file timely any statement of intention required under section 521(a)(2) with respect to such personal property or to indicate in such statement that the debtor will either surrender such personal property or retain it and, if retaining such personal property, either redeem such personal property pursuant to section 722, enter into an agreement of the kind specified in section 524(c) applicable to the debt secured by such personal property, or assume such unexpired lease pursuant to section 365(p) if the trustee does not do so, as applicable; and

11 U.S.C. § 362(h)(1)(A) (emphasis added).

Here, Debtor's statement of intention does not list the subject collateral. Because Debtor was required to select to either abandon or redeem the property, or to enter a reaffirmation agreement, and the thirty-day deadline for filing or amending the statement of intention passed on October 14, 2024, pursuant to 11 U.S.C. § 521(a)(2)(A) the

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CONT... Nicholas Paul Hertneck and Lawrence Robert Lazzaro

Chapter 7

automatic stay has terminated as a matter of law.

Therefore, the Court is inclined to find that the automatic stay has terminated as a matter of law and, on that basis, DENY the motion as MOOT.

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):

Nicholas Paul Hertneck

Represented By
Peter M Lively

Joint Debtor(s):

Lawrence Robert Lazzaro

Represented By
Peter M Lively

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Hearing Room 301

11:00 AM

6:24-16848 Nicholas Dashawn Williams

Chapter 7

#4.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2017 TOYOTA TACOMA VIN: 3TMAZ5CN4HM049712

MOVANT: GLOBAL LENDING SERVICES LLC

EH__

Docket 13

Tentative Ruling:

2/4/2025

Service: Proper

Opposition: None

Having reviewed the motion, service being proper, no opposition having been filed, which the Court deems consent to the relief requested pursuant to § 362(g)(2), and good cause appearing, the Court is inclined to:

-GRANT relief from stay pursuant to § 362(d)(1) and (2);

-GRANT waiver of Rule 4001(a)(3) stay;

-GRANT request under ¶ 2;

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):

Nicholas Dashawn Williams

Pro Se

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
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11:00 AM

6:24-17482 Sergio Aguilera and Alejandra Aguilera

Chapter 7

#5.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2017 Toyota Camry VIN No.: 4T1BF1FK4HU722903

MOVANT: TOYOTA MOTOR CREDIT CORPORATION

EH__

Docket 10

Tentative Ruling:

2/4/2025

Service: Improper

Opposition: None

The Court, having reviewed the motion, notes the following:

- (1) Service is improper. The proof of service attached to the motion is materially blank. One of the boxes is checked stating that service information [is] continued on attached page, but there is no attached page.
- (2) Regarding the merits, the Court notes that it appears that the only articulated basis for relief from stay is failure to provide proof of insurance.

Noting the improper service of the subject motion, the Court is inclined to DENY the motion.

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Sergio Aguilera

Represented By
Christopher Hewitt

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CONT... Sergio Aguilera and Alejandra Aguilera

Chapter 7

Joint Debtor(s):

Alejandra Aguilera

Represented By
Christopher Hewitt

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, February 4, 2025

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11:00 AM

6:24-17468 Jamaicadeja Pittman

Chapter 7

#5.10 Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: 6980 Victoria Avenue Apartment G, Highland, CA 92346

MOVANT: TOM REESE TRUSTEE OF THE REESE REVOCABLE TRUST

EH__

Docket 15

Tentative Ruling:

2/4/2025

Service: Improper

Opposition: None

Regarding service/notice, the Court notes that Movant has elected to set this hearing on shortened notice. The Court notes that it permits certain categories of relief from stay motions to be set for hearing on shortened notice without Court order, but that telephonic notice of the hearing is required. Here, telephonic notice of the hearing having not been provided, notice of the hearing is improper.

Regarding the merits, however, the Court notes that the motion appears to correctly assert that the automatic stay does not apply pursuant to 11 U.S.C. § 362(b)(22).

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Jamaicadeja Pittman

Pro Se

Trustee(s):

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court
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2:00 PM

6:23-14734 Joshua Tongco

Chapter 11

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

From: 11/28/23, 1/16/24, 3/12/24, 3/27/24, 5/14/24, 6/11/24, 8/27/24, 10/29/24,
1/14/25

EH__

[Tele. appr. Andy C. Warshaw, rep. Debtor]

[Tele. appr. Martha A. Warriner, rep. Debtor]

**[Tele. appr. Todd S. Garan, rep. Creditor Nationstar Mortgage LLC & JP
Morgan Mortgage]**

[Tele. appr. Cameron C. Ridley, rep. U.S. Trustee]

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Joshua Tongco

Represented By
Andy C Warshaw
Martha A. Warriner

Trustee(s):

Arturo Cisneros (TR)

Represented By
Arturo Cisneros

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6:23-14734 Joshua Tongco

Chapter 11

**#7.00 Order to Show Cause Why Case Should not be Dismissed Or Converted
(OSC entered 1/16/25)**

EH__

[Tele. appr. Andy C. Warshaw, rep. Debtor]

[Tele. appr. Martha A. Warriner, rep. Debtor]

**[Tele. appr. Todd S. Garan, rep. Creditor Nationstar Mortgage LLC & JP
Morgan Mortgage]**

[Tele. appr. Cameron C. Ridley, rep. U.S. Trustee]

**[Tele. appr. Anne C. Manalili, rep. Creditor U.S. Small Business
Administration]**

Docket 184

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Joshua Tongco

Represented By
Andy C Warshaw
Martha A. Warriner

Trustee(s):

Arturo Cisneros (TR)

Represented By
Arturo Cisneros