

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
Charlotte Division

Laura T. Beyer, Judge Presiding

**TUESDAY, JANUARY 10, 2017**

***Warren L. Tadlock, Trustee***

**9:30 a.m.**

- 1) 13 Scott D. Rayfield 11-32691 Continued hearing on Trustee's motion to deem mortgage current or paid in full (29); response [Ditech Financial LLC] (11/18/16 doc)

SIGMON  
STALEY

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- 2) 13 Jeffrey Curry 14-30618 Hearing on debtors' motion to sell  
Kimblyn F. Curry property (35)

GROSHON

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- 3) 13 Robert A. Offord 14-30295 Hearing on Trustee's motion to dismiss or modify plan for payment default (60)

TEMPLETON

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- 4) 13 Catherine Macias 16-31642 Hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (16, 11)

DALRYMPLE

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- 5) 13 Jessica L. Conner 13-31339 2<sup>nd</sup> continued status hearing on order granting debtor's motion to modify Chapter 13 plan and determine status of claim (34)

DUNCAN

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- 6) 13 Derrick C. Moore, Sr. 14-31947 Continued hearing on motion for relief from stay [MidFirst Bank] (40); debtor's response (41)

DUNCAN  
EMREY

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- 7) 13 Thomas Brookins, Jr. 15-30150 Hearing on motion for relief from stay [Wells Fargo Bank, N.A.] (44); debtor's response (45)

DUNCAN  
MENK

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- 8) 13 Nichelle A. Terry 15-31333 Continued hearing on motion for relief from stay [HSBC Bank USA, N.A.] (29); debtor's response (30)

DUNCAN  
MENK

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9) 13 Leslie M. Gardner 15-30980 Hearing on Trustee's motion to dismiss or modify plan for payment default (45)

PRO SE

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10) 13 Elizabeth Cole 16-30960 5th continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (22, 15); debtor's response (28)

PRO SE

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11) 13 Michelle P. Heaton 16-31651 Continued hearing on objection to confirmation of plan [Nationstar Mortgage LLC] (17, 13)

PRO SE  
KIRK

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12) 13 Elizabeth G. Pou 16-31653 Continued hearing on debtor's motion to reconsider dismissal of case (21, 18)

PRO SE

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13) 13 Clayton D. Smith 16-31904 Hearing on court order to appear and show cause for dismissal of case (16, 1)

PRO SE

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**10:00 a.m.**

14) 13 Pratik C. Trivedi 13-31677 Hearing on motion for relief from stay [Belle Vista Condominium Owners Association, Inc.] (31); debtor's response (32)

HUNTER  
SELLERS

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15) 13 Felicia L. Caldwell 13-31680 3<sup>rd</sup> continued status hearing on order granting debtor's motion for authority to restructure mortgage payment (51)

LEZMAN

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16) 13 Randall Morris 14-31912 Status hearing on order granting debtors' motion to sell property (32, 28)  
Elisa Morris

LEZMAN

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17) 13 Tujuna Taft 14-32105 Hearing on motion for relief from stay [SunTrust Bank] (29); debtor's response (31)

LEZMAN  
REDMAN

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18) 13 Roosevelt Patterson, Jr. 15-30101 Hearing on Trustee's objection to claim (20); response [BB&T] (23)

Hearing on Trustee's objection to claim (21); response [BB&T] (23)

LEZMAN  
JOHNSON

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- 19) 13 Gloria Moses 16-31484 Hearing on debtor's motion for moratorium (15); Trustee's response (16)
- LEZMAN
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- 20) 13 Tenneh M. Kamara 16-32008 Hearing on court order to appear and show cause for dismissal of case (7, 4, 1)
- Hearing on debtor's motion to impose automatic stay (10)
- LEZMAN
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- 21) Adv. Jackson 16-03311 Hearing on defendant's motion to dismiss adversary proceeding for failure to state a claim (8); brief (9)  
v. 13  
Wells Fargo Bank, N.A. 16-30982  
d/b/a America's Servicing Co.
- BALENTINE  
EWING
- 
- 22) 13 Viola K. Walker King 15-30391 Hearing on motion for relief from stay and co-debtor stay [Wells Fargo Bank, N.A.] (32); debtor's response (33)
- CULP  
STALEY
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- 23) 13 Mae P. Fleming 16-30998 3rd continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (30, 19, 10, 2)  
Lowell C. Fleming
- Hearing on court order to appear and show cause (48)
- DOWLESS
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24) 13 Benjamin Hernandez 11-32534 Hearing on Trustee's motion to deem mortgage current or paid in full (34); response (11/18/2016 doc)

HANDS

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25) 13 Ernest N. Smith 16-30868 Hearing on application for compensation [Brian P. Hayes] (41, 39)

HAYES

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26) 13 Grace V. Lee 16-30978 Hearing on motion for relief from stay [Nationstar Mortgage LLC] (18); debtor's response (19)

HUB  
REDMAN

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27) Adv. James 16-03305 Pre-trial conference (7)  
v. 13  
Wright 16-30882

LEVINE  
BADGER

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28) 13 Carlos Y. Elder 15-30586 Hearing on motion for relief from stay [PennyMac Loan Services, LLC] (34); debtor's response (35)

MALLORY  
MENK

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CON'T TO 01/24/2017

29) 13 Carla M. Elmore 13-31133 Hearing on Trustee's motion to dismiss or  
modify plan for claim(s) (40)

MOSKOWITZ

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30) 13 Tomilayo F. Phillips 15-30635 Continued hearing on Trustee's motion to  
dismiss or modify plan for payment  
default (42)

PENNEBAKER

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31) 13 Timothy M. Hamilton 14-31598 Hearing on debtors' motion to modify  
Angela M. Hamilton plan (49)

R. TAYLOR

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32) 13 Paul T. Crump, Sr. 11-32658 Continued hearing on Trustee's motion to  
Sarah W. Crump exclude co-debtor's requirement to file  
certification (34)

BASH-FLOWERS

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33) 13 Sally Ellis 16-30583 4th continued hearing on Trustee's motion  
for review of status of plan (28)

3rd continued status hearing on order  
referencing debtor's objection to claim (42,  
35); response [CitiBank, N.A.] (45)

BASH-FLOWERS  
MENK

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34) 13 Kesha Mann 16-30948 Hearing on motion for relief from stay  
Antonio T. Mann [SunTrust Bank] (71, 67); debtors' response  
(82)

Hearing on motion for relief from stay and  
co-debtor stay [SunTrust Bank] (73, 69);  
debtors' response (81)

SHEEK  
REDMAN

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35) 13 Dwayne M. Phillips 16-31251 2<sup>nd</sup> continued hearing on Trustee's  
objection to confirmation of Chapter 13  
plan and motion to dismiss (16, 14, 11, 4);  
debtor's response (17)

SHEEK

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36) 13 Shene Bledsoe 16-31541 Hearing on debtor's objection to claim  
(11); response [Americredit Financial  
Services, Inc.] (17)

Hearing on Trustee's objection to  
confirmation of Chapter 13 plan and  
motion to dismiss (13, 5)

SHEEK  
WHITE

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37) 13 Deborah L. Sturdivant 14-31536 3<sup>rd</sup> continued hearing on Trustee's motion  
to dismiss or modify plan for claim(s) (37)

Continued hearing on debtor's objection  
to notice of mortgage payment change (45,  
02/09/16 doc); response [Select Portfolio  
Servicing, Inc.] (57)

Y. TAYLOR  
EMREY

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38) 13 Charles E. Queen 15-31513 3<sup>rd</sup> continued hearing on motion for relief from stay and co-debtor stay [JPMorgan Chase Bank, N.A.] (35); debtor's response (37)

Y. TAYLOR  
EMREY

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39) 13 Ernest Edgerton, Jr. 16-30619 2<sup>nd</sup> continued hearing on debtors' objection to claim (20); response [Real Time Resolutions, Inc.] (22)  
Constance D. Edgerton

Y. TAYLOR  
PINKSTON

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40) 13 Ketura A. Walker 16-30513 4<sup>th</sup> continued hearing on Trustee's motion for mortgage review (21)

Status hearing on order granting debtor's motion to modify plan (33)

BLOSSOM

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41) 13 Carrie O'Brien Dilsworth 16-31418 Continued hearing on motion for relief from stay [PHH Mortgage Corporation] (22); debtor's response (25)

BLOSSOM  
EMREY

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42) 13 Christopher E. Redfern 16-31516 Continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (22, 14); debtor's response (31)

Continued hearing on objection to confirmation of plan [CarMax Business Services LLC] (27, 14)

Hearing on motion for relief from stay [PNC Bank, N.A.] (36); debtor's response (39)

BLOSSOM  
REDMAN  
STALEY

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43) 13 Nasrin Daryoushfar 16-31765 Hearing on objection to confirmation of plan [Mojtaba Aryafar] (18, 12)

BLOSSOM  
HUNTER

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44) 13 Brooke Coleman-Gilmore 15-31548 Hearing on debtor's motion to sell real property (20, 18)

HOETHKE

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45) 13 Beverly A. Seigler 16-30783 Hearing on Trustee's motion to dismiss or modify plan for payment default (29)

Hearing on debtor's second motion to modify plan (32)

HOETHKE

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46) 13 Maket E. Bey 16-30883 Continued status hearing on order granting debtor's motion to modify plan (20)

HOETHKE

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47) 13 Richard E. Cheek 16-31481 Hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (23, 16, 2)

HOETHKE

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48) 13 Demontez F. Brown 16-31515 Continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (18, 2)

HOETHKE

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49) 13 Walter C. Griffin, III 16-31613 Hearing on motion to reconsider order [Fidelity Bank] (19, 17)  
Tonya Griffin

HOETHKE  
OGBURN

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50) 13 Steven D. Coutrier 16-31938 Hearing on debtor's motion to impose automatic stay (6)

HOETHKE

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**10:30 a.m.**

51) 13 Robin R. Lindsay 12-31013 Hearing on debtor's motion to approve settlement (42)

DILLENBECK

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52) 13 Yemisi O. Olojede 12-32783 Hearing on debtor's objection to notice of mortgage payment changes (34, 09/21/2016 doc, 08/17/2016 doc)

LOVE/DILLENBECK

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53) 13 Rudolph R. Jones, Jr. 13-31888 3<sup>rd</sup> continued hearing on motion for relief from stay and co-debtor stay [Freedom Mortgage Corporation] (35); debtor's response (38)

DILLENBECK  
CORCORAN

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54) 13 Terri L. Horton 13-32158 Hearing on debtor's motion to modify plan (46)

DILLENBECK

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55) 13 Stevan H. Van Lear 13-32456 Hearing on motion to withdraw as attorney [Sean T. Dillenbeck] (71)

Hearing on debtor's motion to approve sale of real property nunc pro tunc (76)

DILLENBECK

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56) 13 Laura R. Scruggs 15-31629 3<sup>rd</sup> continued status hearing on order granting debtor's motion to modify plan (22, 18)

Hearing on Trustee's motion to dismiss or modify plan for payment default (26)

LOVE

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57) 13 Diane T. Gist 15-31660 3<sup>rd</sup> continued status hearing on consent order conditionally denying motion for relief from stay [Bank of America, N.A.] (36, 29)

Hearing on debtor's motion to modify plan and approve trial modification (42)

LOVE/DILLENBECK  
EMREY

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58) 13 Delores A. Henderson 15-31853 Hearing on motion to withdraw as attorney [Kenneth Love] (25)

LOVE

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59) 13 Mark W. Brown 16-30168 4<sup>th</sup> continued hearing on debtor's objection to claim (9); response [USA/IRS] (15)

4<sup>th</sup> continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (13, 10, 2)

Hearing on motion for summary judgment regarding objection to claim [USA/IRS] (34); debtor's response (35); reply [USA/IRS] (36)

LOVE/DILLENBECK  
MCMONAGLE

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60) 13 Mary H. Crawford 16-30195 3<sup>rd</sup> continued hearing on Trustee's motion for mortgage review (14)

Continued hearing on motion for relief from stay [Ocwen] (24); debtor's response (26)

LOVE  
MENK

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61) 13 Philip L. Martz 16-30626 2<sup>nd</sup> continued hearing on Trustee's motion for mortgage review (26)

LOVE

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62) 13 Kertrenia S. Alexander 16-30660 2<sup>nd</sup> continued hearing on Trustee's motion for mortgage review (14)

LOVE

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63) 13 Sharon M. Cherry 16-30849 Continued hearing on Trustee's motion for mortgage review (13)

LOVE

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64) 13 Tighisti Kiflit 11-30189 Continued compliance hearing on order on motion for accounting (134, 129)

KARRENSTEIN

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**11:00 a.m.**

- 65) 13 Anita E. Byrd 11-30373 Continued hearing on Trustee's motion to dismiss or modify plan (35)
- Hearing on debtor's motion for hardship discharge (36)

WHITE

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- 66) 13 Alfred James N. Stitt 13-32486 2<sup>nd</sup> continued hearing on motion for relief from stay and co-debtor stay [JPMorgan Chase Bank, N.A.] (36); debtor's response (37)

WHITE  
MENK

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- 67) 13 Donald L. Pruette 15-30368 6<sup>th</sup> continued hearing on Trustee's motion to dismiss or modify plan for claim(s) (18)

WHITE

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- 68) 13 Carlos R. Robles Moreno 15-31549 Continued hearing on motion for relief from stay [Wells Fargo Bank, N.A.] (27); debtor's response (28)

WHITE  
EMREY

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- 69) 13 Sharyn D. Riddle 15-31881 Continued hearing on motion for relief from stay [Wells Fargo Bank, N.A.] (30); debtor's response (31)

WHITE  
EMREY

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70) 13 Valerie C. Rogers 16-31555 Hearing on Trustee's objection to  
confirmation of Chapter 13 plan and  
motion to dismiss (20, 18, 15)

WHITE

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71) 13 John D. Harris 16-31781 Hearing on objection to confirmation of  
plan [Founders Federal Credit Union] (9, 5)

WHITE  
ANDERSON

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**11:30 a.m.**

72) 13 Sharon F. Mabry 10-33528 Hearing on Trustee's motion to dismiss or modify plan for payment default and plan duration (59)

Hearing on motion to exclude conduit payment (62)

CUMMINGS

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73) 13 Regina J. Moore 12-30816 4<sup>th</sup> continued hearing on motion for relief from stay and co-debtor stay [Wells Fargo Bank, N.A.] (28); debtor's response (29)

CUMMINGS  
STALEY

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74) 13 Victor W. Parks 12-31853 Hearing on debtors' motion for moratorium (37)  
Yolanda J. Parks

CUMMINGS

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75) 13 LaVell D. Robson 13-30789 10<sup>th</sup> continued hearing on motion for relief from co-debtor stay [JPMorgan Chase Bank, N.A.] (24); debtor's response (25)

CUMMINGS  
STALEY

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76) 13 Timothy S. Walker 13-30863 Hearing on Trustee's motion to modify plan (31); debtors' response (32)  
Tracey S. Walker

CUMMINGS

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77) 13 Kali T. Dudley 13-30881 Hearing on debtor's motion to modify plan (36)

CUMMINGS

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78) 13 Cassandra R. Hudson 13-32540 Hearing on debtor's motion for moratorium (47)

CUMMINGS

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79) 13 Desiree L. Galbreith 14-32119 2<sup>nd</sup> continued hearing on debtor's motion to turnover (38, 37)

CUMMINGS

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80) 13 Jeffrey S. Roberts 15-30859 Continued hearing on motion for relief from stay [Waterford Lakes NC Partners, LLC] (35); debtor's response (36)

CUMMINGS  
SHADDOCK

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81) 13 Ebony N. McMillan 15-31931 Hearing on debtor's motion for moratorium (20); Trustee's response (22)

CUMMINGS

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82) 13 Chanty R. Pea 16-30428 Hearing on debtor's motion to modify plan (25)

CUMMINGS

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83) 13 Carmen C. Miller 16-31287 Continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (19, 17, 3)

CUMMINGS

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84) 13 Dorothy L. Davis 16-31421 2<sup>nd</sup> continued hearing on objection to confirmation of plan [U.S. Bank, N.A.] (15, 14)

CUMMINGS  
STALEY

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85) 13 Henry P. Moore 16-31970 Hearing on court order to appear and show cause for dismissal of case (7, 1)

CUMMINGS

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86) 13 Andrea M. Thomas 16-32016 Hearing on debtor's motion to extend automatic stay (6)

CUMMINGS

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87) 13 Derrick Raley, Sr. 16-32036 Hearing on debtor's motion to extend automatic stay (7)

CUMMINGS

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**1:30 p.m.**

- 88) 13 Shauna S. Sibila 12-30974 2<sup>nd</sup> continued hearing on debtor's objection to notice of mortgage payment change (45, 9/21/16 doc); response [Wells Fargo Bank, N.A.] (51)
- COLLIER  
JONAS  
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- 89) 13 Floyd D. Smith 13-32330 2<sup>nd</sup> continued hearing on debtor's objection to notice of mortgage payment change (25, 10/03/16 doc); response [Wells Fargo Bank, N.A.] (33)
- FROST  
JONAS  
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- 90) 13 Derrill M. Twomey 15-30673 Continued hearing on debtors' objection to notice of mortgage payment change (28, 11/09/16 doc); response [Wells Fargo Bank, N.A.] (30)  
Deborah P. Twomey
- FROST  
JONAS  
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- 91) 13 Christopher D. Cotton 14-30287 Status hearing on debtors' objection to notice of mortgage payment change and request for award of attorney's fees and costs and for rule 9011 sanctions (33, 27)  
Allison H. Cotton
- SIGMON  
JONAS  
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**2:00 p.m.**

92)	13	Shirley L. Fulton	11-32047	4 <sup>th</sup> continued hearing on Trustee's motion to dismiss or modify plan for payment default (72); debtor's response (73)
				Hearing on debtor's motion for hardship discharge (99)

BADGER

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93)	13	Daniel W. Wright	16-30882	Status hearing on orders referencing Trustee's objections to confirmation of Chapter 13 plan and motions to dismiss (49, 48)
				Continued hearing on objection to confirmation of plan [Gina and Michael Prather] (42)

BADGER  
CORDES

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94)	13	Keisha D. Bobo-Mazyck	16-31762	Hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (14, 9)
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GOUDES

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95)	13	Connie C. Holmes	16-31944	Hearing on debtor's motion to reconsider dismissal of case (10, 9)
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GOUDES

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96) 13 Alexander Patterson, Jr. 11-32504 3<sup>rd</sup> continued hearing on Trustee's motion to dismiss or modify plan for payment default and plan duration (45)

CROW

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97) 13 Darrin Clark 12-32911 Continued hearing on Trustee's motion to deem mortgage current or paid in full (42); response [Seterus, Inc.] (46)

CROW  
EMREY

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98) 13 Tamara L. Garris 16-30391 Hearing on debtor's motion to rescind dismissal of case (23)

CROW

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99) 13 Luis Y. Gil 10-31191 5<sup>th</sup> continued hearing on debtors' motion for sanctions against Seterus (72, 71)  
Cynthia A. Gil

SCHWILM

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100) 13 Betty Jo Orr 12-30227 2<sup>nd</sup> continued hearing on Trustee's motion to dismiss or modify plan for payment default and plan duration (32)

SCHWILM

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101) 13 John H. Wells, Jr. 12-31576 Continued status hearing on order granting debtors' motion to modify plan and mortgage for a trial period (35, 33)  
Nicole M. Wells

SCHWILM

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102)	13	Gilbert McClenningham Deborah McClenningham	15-30497	Hearing on debtors' motion to modify plan and mortgage for a trial period (32)
SCHWILM				
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103)	13	Tawanna T. Starks	16-30875	Hearing on debtor's objection to claim (25, 22, 21)
SCHWILM				
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104)	13	Queentine D. Sanders	16-31574	Continued hearing on debtor's motion to modify plan and mortgage for a trial period (28)
SCHWILM				
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105)	13	Tara K. Bell	16-31683	Continued hearing on debtor's objection to claim (17)
SCHWILM				
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106)	13	Imani T. Gilliam	16-31689	Continued hearing on debtor's objection to claim (15); response [USA/IRS] (18)
SCHWILM				
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107)	13	Wesley S. Alverson	13-31590	Hearing on Trustee's motion to dismiss or modify plan for payment default (68)
Hearing on debtor's motion to turnover funds because of mistaken payment or over payment of claim (71)				
UNDERHILL				
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108) 13 Arthur S. Frady 13-30654 Hearing on debtors' objection to claim (19)  
Emily G. Frady

PLANER

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109) 13 Billy C. Jenkins, Jr. 13-30689 Continued status hearing on order  
Lynda F. Malone Jenkins granting debtors' motion to incur debt (59,  
53)

Hearing on debtors' motion to approve  
mortgage loan modification for first  
mortgage with Chase; to add mortgage  
payment to plan as conduit payment; to  
shut down mortgage arrears claim; to set  
new plan payment (62); response  
[JPMorgan Chase Bank, N.A.] (65)

PLANER  
JONAS

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110) 13 Edna L. Harrison 13-31610 Continued status hearing on order  
granting debtor's motion to incur debt (48,  
46)

PLANER

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111) 13 Perry E. Whiting 13-32147 2<sup>nd</sup> continued hearing on Trustee's motion  
to dismiss, convert case or modify (49, 47)  
  
Hearing on debtor's objection to claim (54)

PLANER

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112) 13 Audrey L. Nolen 14-31468 Continued hearing on motion for relief  
from stay and co-debtor stay [Wells Fargo  
Bank, N.A.] (28); debtor's response (30)

PLANER  
MENK

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113) 13 Randy G. Haas 15-30581 Hearing on motion for relief from stay and  
Betty D. Haas co-debtor stay [Wells Fargo Bank, N.A.]  
(28); debtors' response (29)

PLANER  
STALEY

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114) 13 William H. Jarman, III 16-30123 9<sup>th</sup> continued hearing on Trustee's  
objection to confirmation of Chapter 13  
plan and motion to dismiss (21, 13)

PLANER

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115) 13 William A. Gardner 16-30738 3<sup>rd</sup> continued hearing on Trustee's  
Emila S. Gardner objection to confirmation of Chapter 13  
plan and motion to dismiss (16, 9, 2)

3<sup>rd</sup> continued hearing on debtors'  
objection to claim (18); response  
[USA/IRS] (25)

PLANER  
MOORE

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116) 13 John W. Warlick 16-30801 3<sup>rd</sup> continued hearing on Trustee's  
Angela E. Warlick objection to confirmation of Chapter 13  
plan and motion to dismiss (23, 9)

3<sup>rd</sup> continued hearing on debtors'  
objection to claim (24); response  
[USA/IRS] (30)

PLANER  
MOORE

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117)	13	Rickie S. Hooper Tammie W. Hooper	16-31296	Continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (13, 3)
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PLANER

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118)	13	Patricia L. Brugh	16-31714	Hearing on debtor's objection to claim (8)
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PLANER

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**2:30 p.m.**

119)	13	Tina R. Rhyne Oren K. Rhyne	14-30430	Continued hearing on Trustee's motion to dismiss or modify plan for payment default (54)  Hearing on debtors' motion to incur debt (63)
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PREVOST

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