

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
Statesville Division

Honorable Laura T. Beyer Presiding

FRIDAY, JANUARY 6, 2017

Steven G. Tate, Trustee

9:30 a.m.

1)	13	Roy H. Prescott, II	16-50300	Hearing on Trustee's motion for status hearing (23)
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B. CARTER

2)	13	Jan R. Wellborn	14-50580	7th continued hearing on order confirming Chapter 13 plan (73)
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2nd continued hearing on motion to determine value of claim [PennyMacLoan Services, LLC] (114); Trustee's response (116)

Hearing on Trustee's motion to dismiss or modify plan for failure to make plan payments (126)

DALRYMPLE
GREENE

3)	13	John L. Fraley, Jr.	15-50574	2 nd continued hearing on Trustee's motion to dismiss or modify plan for payment default (55)
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GARDNER

4)	13	Sheila M. Collins Shawn E. Collins	15-50291	3rd continued hearing on Trustee's motion to dismiss or modify plan (37)
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GRIFFIN
STALEY

5)	13	Mechell R. Singletary	12-50740	Continued hearing on Trustee's motion to dismiss or modify plan for payment default (38)
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LAMONTAGNE

6)	13	Maurice R. Elledge	14-50477	13 th continued hearing on Trustee's motion to dismiss or modify plan for payment default (16)
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LANEY

7)	13	Michael A. Murrell Christine M. Murrell	13-50032	Continued hearing on Trustee's motion to dismiss or modify plan for payment default (71)
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COURT

8)	13	Frankie A. Puckett	16-50104	Status hearing on order granting debtor's motion to modify plan (75, 60)
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COURT

9)	13	Jesse M. Coffey	15-50384	4th continued hearing on debtor's objection to claim (22); response [JPMorgan Chase Bank, N.A.] (24)
				4th continued hearing on debtor's objection to notice of plan modification (23, 21)

LUCK
LISCHWE

10)	13	Boyce T. Galloway, Sr.	16-50536	Continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (12, 11)
				Continued hearing on debtor's objection to claim (14); response [PYOD, LLC] (15)

LUCK
MENK

11)	13	Mary B. Absher	16-50547	Continued hearing on Trustee's motion to dismiss or modify plan (17)
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LUCK

12)	13	David R. Studer Heather M. Studer	13-50941	3 rd continued hearing on Trustee's motion to dismiss or modify plan for payment default (58)
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BRUDI

13)	13	Kristen L. Minton	14-50382	Hearing on Trustee's motion to dismiss or modify plan for payment default (33)
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BRUDI

14)	13	Karen E. Jacobs	15-50801	4 th continued hearing on Trustee's motion to dismiss or modify plan (18)
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BRUDI

15)	13	Eric J. Meyers Jill M. Meyers	16-50293	Continued hearing on Trustee's motion for status hearing (25)
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BRUDI

16)	13	Jeff A. Merkel Christine S. Merkel	16-50616	Hearing on debtors' motion for authority to use funds (12); Trustee's response (14)
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BRUDI

17)	13	Kevin D. Johnson Terri L. Johnson	16-50750	Status hearing on bench order granting debtors' motion to deem withdrawn funds as beyond the reach of the estate (7)
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BRUDI

18)	13	Justin D. Hutchens Rogina C. Hutchens	13-50902	Continued hearing on Trustee's motion to dismiss or modify plan for payment default (46)
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FLIPPIN

- 19) 13 Carolyn J. Shotwell 15-50404 5th continued hearing on Trustee's motion to dismiss or modify plan for payment default (29)
- Continued hearing on debtor's motion to approve settlement (35); Trustee's response (39)

FLIPPIN

- 20) 13 Christine H. Bumgarner 15-50594 Continued hearing on motion for relief from stay [Yadkin Bank] (20); debtor's response (21)

FLIPPIN
PETTIT

- 21) 13 Wanda I. Colen 16-50427 2nd continued hearing on debtors' objection to claim (12); response [Triplett Ridge Property Owners Association] (13)
- Henry E. Colen
- 2nd continued hearing on objection to confirmation [Triplett Ridge Property Owners Association] (14, 5)
- Hearing on debtors' motion for sanctions against Triplett Ridge Property Owners Association, Inc. for violation of the automatic stay (16)

FLIPPIN
LANEY

22)	13	Nicholas O. McBride Amy L. McBride	16-50614	Continued hearing on motion for relief from stay [First Investors Servicing Corporation] (9); debtors' response (11)
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FLIPPIN
REDMAN

23)	13	Gerald C. Billings	16-50635	Hearing on motion for sanctions against Nationstar Mortgage, LLC for creditor misconduct (16); response [NationStar Mortgage, LLC] (23)
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FLIPPIN
KIRK

24)	13	Kathy J. Henderson	11-51089	Hearing on debtor's motion to set aside dismissal of case (55, 52)
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MALLORY

25)	13	Anthony A. Zorn	12-50604	Hearing on Trustee's [John W. Taylor] motion to turnover (51)
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MALLORY
TAYLOR

26)	13	Diedra D. Redmond	12-50874	Continued hearing on Trustee's motion to dismiss or modify plan for payment default (26)
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MALLORY

27)	Adv. Smith v. Smith	15-05034 13 13-50927	2 nd continued pre-trial conference (8)
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MALLORY
GOURLEY

28)	13 Joe L. Steele Carolene W. Steele	15-50696	4th continued status hearing on order confirming debtors' Chapter 13 plan (12)
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Continued hearing on Trustee's
motion to dismiss or modify plan
for payment default (24)

MALLORY

29)	13 Mark A. Wilson Jennifer L. Wilson	16-50168	3 rd continued hearing on Trustee's motion to dismiss or modify plan for payment default (22)
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MALLORY

30)	13 Patrick S. Terry Dana M. Terry	11-50977	Continued hearing on motion for approval of loan modification [Selene Finance, LP] (63); Trustee's response (65)
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WOOD
STEWART

31)	13 Tyrone W. Morrison Peggy P. Morrison	14-50367	Hearing on Trustee's motion to dismiss or modify plan for payment default (36)
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WOOD

32)	13	James R. Weikle Sondra S. Weikle	14-50537	3rd continued status hearing on order granting debtors' motion to approve trial loan modification (53, 50, 40)
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WOOD

33)	13	Randall C. Shull Vanessa M. Shull	14-50626	Hearing on debtors' motion for moratorium (31); Trustee's response (32)
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WOOD

34)	13	Benny J. West Debra H. West	15-50260	Hearing on debtors' motion for approval of transfer of vehicle (55)
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WOOD

35)	13	Barbara H. Goins	15-50555	3 rd continued hearing on Trustee's motion to dismiss or modify plan (62)
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Hearing on debtor's motion to incur debt (65); Trustee's response (66)

WOOD

36)	13	Wade Haynes, Jr.	15-50712	Continued hearing on debtor's motion to modify plan (27); Trustee's response (30)
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Continued status hearing on order granting in part and denying in part Trustee's motion to dismiss or modify plan for payment default (21, 18)

WOOD

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| 37) | 13 | Mary Catherine B. Hoke | 15-50740 | Continued hearing on Trustee's motion for status hearing (33) |
| | | WOOD | | |
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| 38) | 13 | David A. Hoyle
Teresa C. Hoyle | 16-50278 | Hearing on Trustee's motion to dismiss or modify plan for payment default (19) |
| | | WOOD | | |
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| 39) | 13 | David W. Hollar
Brenda R. Hollar | 16-50330 | 2 nd continued hearing on objection to confirmation of plan [Clark Partners, LLC] (38, 16) |
| | | WOOD
GOUDES | | |
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| 40) | 13 | Glenda J. Stidham | 16-50646 | Hearing on debtor's motion to extend second Chapter 13 payment (10) |
| | | WOOD | | |
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| 41) | 13 | Michael T. Warren | 16-50651 | Hearing on objection to confirmation of plan [Mary A. Warren] (12, 9) |
| | | WOOD
HUNTER | | |
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| 42) | 13 | Robert W. Balatow, Sr.
Yvette S. Balatow | 16-50665 | Hearing on debtors' motion to extend second Chapter 13 payment (12); Trustee's response (13) |
| | | WOOD | | |
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| 43) | 13 | Kenneth E. Carpenter, III | 16-50777 | Hearing on court order to appear |

Julie S. Carpenter

and show cause for dismissal of case (5, 1)

Hearing on debtors' motion to extend the automatic stay (4); Trustee's response (9)

WOOD

44) 13 Roger A. Moss

12-50575

Hearing on Trustee's motion to dismiss or modify plan for payment default (32); response [Larry Cheek] (33)

GOURLEY
DELK

45) 13 James H. Ruhr
Marnne T. Day-Ruhr

14-50538

Hearing on Trustee's motion to dismiss or modify plan for payment default (41)

GOURLEY

46) 13 David L. Dalton
Tamera F. Dalton

14-50827

Hearing on Trustee's motion to dismiss or modify plan for payment default (34)

GOURLEY

47)	13	Diego Alvarado	15-50671	Continued hearing on Trustee's motion to dismiss or modify plan for payment default (29)
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GOURLEY

48)	13	Joan P. Frickhoeffer	16-50082	2 nd continued hearing on debtor's objection to claim (25); response [Discover Bank] (34)
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2nd continued hearing on debtor's objection to claim (26)

2nd continued hearing on debtor's objection to claim (27)

Continued status hearing on order confirming Chapter 13 plan (23, 14)

GOURLEY
OGBURN

49)	13	Deborah L. Bass Kenny R. Bass	16-50106	4 th continued hearing on debtors' objection to claim (22); response [USA/IRS] (25)
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GOURLEY
BECK

50)	13	Amanda H. Merchant Todd E. Merchant	16-50109	Continued hearing on debtors' motion to incur debt (23)
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Hearing on Trustee's motion to dismiss or modify plan for payment default (26)

GOURLEY

51)	13	Talmadge O. Conner, Jr. Alferia D. Conner	16-50123	3 rd continued hearing on Trustee's motion to dismiss or modify plan (19)
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GOURLEY

52)	13	David L. Rau	16-50141	3 rd continued hearing on debtor's objection to claim (15); response [USA/IRS] (17)
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GOURLEY

53)	13	Richard W. Wilson Allison L. Wilson	16-50245	Hearing on Trustee's motion to dismiss or modify plan for payment default (34)
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GOURLEY

54)	13	Earlie F. Goad, Jr.	16-50357	Hearing on motion for relief from stay [Melissa Goad] (22); debtor's response (23)
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GOURLEY
B. CARTER

55)	13	Michael A. Brown Jennifer A. Brown	16-50375	Hearing on Trustee's motion for status of hearing (22)
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Hearing on order confirming
plan (15)

GOURLEY

56)	13	Timothy D. Ross	16-50460	Hearing on debtor's motion to modify plan (28); Trustee's response (30)
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GOURLEY

57) 13 Charles A. Bailey

16-50568

Hearing on Trustee's objection to
confirmation of Chapter 13 plan
and motion to dismiss (19, 9)

GOURLEY

11:00 a.m.

58) 7 Fox Den Development Company, 16-50515
LLC

Continued hearing on motion to appear pro hac vice [James M. Hash on behalf of Ethel P. Goforth Primary Trust (33); response [Estate of Nancy Burke, Estate of Udean Burke] (36); Trustee's response (38)

Continued court notice of status hearing on missing schedules in case (52, 10)

Continued hearing on motion for continuance of hearing on pro hac vice admittance of David Price [Ethel P. Goforth Primary Trust] (62); Trustee's response (63)

PRO SE
JOHNSON
GORMAN/WRIGHT, TR.
HASH

59) 7 Fox Den Country Club, LLC 16-50516

Continued hearing on motion to appear pro hac vice [James M. Hash on behalf of Ethel P. Goforth Primary Trust] (35); response [Estate of Nancy Burke, Estate of Udean Burke] (37); Trustee's response (38)

Continued court notice of status hearing on missing schedules in case (41, 10)

Continued hearing on motion for continuance of hearing on pro hac vice admittance of David Price [Ethel P. Goforth Primary Trust] (42); Trustee's response (43)

PRO SE
JOHNSON
GORMAN/WRIGHT, TR.
HASH

- 60) 7 Christ Cathedral of Deliverance 16-50774 Hearing on court order to appear and show cause for dismissal of case (4, 1)
- PRO SE
HENDERSON, JR., TR.

- 61) 7 Larry D. Austin 12-50005 3rd continued hearing on Trustee's application to employ professional Morton G. Thalhimer, Inc. d/b/a Thalhimer, as property manager of Phillips Landing (118); debtor's response (120)
- 3rd continued hearing on debtor's joint motion to abandon [debtor & Phillip's Landing of Statesville, LP] (119); supplement [debtor & Phillip's Landing of Statesville, LP] (122); Trustee's response (123); reply [debtor & Phillip's Landing of Statesville, LP] (128)
- Hearing on debtor's motion to abandon (148)
- Hearing on Trustee's motion to approve settlement (149); objection [MSCI 2007-HQ12 Phillips Lane, LLC] (159)
- BADGER
CRAWFORD/TAYLOR, TR.
DECKER
WALDREP, JR.

- 62) 7 Cheryl M. Reynolds 15-50132 3rd continued hearing on Trustee's objection to exemptions (37)
- 3rd continued hearing on debtor's motion to amend Schedule C (39); Trustee's response (41)
- JONES/WRIGHT
TAYLOR, TR.

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|---|------|---------------------------------------|---------------|---|
| 63) | 11 | Kristoffer M. Boschele | 15-50825 | <p>2nd continued hearing on BA's objection to confirmation of plan (44, 25)</p> <p>Hearing on debtor's objection to claims (53, 1)</p> <p>Hearing on debtor's objection to claims (54, 1)</p> <p>Hearing on debtor's objection to claims (55, 1)</p> <p>Hearing on debtor's objection to claims (56, 1)</p> <p>Hearing on debtor's objection to claims (57, 1)</p> <p>Hearing on debtor's objection to claims (58, 1)</p> <p>Hearing on debtor's objection to claims (59, 1)</p> |
| <p>KIGHT
MENK
BANKRUPTCY ADMINISTRATOR</p> <p>-----</p> | | | | |
| 64) | 7 | Michael G. Johnson
Jill H. Johnson | 16-50488 | <p>3rd continued hearing on motion for relief from stay [Specialized Loan Servicing, LLC] (11); Trustee's response (12)</p> <p>Hearing on motion for relief from stay [Yadkin Bank] (20); Trustee's response (25)</p> |
| <p>LANEY
TAYLOR, TR.
MENK
PETTIT</p> <p>-----</p> | | | | |
| 65) | Adv. | Crawford
v. | 10-05067
7 | <p>Pre-trial conference (58)</p> |

Patrick Hospital Investors, LLC,
et al 09-50697

SHADDOCK/TAYLOR
BRUTON

CON'T TO 02/10/2017 @ 11:30

66) Adv. Crawford 11-05023 Continued pre-trial conference (21)
v. 7
Patrick Hospital Investors, LLC, 09-50697

SHADDOCK/TAYLOR
BRUTON

CON'T TO 02/10/2017 @ 11:30

67) 7 Christopher S. Becker 16-50298 Continued hearing on motion for
Monique M. Becker relief from stay [Citibank N.A.] (32,
29); debtors' response (31)

WOOD
HENDERSON, TR.
STEWART

68) 7 Duane A. Parker 16-50679 Continued hearing on motion to
abandon [Shuford Credit Union]
(9)

Hearing on debtor's motion to sell
property (14); Trustee's response
(20)

WOOD
HENDERSON, TR.
SUMMERLIN

11:30 a.m.

69) Adv. Warehouse Investments, LLC, et al 16-05006
v. 7
Frisbey, et al. 15-50841

Hearing on plaintiff's motion to
dismiss counterclaim (15);
plaintiff's brief (18)

Hearing on plaintiff Jeffrey
Jacomine's motion to dismiss third-
party complaint (16); brief (18)

GORHAM
MORGAN
WRIGHT
PRO SE

70) Adv. Vector Aerospace Engine Services 16-05002
v. 7
Mason 15-50754

2nd continued pre-trial conference
(17, 10)

Hearing on plaintiff's motion for
summary judgment (35, 20);
defendant's response (33, 27, 26);
plaintiff's reply (28)

WELLS
PRO SE
