

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
Statesville Division

Honorable Laura T. Beyer Presiding

THURSDAY, NOVEMBER 3, 2016

Steven G. Tate, Trustee

9:30 a.m.

- 1) 13 William L. Greene 15-50811 Hearing on Trustee's motion to  
Heather F. Greene dismiss or modify plan for  
payment default (26)

BOLGER

-----

- 2) 13 Eileen B. Mott 15-50534 Hearing on Trustee's motion to  
Lawrance C. Mott dismiss or modify plan for  
payment default (50); debtors'  
response (51)

Hearing on male debtor's motion  
for claim status determination (53)

BULL

-----

- 3) 13 Frankie A. Puckett 16-50104 Continued hearing on debtor's  
motion to modify plan (75, 60);  
Trustee's response (78, 69)

COURT

-----

- 4) 13 Remy C. Martin 14-50577 Hearing on Trustee's motion to  
dismiss or modify plan for  
payment default (29)

DILLENBECK

-----

5) 13 John L. Fraley, Jr. 15-50574 Hearing on Trustee's motion to dismiss or modify plan for payment default (55)

GARDNER

-----

6) 13 Sheila M. Collins 15-50291 Continued hearing on Trustee's motion to dismiss or modify plan (37)  
Shawn E. Collins

GRIFFIN

-----

7) 13 Michael Pickard 16-50366 Hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (33, 23, 17)  
Patricia A. Pickard

NEWMAN

-----

8) 13 Kevin R. Reece 14-50488 Hearing on debtor's motion to approve transaction (59); response [Victor Varela] (60)

PENNEBAKER

NARDONE

-----

9) 13 Matthew A. Hiner 16-50324 Hearing on debtors' motion to incur debt related to mortgage modification (34); Trustee's response (35)  
Kimberly E. Hiner

SUMMERLIN

-----

- 10) 13 Peter S. Cox  
Donna M. Cox 13-50865 Hearing on Trustee's motion to dismiss or modify plan for payment default (37)

WILLCOX

-----

- 11) 13 Scott W. Moore 16-50365 Continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (11, 2); debtor's response (12)

BADGER

-----

- 12) 13 Martha C. Cronin 16-50491 Continued hearing on debtor's motion to sell property (22); Trustee's response (25); response [Raymond J. Phillips] (38)
- Hearing on objection to confirmation of plan [Raymond J. Phillips] (31, 17)

BADGER  
SHERLOCK

-----

- 13) 13 Anthony M. Perrino  
Annie N. Perrino 13-50959 Hearing on motion for relief from stay [The Point Owners Association, Inc.] (72); debtors' objection (73)

BRUDI  
SELLERS

-----

- 14) 13 Stephen L. Moore  
Anna G. Moore 15-50629 Continued hearing on Trustee's motion to dismiss or modify plan for payment default (32)

BRUDI

-----

15) 13 Karen E. Jacobs 15-50801 2<sup>nd</sup> continued hearing on Trustee's motion to dismiss or modify plan (18)

Continued hearing on debtor's objection to claim (19); response [Avidia Bank] (25)

BRUDI  
BRUTON

-----

16) 13 Monty S. Poarch 11-50969 Continued hearing on Trustee's motion to dismiss or modify plan for payment default (50)

Continued hearing on debtors' motion to modify plan (52); Trustee's response (53)

ELLIOTT

-----

17) 13 James R. Weikle 14-50537 2<sup>nd</sup> continued status hearing on order granting debtors' motion to approve trial loan modification (53, 50, 40)

ELLIOTT

-----

18) 13 Tara Y. Byrd 15-50781 3<sup>rd</sup> continued status hearing on order granting debtor's motion for moratorium (25, 13)

ELLIOTT

-----

19) 13 Maurice R. Elledge 14-50477 12<sup>th</sup> continued hearing on Trustee's motion to dismiss or modify plan for payment default (16)

LANEY

-----

- 20) 13 Royal G. Broyhill 15-50796 Hearing on Trustee's motion to dismiss or modify plan for payment default (31)
- Hearing on debtor's motion for moratorium (39); Trustee's response (40)

LANEY

-----

- 21) 13 Walter C. Holloway 16-50401 Hearing on debtor's motion to extend (35); Trustee's response (37)

LANEY

-----

- 22) 13 David A. Jenkins 14-50467 Hearing on debtors' motion to modify plan (67); Trustee's response (73)
- Tammy H. Jenkins

FLIPPIN

-----

- 23) 13 Brandie S. Couch 15-50169 Continued hearing on Trustee's motion to dismiss or modify plan for payment default (39)

FLIPPIN

-----

- 24) 13 Carolyn J. Shotwell 15-50404 3rd continued hearing on Trustee's motion to dismiss or modify plan for payment default (29)

FLIPPIN

-----

- 25) 13 Wanda I. Colen 16-50427 Hearing on debtors' objection to claim (12); response [Triplett Ridge Property Owners Association] (13)  
Henry E. Colen  
  
Hearing on objection to claim [Triplett Ridge Property Owners Association] (14, 5)

FLIPPIN  
LANEY

-----

- 26) 13 Thomas R. Dent 16-50455 Hearing on female debtor's objection to claim (20); response [Nationstar Mortgage LLC] (26)  
Mary W. Dent

FLIPPIN  
STALEY

-----

- 27) 13 Timothy Best 12-50601 Continued hearing on debtors' motion to set aside order sustaining Trustee's objection to claim, modify plan to allow secured claim (64, 19); Trustee's response (65)  
Angela L. Best

MALLORY

-----

- 28) 13 Diedra D. Redmond 12-50874 Hearing on Trustee's motion to dismiss or modify plan for payment default (26)

MALLORY

-----

29) 13 Joe L. Steele 15-50696 3<sup>rd</sup> continued status hearing on  
Carolene W. Steele order confirming Chapter 13 plan  
(12)

Hearing on Trustee's motion to  
dismiss or modify plan for  
payment default (24)

MALLORY

-----

30) 13 Christopher D. Elliott 16-50024 Hearing on Trustee's motion to  
April T. Elliott dismiss or modify plan for  
payment default (30)

MALLORY

-----

31) 13 Mark A. Wilson 16-50168 Continued hearing on Trustee's  
Jennifer L. Wilson motion to dismiss or modify plan  
for payment default (22)

MALLORY

-----

32) 13 Stephanie L. Johnson 16-50637 Hearing on debtor's motion to  
extend automatic stay (10, 8, 4)

MALLORY

-----

33) 13 Dena P. Townsend 14-50364 2<sup>nd</sup> continued hearing on Trustee's  
motion to dismiss or modify plan  
for payment default (19)

WOOD

-----

34) 13 Benny J. West 15-50260 2<sup>nd</sup> continued hearing on Trustee's  
Debra H. West motion to dismiss or modify plan  
for payment default (35)

WOOD  
-----

35) 13 Barbara H. Goins 15-50555 Continued hearing on Trustee's  
motion to dismiss or modify plan  
(62)

WOOD  
-----

36) 13 Mary Catherine B. Hoke 15-50740 Hearing on Trustee's motion for  
status (33)

WOOD  
-----

37) 13 Anthony B. Holmes 16-50110 Continued status hearing on order  
Valerie P. Holmes overruling Trustee's objection to  
confirmation of denying motion to  
dismiss (31, 22)

Continued hearing on order  
confirming Chapter 13 plan (32)

Continued hearing on Trustee's  
motion to dismiss or modify plan  
for payment default (36)

WOOD  
-----

38) 13 David W. Hollar 16-50330 Hearing on objection to  
Brenda R. Hollar confirmation of plan [Clark  
Partners, LLC] (38, 16)

WOOD  
GOUDES  
-----

39) 13 Carolyn M. Woods 11-50045 4<sup>th</sup> continued hearing on debtor's motion to modify plan and cancel lien on title (36, 33)

LUCK  
-----

40) 13 Jessica M. Scott 14-50552 Continued hearing on Trustee's motion to dismiss or modify plan for payment default (32)

LUCK  
-----

41) 13 Jesse M. Coffey 15-50384 2<sup>nd</sup> continued hearing on debtor's objection to claim (22); response [JPMorgan Chase Bank, N.A.] (24)

2<sup>nd</sup> continued hearing on debtor's objection to notice of plan modification (23, 21)

LUCK  
LISCHWE  
-----

42) 13 Steven M. Greer  
Chelsea O. Greer 16-50387 Continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (17, 12, 9)

Hearing on objection to confirmation of plan [Springleaf Financial Services of America, Inc.] (20, 12); debtors' response (21)

LUCK  
-----

- 43) 13 Frank L. Combs  
Sylvia K. Combs 16-50481 2<sup>nd</sup> continued hearing on debtors' motion to restrain creditor Basic Finance (10)
- 2<sup>nd</sup> continued hearing on debtors' motion for sanctions against Basic Finance for violation of automatic stay (12); response [Basic Finance, Inc.] (13)
- Hearing on debtors' objection to claim (16)
- Hearing on objection to confirmation of plan [Basic Finance, Inc.] (19, 9)

LUCK  
OGBURN

-----

- 44) 13 Benjamin A. Combs 16-50487 Continued hearing on debtor's motion for sanctions against Basic Finance for violation of automatic stay (10); response [Basic Finance, Inc.] (15)
- Hearing on objection to confirmation of plan [Basic Finance, Inc.] (16, 9)

LUCK  
OGBURN

-----

- 45) 13 Sandy H. Foxx 16-50575 Hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (12, 7)

LUCK

-----

46) 13 Kenneth Robinson, Jr. 13-50095 Hearing on debtors' objection to  
Angie F. Robinson notice of plan modification (28, 26)

GOURLEY

-----

47) 13 Harris E. Green 14-50771 Hearing on debtor's motion to sell  
property free and clear of liens (65);  
response [Capital One, N.A.] (66)

GOURLEY  
PINKSTON

-----

48) 13 James L. Lester 15-50691 Hearing on Trustee's motion to  
Martha L. Lester dismiss or modify plan for  
payment default (38)

GOURLEY

-----

49) 13 Nancy E. Reavis 15-50818 Hearing on debtors' objection to  
Marvin E. Cheeks claim (29); Trustee's response (32)

Hearing on debtors' motion to  
reconsider order (30, 26); Trustee's  
response (31)

GOURLEY

-----

50) 13 Billy R. Torrence 15-50847 Hearing on debtor's motion to  
substitute collateral (33)

GOURLEY

-----

51) 13 Vickie R. York 16-50009 7th continued hearing on objection to confirmation of plan [Deutsche Bank National Trust Company] (25, 19)

3rd continued hearing on motion for relief from stay [Deutsche Bank National Trust Company] (30); debtor's response (32)

GOURLEY  
HUNT

-----

52) 13 Joan P. Frickhoeffer 16-50082 Hearing on debtor's objection to claim (25)

Hearing on debtor's objection to claim (26)

Hearing on debtor's objection to claim (27)

GOURLEY

-----

53) 13 Jeffrey A. Cardwell 16-50103 Hearing on Trustee's motion for determination of status of claims in confirmed plan (22); objection [USA/IRS] (28, 27)

Hearing on Trustee's motion to dismiss or modify plan for payment default (24)

GOURLEY  
BECK

-----

54) 13 Deborah L. Bass  
Kenny R. Bass 16-50106 3rd continued hearing on debtors' objection to claim (22); response [USA/IRS] (25)

GOURLEY  
BECK

-----

55) 13 Talmadge O. Conner, Jr. 16-50123 2<sup>nd</sup> continued hearing on Trustee's  
Alferia D. Conner motion to dismiss or modify plan  
(19)

GOURLEY

-----

56) 13 April F. Scott 16-50136 Hearing on debtor's motion for  
moratorium (18); Trustee's response  
(19)

GOURLEY

-----

57) 13 David L. Rau 16-50141 2<sup>nd</sup> continued hearing on debtor's  
objection to claim (15); response  
[USA/IRS] (17)

GOURLEY  
BECK

-----

58) 13 Jackson B. Jones 16-50248 Continued hearing on Trustee's  
Lori L. Jones motion to dismiss or modify plan  
for payment default (16)

GOURLEY

-----

59) 13 Robert D. Smith 16-50461 Continued hearing on objection to  
confirmation of plan [Cynthia B.  
Taylor] (12, 3)

Hearing on motion to withdraw as  
attorney [Robert H. Gourley, Jr.]  
(13)

GOURLEY  
FLETCHER

-----

60) 13 Michael C. Marshall 16-50506 Hearing on objection to  
Patricia H. Marshall confirmation of plan [Wells Fargo  
Bank, N.A.] (17, 12)

GOURLEY  
STEWART

-----

61) 13 Carolyn M. Daniels 16-50537 Hearing on debtor's objection to  
claim (16)  
  
Hearing on objection to  
confirmation of plan [DT  
Acceptance Corporation] (18, 13, 8)

GOURLEY  
WHITE

-----

62) 13 Linda H. Perry 16-50563 Hearing on objection to  
confirmation of plan [JPMC  
Specialty Mortgage LLC] (12, 7)

BRUDI  
STEWART

-----

10:30 a.m.

63) 7 Fox Den Country Club, LLC 16-50516 Hearing on Trustee's motion for order directing Fifth Third Bank to turnover funds in debtor's bank account (28)

PRO SE  
JOHNSON  
GORMAN/WRIGHT, TR.

-----

64) 7 Sandra D. Cole 16-50322 Continued status hearing on order granting debtor's motion to set aside order dismissing case (27)

Hearing on motion to withdraw as attorney [Dnaielle J. Brudi] (40); Trustee's objection (41)

Hearing on debtor's motion to reconsider order (42, 38)

BRUDI  
TAYLOR, TR.

-----

65) 7 Brenda B. Schlie 15-50799 3rd continued hearing on debtor's motion to avoid judgment lien of creditor (22); response [Wallace Hardware Company, Inc.] (24); debtor's response (28)

ELLIOTT  
HENDERSON, TR.  
SMITH

-----

66) 7 Marvin C. Waid 16-50593 Hearing on reaffirmation agreement (7, 6)  
Gerry A. Waid

FLIPPIN

-----

67) 7 Northwestern, Inc. 16-50003 Hearing on Trustee's motion for sanctions against Conbraco Industries, Inc. for violation of the automatic stay (76)

HAY  
TAYLOR, TR.

-----

68) 7 Westover Development Corp. 08-51053 Hearing on application to employ attorney Richard M. Mitchell as authorized agent (246)

MITCHELL  
CRAWFORD/SHADDOCK/TAYLOR/TISSUE, TR.

-----

69) Adv. Crawford 13-05032 10<sup>th</sup> continued hearing on  
v. 7 defendant Clay B. Bollinger's  
Bollinger, et al. 11-51092 motion to dismiss or motion to sever and motion for a more definite statement (12); Trustee's response (20)

SHADDOCK/TAYLOR  
ELLIOTT  
COOPER  
WOOD  
TUTTLE

-----

70) 7 Howard E. Campbell 14-50637 Hearing on motion to reopen  
Carolyn C. Campbell bankruptcy case [Steve Peters] (10); Trustee's response (11)

TUTTLE  
SIGMON, TR.  
BASDEN

-----

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

Continued pre-trial conference (17, 10)

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

WELLS  
PRO SE

-----

72) 7 Joseph V. Beam 15-50839  
Karen F. Beam

Hearing on motion for relief from stay [PHH Mortgage Corporation] (33); debtors' response (34)

WOOD  
GORMAN/WRIGHT, TR.  
STEWART

-----

73) 7 Jason S. Phillips 14-50237  
Heather H. Phillips

Continued hearing on Trustee's ex parte motion for authority to jointly market real property for sale (71); response [Martha C. Cronin] (81)

GOURLEY  
TAYLOR/CRAWFORD, TR.  
LANEY

-----

74) 7 Pamela M. Carter 16-50011

Hearing on Trustee's motion to for order directing debtor to turn over non-exempt funds (21)

GOURLEY  
WRIGHT, TR.

-----

75) 11 Thomas D. Gilchrist 15-50429 Hearing on debtor's motion to dismiss bankruptcy case for voluntary dismissal (67)

KIGHT

-----

76) 11 Kristoffer M. Boschele 15-50825 Continued hearing on BA's objection to confirmation of plan (44, 25)

Continued hearing on objection to confirmation of plan [Wilmington Savings Fund Society, FSB] (45, 25)

KIGHT  
BANKRUPTCY ADMINISTRATOR  
MENK

-----

77) Adv. Broyhill 16-05012 Continued hearing on motion for intervention and substitution [NC v. 7 State Education Assistance Authority] (9)  
Appalachian State University 16-50246

Continued hearing on defendant Appalachian State University's motion to dismiss adversary proceeding (12, 1)

Continued hearing on motion to substitute the U.S. Department of Education in place of defendant "US Dept. of Ed./Great Lakes Lo" (19, 16)

LANEY  
KIZIAH  
PRO SE  
PRO SE  
OGBURN  
BECK

-----

78) 7 Michael G. Johnson  
Jill H. Johnson

16-50488

Continued hearing on motion for relief from stay [Specialized Loan Servicing, LLC] (11); Trustee's response (12)

LANEY  
TAYLOR, TR.  
MENK

-----

11:00 a.m.

79) Adv. Crawford  
v.  
Phillips, et al.

16-05004  
7  
14-50237

Continued hearing on defendant Martha C. Cronin's motion for summary judgment (20); plaintiff's response (22)

Continued hearing on defendant Martha C. Cronin's motion to continue (23)

TAYLOR/CRAWFORD  
PRO SE  
LANEY

-----