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**CHANGES MADE BY COURT**

**NOT FOR PUBLICATION**

**UNITED STATES BANKRUPTCY COURT**

**CENTRAL DISTRICT OF CALIFORNIA LOS ANGELES DIVISION**

**IN RE:** ) **CASE NO. 2:16-bk-25473-RK**  
 )  
**OMAR COSIO AND MONICA COSIO,** ) **CHAPTER 7**  
 )  
 ) **ORDER DENYING DEBTORS'**  
 ) **MOTION TO REOPEN**  
 ) **CLOSED CASE TO ALLOW DEBTORS TO**  
 ) **TO AMEND THEIR PETITION AND**  
 ) **SCHEDULES WITHOUT PREJUDICE**  
 )  
**DEBTORS.** )

The court having considered Debtors' Motion to Reopen Closed Case to Allow Debtors to Amend their Petition and Schedules to Include an omitted creditor pursuant to 11 U.S.C. §350(b),

**IT IS HEREBY ORDERED THAT:**

Debtors' request to reopen this no asset, no bar date Chapter 7 bankruptcy case to add an omitted debt to their bankruptcy schedules is denied because reopening the case for this purpose would not result in any meaningful relief for Debtors because debt dischargeability is not affected by scheduling as held by the United States Court of Appeals for the Ninth Circuit in its decision in *In re Beezley*, 994 F.2d 1433 (9th Cir. 1993), *citing* 11 U.S.C. §523(a)(3)(A) and (B), which decision is binding on this court being in the Ninth Circuit. As the Court of Appeals stated in *In re Beezley*, after a no

1 asset, no bar date Chapter 7 bankruptcy case has been closed, which is the situation in  
2 this case, debt dischargeability is unaffected by scheduling, and an amendment of  
3 bankruptcy schedules to list an omitted debt would be a “pointless exercise”. *Id.* at 1434.  
4 Denial of the motion to reopen this case is without prejudice to Debtors’ filing a renewed  
5 motion to reopen for meaningful relief, such as bringing a motion for contempt for  
6 violation of the discharge injunction against a creditor for attempting to enforce a  
7 discharged debt pursuant to Federal Rule of Bankruptcy Procedure 9020 in accordance  
8 with the procedures of this court set forth in Local Bankruptcy Rule 9020-1.

9 **IT IS SO ORDERED.**

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24 Date: September 20, 2018



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Robert Kwan  
United States Bankruptcy Judge