

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

Tuesday, December 3, 2024

Hearing Room 301

11:00 AM

6:24-14343 Vergini Ohanian

Chapter 7

#1.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2022 BMW X3 SdRIVE301 VIN# 5UX43DP06N9K66968 with proof of service.
(Motion filed 10/29/24)

MOVANT: FINANCIAL SERVICES VEHICLE TRUST

EH__

[Tele. appr. Joseph Delmotte, rep. moving party]

Docket 12

Matter Notes:

APPEARANCES: _____

ORDER BY ATTORNEY____ **ORDER BY CHAMBERS**_____

GRANTED: _____ **DENIED:** _____

CONT'D. TO: _____

WITHDRAWN: _____

OBJ SUSTAINED: _____ **OBJ OVERRULED:** _____

EVIDENTIARY HEARING SET: _____

Tentative Ruling:

12/3/2024

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

Tuesday, December 3, 2024

Hearing Room 301

11:00 AM

CONT... Vergini Ohanian

Chapter 7

**Service: Proper
Opposition: None**

11 U.S.C. § 365(p) provides: "If a lease of personal property is rejected or not timely assumed by the trustee under subsection (d), the leased property is no longer property of the estate and the stay under section 362(a) is automatically terminated." Here, the Chapter 7 trustee having not timely assumed the lease pursuant to § 365(d), the automatic stay has terminated as a matter of law.

Therefore, the Court is inclined to 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):

Vergini Ohanian

Represented By
Allen A Sarkisian

Trustee(s):

Arturo Cisneros (TR)

Pro Se

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

Tuesday, December 3, 2024

Hearing Room 301

11:00 AM

6:24-15256 Victor Daniel Araujo

Chapter 7

#2.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2020 BMW 3 Series VIN# 3MW5R1J06L8B15919 with proof of service (Motion filed 11/8/24)

MOVANT: BMW BANK OF NORTH AMERICA

EH__

[Tele. appr. Joseph Delmotte, rep. moving party]

Docket 14

Matter Notes:

APPEARANCES: _____

ORDER BY ATTORNEY____ **ORDER BY CHAMBERS**_____

GRANTED: _____ **DENIED:** _____

CONT'D. TO: _____

WITHDRAWN: _____

OBJ SUSTAINED: _____ **OBJ OVERRULED:** _____

EVIDENTIARY HEARING SET: _____

Tentative Ruling:

12/3/2024

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

Tuesday, December 3, 2024

Hearing Room 301

11:00 AM

CONT... Victor Daniel Araujo

Chapter 7

**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; and
- DENY alternative request under ¶ 11 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):

Victor Daniel Araujo

Represented By
Kevin Tang

Trustee(s):

Lynda T. Bui (TR)

Pro Se