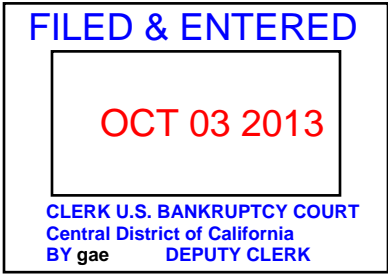


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UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
LOS ANGELES DIVISION

In re ) Case No.: 2:11-bk-58691-RK  
 )  
12 BLANCA ESTELA ALBILLO, ) Chapter 7  
 )  
13 Debtor. ) ORDER DENYING DEBTOR’S MOTION TO  
 ) REOPEN CASE  
 )  
15 ) (no hearing required)  
 )  
16 )  
 )  
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 )

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20 On September 12, 2013, Debtor filed a motion to reopen this bankruptcy case to  
21 add certain creditors to her bankruptcy schedules (Docket No. 18) (the “Motion”). The  
22 court has considered the moving papers and denies the Motion for the following  
23 reasons.

24 This is a Chapter 7 “no asset/no bar date” case. See Notice of Chapter 7  
25 Bankruptcy Case, Meeting of Creditors & Deadlines, filed on November 29, 2011, as  
26 Docket Entry No. 4. Reopening a case to add an omitted creditor is not necessary in a  
27 Chapter 7 “no asset/no bar date” case (where the court sent a notice directing creditors  
28 not to file a proof of claim). *In re Beezley*, 994 F.3d 1433, 1434 (9th Cir. 1993); see

1 also, 4 March, Ahart and Tchaikovsky, California Practice Guide: Bankruptcy, ¶ 23:133  
2 at 23-15 (2011). As stated in the United States Court of Appeals for the Ninth Circuit in  
3 *In re Beezley*, relief to reopen the case and add a creditor to the schedules is  
4 unnecessary because if the omitted debt is dischargeable under Section 523(a)(3)(A) of  
5 the Bankruptcy Code, 11 U.S.C., it was already discharged under Section 727 of the  
6 Bankruptcy Code; if the debt is non-dischargeable under Section 523(a)(2)(B) of the  
7 Bankruptcy Code, it was not discharged. *Id.* Thus, as held by the Court of Appeals in  
8 *In re Beezley*, reopening the case in order to amend the schedules would have not  
9 “accord[ed] relief to” the debtor, and would have been a “pointless exercise.” *In re*  
10 *Beezley*, 994 F.3d at 1434; see also, 11 U.S.C. § 350(b); 4 March, Ahart and  
11 Tchaikovsky, California Practice Guide: Bankruptcy, ¶ 23:133 at 23-15. Because  
12 decisions of the United States Court of Appeals for the Ninth Circuit, such as in  
13 *Beezley*, are controlling on this court, the court must deny the Motion.

14 Accordingly, the Motion is DENIED.

15 IT IS SO ORDERED.

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23 Date: October 3, 2013



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25 Robert Kwan  
26 United States Bankruptcy Judge  
27  
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## NOTICE OF ENTERED ORDER AND SERVICE LIST

Notice is given by the court that a judgment or order entitled (*specify*) **ORDER DENYING DEBTORS' MOTION TO REOPEN CASE** was entered on the date indicated as "Entered" on the first page of this judgment or order and will be served in the manner indicated below:

**I. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")** – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s), the foregoing document was served on the following person(s) by the court via NEF and hyperlink to the judgment or order. As of **October 2, 2013**, the following person(s) are currently on the Electronic Mail Notice List for this bankruptcy case or adversary proceeding to receive NEF transmission at the email address(es) indicated below:

- Vanessa M Haberbush vhaberbush@lbinsolvency.com, dhaberbush@lbinsolvency.com, ahhaberbush@lbinsolvency.com, julrich@lbinsolvency.com, abostic@lbinsolvency.com
- Sam S Leslie (TR) sleslie@trusteeleslie.com, sleslie@ecf.epiqsystems.com; trustee@trusteeleslie.com
- United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov
- Edward T Weber bknotice@rcolegal.com

**II. SERVED BY THE COURT VIA U.S. MAIL:** A copy of this notice and a true copy of this judgment or order was sent by U.S. Mail, first class, postage prepaid, to the following person(s) and/or entity(ies) at the address(es) indicated below:

***Debtor***

Blanca Estela Albillo  
1633 W 221th St  
Torrance, CA 90501

**III. TO BE SERVED BY THE LODGING PARTY:** Within 72 hours after receipt of a copy of this judgment or order which bears an "Entered" stamp, the party lodging the judgment or order will serve a complete copy bearing an "Entered" stamp by U.S. Mail, overnight mail, facsimile transmission or email and file a proof of service of the entered order on the following person(s) and/or entity(ies) at the address(es), facsimile transmission number(s) and/or email address(es) indicated below: