

In re:
Leslie E. Tingley
Debtor

Case No. 18-16396-WJ
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0973-6
Date Rcvd: Feb 25, 2021

User: ygoochC
Form ID: pdf042

Page 1 of 1
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 27, 2021:

Recip ID	Recipient Name and Address
db	+ Leslie E. Tingley, 35685 Abelia St, Murrieta, CA 92562-4462

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 27, 2021

Signature: /s/Joseph Speetjens

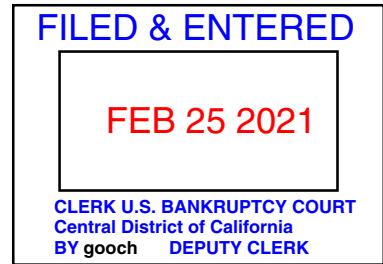
CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 25, 2021 at the address(es) listed below:

Name	Email Address
Howard B Grobstein (TR)	hbctrustee@gtllp.com C135@ecfbis.com
Michael D Franco	on behalf of Debtor Leslie E. Tingley francolawfirm@hotmail.com r58382@notify.bestcase.com
United States Trustee (RS)	ustpregion16.rs.ecf@usdoj.gov
Valerie Smith	on behalf of Interested Party Courtesy NEF claims@recoverycorp.com

TOTAL: 4

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
RIVERSIDE DIVISION

In re:

LESLIE E. TINGLEY,

Debtor.

Case No.: 6:18-bk-16396-WJ
CHAPTER 7

**ORDER CONVERTING PENDING
MATTER TO AN ADVERSARY
PROCEEDING**

AFFECTED UNION CREDITORS

- Board of Trustees of the Sheet Metal Workers Pension Plan of Southern California, Arizona and Nevada
- Board of Trustees of the Sheet Metal Workers Health Plan of Southern California, Arizona and Nevada
- Board of Trustees of the Southern California Sheet Metal Joint Apprenticeship and Training Committee
- Board of Trustees of the Sheet Metal Workers' International Association, Local Union No. 105 Union Dues Check-Off and Deferred Savings Fund
- Board of Trustees of the Sheet Metal Workers' Local 105 Retiree Health Plan
- Board of Trustees of the Southern California Sheet Metal Workers' 401(a) Plan
- Board of Trustees of the Southern California Labor Management Corporation Trust
- Board of Trustees of the Sheet Metal Industry Fund of Orange Empire

1 Currently pending before the Court is a motion by Terri Eden, the daughter of the
2 deceased debtor, Leslie Tingley, to reopen this bankruptcy case [docket #17] (“Motion to
3 Reopen”). Earlier today, the Court entered a separate memorandum of decision regarding the
4 matter. For the reasons set forth therein, the Court ORDERS:

5 1. The Motion to Reopen is hereby converted to an adversary proceeding. Within
6 thirty days Ms. Eden shall initiate a separate adversary proceeding by filing an adversary
7 complaint. Ms. Eden is directed to file one thorough complaint that clearly contains all the relief
8 sought by Ms. Eden in this bankruptcy case.

9 2. Specifically, the complaint needs to clearly assert that Ms. Eden seeks the following
10 relief: (a) an order reopening the bankruptcy case, (b) a declaration that Ms. Eden has standing to
11 file the motion to reopen, (c) a declaration that Ms. Eden is the proper representative of the probate
12 estate of Mr. Tingley, (d) a declaration that Ms. Eden shall be substituted in place of Mr. Tingley,
13 (e) a declaration that Ms. Eden has the right to assert claims under section 522(f) for the benefit of
14 the heirs of Mr. Tingley (as opposed to Mr. Tingley), (f) an order pursuant to section 522(f)
15 avoiding and extinguishing the lien of the Union Creditors and (g) any other relief desired by
16 Ms. Eden. The complaint needs to assert this relief clearly and starkly along with all the other
17 normal provisions in a complaint including jurisdiction allegations, party information and a full
18 recitation of relevant factual allegations.

19 3. In order to provide sufficient notice, the complaint should have (among other
20 things) a caption on the first page with a document title as follows (or comparable language):
21 “Complaint To Reopen Case, Avoid Lien of Union Creditors and Related Declaratory Relief”.
22 Ms. Eden shall attach a copy of this memorandum of decision and the accompanying order as
23 Exhibits 1 and 2 to the complaint. Ms. Eden should attach as Exhibit 3 a recorded copy of the
24 instrument that Ms. Eden seeks to avoid. Given that the Union Creditors have never been served in
25 this case, Ms. Eden should also attach as exhibits to the complaint the petition, the schedules, the
26 statement of financial affairs, all other case initiation documents and any amended schedules.
27 Ms. Eden should also attach any other appropriate exhibits to the complaint.

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

4. In order to provide time for Ms. Eden to file her complaint, the Court hereby continues the pending hearing regarding the Motion to Reopen from February 26, 2021 at 1:00 p.m. to May 13, 2021 at 3:00 p.m.

IT IS SO ORDERED.

Date: February 25, 2021



Wayne Johnson
United States Bankruptcy Judge