

JUDGE JEFFREY P NORMAN

Yvonne V. Valdez, Trustee

January 3, 2024 11:00 am

Next 3 Panels:

02/01/2024

02/29/2024

04/04/2024

Attorney <i>Pet Filed</i> Bar Date <i>Month/Term</i>	Case # Debtor(s) <i>Plan Pmt</i> <i>AMI/BMI-ESF/PPR</i>	Matters Notes	Arrears <i>Last Rcpt</i> Last Rcpt Amt <i>Pmt Method</i>	Trustee Recommendation
BARTO	22-50056	Dismissal	Current	<b>Trustee does not recommend approval and recommends dismissal.</b>
08/31/22 11/09/22 15/60 Tracey	ANGELICA FERNANDEZ DE CASTILLO \$1,033.08 BMI-PPR	Modification  Mod #74 filed 12/20/23 to cure delinquency cannot be recommended because Debtor failed to provide a copy of her 2022 tax return.  Mod Forgives: \$3,698.90  Mod payments: 13 (Oct 2023) - 60 (Sep 2027) \$1,033.08  Post-Conf. Trustee's Motion to Dismiss was filed 08/02/23 at #58 for non-payment. No response filed by Debtor. There are several months where only a partial payment was made and a few months where no payment was made at all.	12/18/23 \$476.90 Wage Order	
BARTO	22-50079	Dismissal	Current	<b>Trustee does not recommend approval and recommends dismissal.</b>
10/31/22 01/09/23 14/60 Tracey	AMPARO M RAMIREZ \$1,320.00 BMI-	Modification  Mod #65 filed 12/20/23 to cure delinquency cannot be recommended because:  1. Debtor failed to provide proof of current income.  2. Debtor failed to provide a copy of the 2022 tax return or affidavit.  Mod Forgives: \$5,128.00  Mod payments: 12 (Oct 2023) - 14 (Dec 2023) \$1,320.00 15 (Jan 2024) - 60 (Oct 2027) \$1,350.00	12/08/23 \$450.00 ePay	

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Post-Conf. Trustee's Motion to Dismiss filed 03/29/23 at #40 for non-payment.

Response filed on 06/29/23 at #45.

There are a few months where only a partial payment was made and some where no payment was made at all.

<b>BARTO</b>	<b>23-50060</b>	<b>Confirmation</b>	Current	<b>Trustee does not recommend confirmation and recommends dismissal.</b>
	<b>MIGUEL A GUTIERREZ JR</b>	<b>Dismissal</b>	12/08/23	
06/29/23 09/07/23 5/0 Krystle	<b>ROSAICELA B GUTIERREZ</b> \$3,101.85 AMI-ESF	Plan #31 filed 10/4/23 cannot be recommended because:  1. Trustee alleges Debtors fail to establish a post-petition federal income tax reserve for future tax liability even though the Claim #7 of the Internal Revenue Service indicates that the Debtors owe taxes from 2019 through 2023. Debtors' Schedule J reflects a \$1,600 savings per month for future income taxes. To ensure the stability of the Plan, the Trustee asserts that this reserve should be built into the Plan.  2. IRS claim #7 filed 07/21/23 reflects Debtors have not filed a tax return for Heavy Vehicle taxes for 2023. Debtors have not provided proof that these tax returns have been filed.  Plan payments:1 (Jul 2023) - 60 (Jun 2028) \$3,101.85.  Trustee's Motion to Dismiss #28 filed 8/17/23. No response filed by Debtor.	\$730.00 ePay	

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BARTO	23-50061	Confirmation	Current	Trustee does not recommend confirmation and recommends dismissal.
	ALVARO A MILERA	Dismissal	12/11/23 \$400.00 ePay	
06/30/23 09/08/23 5/42 Krystle	\$400.00 BMI-	Plan #39 filed 11/01/23 cannot be recommended because:  Trustee asserts that the Debtor fails to provide all of his disposable income into the Plan. Debtor's Monthly Operating Reports for June 2023 through November 2023 fail to support the business budget filed with Schedule I on 10/05/23 at #33. The income appears to be understated. In addition, there are several line item expense deductions that the Trustee asserts should not be included on the monthly operating reports, such as the Chapter 13 Plan payment, an exemption for the Debtor's Social Security, a deduction for a tax refund, salaries for the two co-owners, which are not disclosed separately on Schedule I, utilities that may also be included on Schedule J under personal utilities, etc.  Plan payments: 1 (Jul 2023) - 42 (Dec 2026) \$400.00.  Trustee's Amended Motion to Dismiss #24 filed 8/30/23. Debtors' Response to Trustee's Motion to Dismiss filed 12/06/23 at #45.		

BARTO	23-50079	Confirmation	\$2,863.31 or 0.67 mth	Trustee does not recommend confirmation.
	ARIANNA C MATA ORDUNA	Obj Conf Capital One Auto Finance	12/21/23 \$992.33 Wage Order	
09/11/23 11/20/23 3/54 Leanne1	\$4,300.09 AMI-	Plan #42 filed 12/20/23 fails to provide sufficient funds for payment in full of all secured and priority claims. PennyMac Loan Services, LLC filed Claim #9 on 12/21/23, after the bar date had passed. The Creditor filed a motion to allow the late filed claim at #45 on 12/21/23. The Plan does not fully provide for this claim.  Plan payments: 1 (Oct 2023) - 1 (Oct 2023) \$13,903.42. 2 (Nov 2023) - 3 (Dec 2023) \$4,300.09. 4 (Jan 2024) - 54 (Feb 2028) \$4,400.09.		

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Objection to Confirmation filed 11/14/23 by Capital One Auto Finance at #28.

<b>BARTO</b>	<b>23-50087</b>	<b>Confirmation</b>	Current	<b>Trustee recommends confirmation of Plan #41 filed 12/21/23.</b>
<i>09/28/23</i> <i>12/07/23</i> <i>3/60</i> Leanne1	<b>RAUL I GARCIA</b>  <b>GRIZELDA L WINTERROTH GARCIA</b> \$1,300.00 AMI-ESF	Plan #41 filed 12/21/23 works, paying 58.25% to general unsecured creditors.  Plan payments: 1 (Oct 2023) - 60 (Sep 2028) \$1,300.00.  Trustee's Motion to Dismiss filed 11/17/23 at #31 was withdrawn 12/21/23 at #42. No Response filed by Debtor.	<i>12/07/23</i> <i>\$300.00</i> <i>Wage Order</i>	

<b>BARTO</b>	<b>23-50089</b>	<b>Confirmation</b>  <b>Dismissal</b>	\$200.76 or 0.15 mth <i>12/13/23</i> <i>\$602.31</i> <i>Wage Order</i>	<b>Trustee does not recommend confirmation and recommends dismissal.</b>
<i>10/02/23</i> <i>12/11/23</i> <i>2/60</i> Leanne1	<b>JOSE M FERDIN JR</b>  \$1,305.00 BMI-	Plan #35 filed 12/20/23 cannot be recommended because Debtor has failed to provide a 401k statement.  Plan payments: 1 (Nov 2023) - 60 (Oct 2028) \$1,305.00.  Trustee's Motion to Dismiss filed 11/27/23 at #28. No Response filed by Debtor.		

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LEE  04/27/23 07/06/23 8/60 Tracey	23-50030  LEOPOLDO GONZALEZ JR  \$2,450.00 BMI-ESF	Dismissal   Post-Conf. Trustee's Motion to Dismiss was filed 11/28/23 at #54 for non-payment. Response to Trustee's Motion to Dismiss filed 12/10/23 at #58. There are a few months where no payment was made.	\$2,450.00 or 1.00 mth 11/29/23 \$2,450.00 ePay	Trustee recommends dismissal.
MEURER  09/05/23 11/14/23 3/60 Leanne1	23-50077  DANIEL DE LA ROSA  CYNTHIA DE LA ROSA  \$1,290.00 BMI-ESF	Confirmation  Dismissal   1. Plan #14 filed 09/19/23 fails to fully provide for Nationstar Mortgage claim #7 filed 11/14/23. 2. Plan does not fully provide for IRS claim #5 filed 10/19/23. 3. Debtor has failed to file a wage deduction order with the court. 4. Trustee alleges Schedule I is inaccurate as it fails to disclose Debtor's new employer. 5. Debtors are \$2,180.00 or 1.69 months delinquent in payments through December.  Plan payments: 1 (Oct 2023) - 60 (Sep 2028) \$1,290.00.  Trustee's Motion to Dismiss filed 10/27/23 at #25. Debtor's Response to Trustee's Motion to Dismiss filed 12/05/23 at #28.	\$2,180.00 or 1.69 mth 12/12/23 \$200.00 ePay	Trustee does not recommend confirmation and recommends dismissal.

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MEURER	23-50096	Confirmation	Current	Trustee does not recommend confirmation.
10/26/23 01/04/24 2/36 Bridget1	JOSE A MEDINA  KASSANDRA MEDINA  \$196.11 BMI-	<p>1. Paragraph 9C of Plan #12 filed 11/09/23 is inaccurate as the interest rates for both vehicle claims for Hyundai Motor Finance Company are incorrect per the proofs of claim filed.</p> <p>2. Trustee alleges that the monthly payment to Hyundai Motor Finance for the 2023 Hyundai Palisade of \$1,167.19 is unreasonable and not necessary for the Debtors' reorganization. Debtors already have a second vehicle payment of \$665.33 to Hyundai Motor Finance for a 2021 Hyundai Sonata. Together, these two payments total \$1,832.52 while the Debtors are only proposing to pay their creditors \$196.11 per month through the Chapter 13 Plan.</p> <p>3. Trustee alleges Debtor's Official Form 122C #11 filed is incorrect as Debtors failed to disclose all of their income per the verification of income provided.</p> <p>4. Debtors have failed to provide Trustee with proof of income to substantiate the amounts listed on Schedule I and Debtors' Official Form 122C.</p> <p>5. Debtors have failed to provide verification of the \$228.00 life insurance expense on Schedule J #10 filed 11/09/23. Further, there are no life insurance policies disclosed on Schedule B.</p> <p>6. Debtors have failed to disclose new employment and provide verification for this income of Mrs. Medina per her 341 testimony.</p> <p>Plan payments: 1 (Nov 2023) 36 (Oct 2026) \$196.11.</p> <p>Trustee's Motion to Dismiss #27 filed 12/15/23 is set for 02/01/24. No Response filed by Debtors.</p>	12/04/23 \$196.11 ePay	

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OLIVA PC (L)	23-50075	Confirmation	\$1,050.00 or	Trustee does not recommend confirmation and recommends dismissal.
	MARIA A PENA	Dismissal	1.00 mth	
09/04/23 11/13/23 3/60 Leanne1	\$1,050.00 BMI-ESF	Obj Conf Hunter Kelsey IV LLC	12/08/23 \$525.00 ePay	
<p>Plan #37 filed 12/07/23 provides for bifurcated treatment Zapata Tax Assessor claim #7 filed 12/11/23 under paragraphs 8C and 9B. Additionally, Debtor is proposing to pay these real property taxes under Paragraph 9B, which is for personal property, rather than Paragraph 8B for real property.</p> <p>Plan payments: 1 (Oct 2023) - 3 (Dec 2023) \$1,050.00 4 (Jan 2024) - 60 (Sep 2028) \$1,100.00</p> <p>Trustee's Motion to Dismiss filed 10/27/23 at #32. Debtor's Response to Trustee's Motion to Dismiss filed 12/07/23 at #39.</p> <p>Objection to Confirmation filed 11/29/23 by Hunter-Kelsey IV, LLC at #33.</p>				

OLIVA PC (L)	23-50085	Confirmation	Current	Trustee recommends confirmation of Plan #24 filed 10/16/23.
	ADRIANA R PENA		12/20/23	
09/28/23 12/07/23 3/36 Leanne1	\$225.00 BMI-	Plan #24 filed 10/16/23 works paying 46.54% to general unsecured creditors.	\$225.00 Online Bill Pay	
<p>Plan payments: 1 (Oct 2023) - 36 (Sep 2026) \$225.00.</p>				

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OLIVA PC (L)	23-50093	Confirmation	\$1,950.00 or	Trustee does not recommend confirmation and recommends dismissal.
	JULIO D HOYOS JR	Dismissal	1.00 mth	
10/19/23 12/28/23 2/60 Krystle	MARIA E HOYOS \$1,950.00 BMI-ESF	<ol style="list-style-type: none"> <li>Plan #2 filed on 10/19/23 fails to provide sufficient funds for payment in full of all secured and priority claims.</li> <li>Trustee alleges Schedules B/C are incomplete as it provides assets with zero or unknown values.</li> <li>Trustee alleges Schedule I is inaccurate as the paystubs do not support the gross wages listed.</li> <li>Trustee alleges that the plan is not feasible as Debtors have demonstrated an inability to fund the plan.</li> <li>Plan fails to fully provide for NewRez LLC claim #26 filed 12/21/23.</li> </ol> <p>Plan payments: 1 (Nov 2023) -60 (Oct 2028) \$1,950.00.</p> <p>Trustee's Motion to Dismiss #30 filed 12/01/23. No response filed by Debtors.</p>	11/28/23 \$1,950.00 ePay	
VASQUEZ LAW FIRM	23-50009 AMADA ESTRADA	Dismissal	\$1,423.00 or 1.50 mth	Trustee recommends dismissal.
02/06/23 04/17/23 10/60 Leanne1	\$950.00 BMI-BOTH	Post-Conf. Trustee's Motion to Dismiss was filed 11/28/23 at #62 for non-payment. No response filed by Debtor. There are a few months where no payment was made.	12/13/23 \$500.00 ePay	



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<b>VASQUEZ LAW FIRM</b>  09/05/23 11/14/23 3/60 Bridget1	<b>23-50076</b>  <b>ANA L AVILA</b>  \$1,295.00 BMI-ESF	<b>Confirmation</b>  <b>Dismissal</b>  Plan #31 filed 12/06/23 fails to provide adequate protection payments of \$138.38 to Capital One Auto Finance per the initial order at docket #8.  Plan payments: 1 (Oct 2023)- 60 (Sep 2028) \$1,295.00.  Trustee's Motion to Dismiss #27 filed 10/27/23. Debtor's Response to Trustee's Motion to Dismiss filed 11/20/23 at #29.	\$1,195.20 or 0.92 mth 12/06/23 \$298.85 Wage Order	<b>Trustee does not recommend confirmation and recommends dismissal.</b>
<b>VASQUEZ LAW FIRM</b>  10/02/23 12/11/23 2/0 Bridget1	<b>23-50088</b>  <b>OFELIA O TENORIO</b>  \$1,540.00 BMI-BOTH	<b>Confirmation</b>  <b>Dismissal</b>  <b>Obj Conf Ovation Services LLC</b>  1. Plan #2 filed 10/02/23 does not comply with BLR 3015-1(a).  2. Plan fails to provide for all secured and priority claims, specifically, Ovation Services LLC claim #4 filed 12/05/23 is not provided for in full.  3. Debtor has failed to provide bank statements for the IBC checking account for 07/02/23 through 10/02/23.  Plan payments: 1 (Nov 2023)- 60 (Oct 2028) \$1,540.00.  Trustee's Motion to Dismiss #24 filed 11/22/23. Debtor's Response to Trustee's Motion to Dismiss filed 12/06/23 at #28.  Objection to Confirmation filed 11/22/23 by Ovation Services LLC at #23.	\$1,540.00 or 1.00 mth 11/21/23 \$1,540.00 ePay	<b>Trustee does not recommend confirmation and recommends dismissal.</b>

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