

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

**Tuesday, July 30, 2024**

**Hearing Room 301**

11:00 AM

**6:24-12076 Philip Wen**

**Chapter 7**

**#1.00** CONT. Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Personal Property (Motion filed 4/25/24)

From: 6/4/24

MOVANT: KENNETH LU

EH\_\_

Docket 13

**\*\*\* VACATED \*\*\* REASON: WITHDRAWAL OF MOTION FILED  
7/22/24**

**Tentative Ruling:**

- NONE LISTED -

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

Philip Wen

Pro Se

**Movant(s):**

Kenneth Lu

Represented By  
Michael Smith

**Trustee(s):**

Lynda T. Bui (TR)

Represented By  
Melissa Davis Lowe

**United States Bankruptcy Court  
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11:00 AM

**6:24-12307 Yanelis Rodriguez**

**Chapter 7**

**#2.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2015 Jeep Grand Cherokee Limited Sport Utility 4D  
(Motion filed 6/24/24)

MOVANT: CAPITAL ONE AUTO FINANCE

EH\_\_

**[Tele. appr. Cheryl A Skigin, rep. moving party]**

Docket 9

**Tentative Ruling:**

**7/30/2024**

**Service: Proper**

**Opposition: None**

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

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**CONT... Yanelis Rodriguez**

**Chapter 7**

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 May 27, 2024, pursuant to 11 U.S.C. § 521(a)(2)(A) the 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.

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

Yanelis Rodriguez

Represented By  
Neil R Hedtke

**Movant(s):**

Capital One Auto Finance, a division

Represented By  
Cheryl A Skigin

**Trustee(s):**

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court  
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**Tuesday, July 30, 2024**

**Hearing Room 301**

11:00 AM

**6:24-12812 Patrick James Bates**

**Chapter 7**

**#3.00** Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 27591 ARDEN ST, Menifee, CA, 92585 Under 11 U.S.C. § 362.  
(Motion filed 6/28/24)

MOVANT: FREEDOM MORTGAGE CORPORATION

EH\_\_

Docket 9

**Tentative Ruling:**

**7/30/2024**

**Service: Proper**

**Opposition: None**

Having reviewed the motion, service being proper, a non-opposition having been filed, which the Court deems consent to the relief requested § 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 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.

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

Patrick James Bates

Represented By  
Halli B Heston

**Movant(s):**

Freedom Mortgage Corporation

Represented By

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**CONT... Patrick James Bates**

Dane W Exnowski

**Chapter 7**

**Trustee(s):**

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court  
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**Tuesday, July 30, 2024**

**Hearing Room      301**

3:00 PM

**6:23-15822    Congregation Bnai Chaim of Murrieta Hot Springs**

**Chapter 11**

**#4.00    CONT. Confirmation of Second Amended Liquidating Chapter 11 Plan**

From: 2/6/24, 5/14/24, 7/9/24

EH\_\_

Docket      119

**Tentative Ruling:**

- NONE LISTED -

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

Congregation Bnai Chaim of

Represented By  
James E Till