

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION

Laura T. Beyer, Judge Presiding

**FRIDAY, MARCH 5, 2021**

*Steven G. Tate, Trustee*

In response to the Coronavirus (COVID-19) and in an effort to reduce the possibility of exposure to the virus and slow the spread of the disease, **THE HEARINGS SCHEDULED FOR MARCH 5, 2021 IN STATESVILLE WILL BE CONDUCTED TELEPHONICALLY.** If evidence needs to be presented in your case or you anticipate extensive argument, you will need to either continue the matter to a future hearing date in Statesville or contact chambers (704-350-7575) for a special setting. If the court is unable to understand a party or attorney appearing telephonically for technical reasons, the court will continue the hearing to a future hearing date.

All parties with cases on the 9:30 calendar should call in between 9:15 and 9:30. The court will lock the phone lines at 9:30 to avoid disruption.

The court will recess at 10:45 to allow parties with cases on the 11:00 calendar to call in between 10:45 and 11:00. The court will lock the phone lines at 11:00.

The dial-in numbers for March 5, 2021 are:

**Teleconference Number: 888-684-8852**

**Access Code: 4340964#**

**Security Code: 2759#**

**Additional information:**

**Please dial in using a landline, if possible.** The use of cell phones is discouraged due to dropping connections. If you choose to use a cell phone and the connection is dropped, you may not have immediate access to reconnect to the courtroom. **In addition, please do not use hands-free devices.** The phone line will be locked once court starts to avoid disruption. When all of your matters have been heard, the court will advise you when it is appropriate to disconnect.

**UNTIL YOUR CASE IS CALLED, please activate the mute button and do not place the call on hold** as it causes a disruption on the phone line and in court.

We appreciate your patience during this unprecedented public health challenge and wish you continued safety and good health. Please contact chambers at 704-350-7575 or email [beyer\\_hearings@ncwb.uscourts.gov](mailto:beyer_hearings@ncwb.uscourts.gov) if you have any questions or concerns.

9:30 a.m.

- 1) 13 Mary H. Flynn 19-50717 Hearing on Trustee's motion to dismiss for payment default (48)

COURT

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- 2) 13 Cynthia R. Wood 19-50139 Continued hearing on Trustee's motion to dismiss for payment default (39)

CUMMINGS

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- 3) 13 Rebecca H. Whitley 17-50140 Hearing on Trustee's motion to dismiss for payment default (69)

DUNCAN

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- 4) 13 Colleen K. Schwab 16-50768 Hearing on debtor's motion to modify plan (38); Trustee's response (39)

GROSHON

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- 5) 13 James E. Feldmeyer 20-50013 Continued hearing on motion for relief from stay [Community Loan Servicing, LLC] (80); debtors' response (81)  
Jill A. Feldmeyer

HAYES  
JONAS

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- 6) 13 John E. Nicholson 18-50151 2<sup>nd</sup> continued status hearing on order granting debtors' motion for temporary plan payment reduction (148, 145, 139, 125)  
Nora M. Nicholson

JOHNSON

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|-------------|----|-------------------------------------|----------|--|
| 7)          | 13 | James E. Vane                       | 16-50303 | 2 <sup>nd</sup> continued hearing on Trustee's motion to dismiss for payment default (59)                              |
| PERRY/WALLE |    |                                     |          |  |
| -----       |    |                                     |          |  |
| 8)          | 13 | Alvin E. Shook                      | 19-50355 | Hearing on Trustee's motion to dismiss for payment default (41)  |
| PLANER      |    |                                     |          |  |
| -----       |    |                                     |          |  |
| 9)          | 13 | Jackson G. Barker                   | 18-50791 | Hearing on Trustee's motion to dismiss for payment default (30)  |
| LANEY       |    |                                     |          |  |
| -----       |    |                                     |          |  |
| 10)         | 13 | Michael Lambert<br>Rita P. Lambert  | 19-50382 | 6 <sup>th</sup> continued status hearing on order granting debtors' motion for moratorium (71, 69, 64, 61, 57, 55, 47) |
| LANEY       |    |                                     |          |  |
| -----       |    |                                     |          |  |
| 11)         | 13 | James S. Eno<br>Elizabeth P. Eno    | 18-50276 | Status hearing on order granting debtors' motion to modify plan (52, 48)   |
| GROFF       |    |                                     |          |  |
| -----       |    |                                     |          |  |
| 12)         | 13 | David T. Young<br>Patricia L. Young | 19-50474 | Continued hearing on Trustee's motion to dismiss for payment default (54)  |
| GROFF       |    |                                     |          |  |
| -----       |    |                                     |          |  |

- 13) 13 Gregory A. Greene 19-50515 Hearing on motion for relief from stay  
Sara G. Greene [Nissan Motor Acceptance Corporation]  
(29); debtors' response (30)
- GROFF  
LAMB  
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- 14) 13 Robin T. Bennett 18-50476 2<sup>nd</sup> continued hearing on Trustee's motion  
to dismiss for payment default (33)
- 2<sup>nd</sup> continued status hearing on order  
granting debtor's motion for moratorium  
(51, 46, 42, 34)
- MALLORY  
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- 15) 13 John J. Galati, II 18-50512 3<sup>rd</sup> continued hearing on Trustee's motion  
to dismiss for payment default (46)
- Continued status hearing on order  
granting debtor's motion for moratorium  
(57, 56, 51, 48)
- MALLORY  
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- 16) 13 Diane L. Sterrett 18-50540 Continued hearing on Trustee's motion to  
dismiss for payment default (47)
- Status hearing on order granting debtor's  
motion for moratorium (53, 49)
- MALLORY  
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- 17) 13 Robert E. Christie 20-50365 Continued hearing on Trustee's motion to  
Angela E. Christie dismiss for failure to file documents (17)
- MALLORY  
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18) 13 James M. Shriner 15-50662 8<sup>th</sup> continued hearing on Trustee's motion  
Sandra C. Shriner to dismiss for payment default (33)

Hearing on motion to authorize permanent  
loan modification [NewRez LLC] (49);  
Trustee's response (53)

LUCK  
KEENAN

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19) 13 Larry E. Black, Jr. 17-50678 2<sup>nd</sup> continued hearing on Trustee's motion  
Katrina A. Black to dismiss for payment default (26)

LUCK

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20) 13 James K. Ball 19-50381 Hearing on Trustee's motion to dismiss for  
Lisa H. Ball payment default (65)

Status hearing on bench order granting  
debtors' motion for moratorium (66)

LUCK

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21) 13 Michelle C. Adams 19-50497 Hearing on Trustee's motion to dismiss for  
payment default (32)

LUCK

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22) 13 Rosalino Duarte 19-50722 5<sup>th</sup> continued hearing on Trustee's motion to dismiss for payment default (25)

4<sup>th</sup> continued status hearing on order granting debtor's motion for moratorium (40, 33, 32, 27)

LUCK

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23) 13 Cynthia A. Greer 20-50425 Hearing on court order to appear and show cause for dismissal of case (17, 15, 4)

LUCK

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24) 13 Mark D. Boyd  
Denise L. Boyd 17-50070 Hearing on Trustee's motion to dismiss for payment default (60)

WOOD

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25) 13 Bobby W. Guffey  
Tamara W. Guffey 18-50120 Hearing on Trustee's motion to dismiss for payment default (25)

WOOD

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26) 13 Linda P. Farley 18-50164 Hearing on Trustee's motion to dismiss for payment default (60)

WOOD

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27) 13 Misty D. Costner 18-50589 Hearing on motion for relief from stay [NASA Federal Credit Union] (45); debtor's response (46)

WOOD  
PINKSTON

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28) 13 Julie L. Ikard 18-50610 Hearing on Trustee's motion to dismiss for payment default (57)

WOOD

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29) 13 Christopher W. Worley 19-50670 4<sup>th</sup> continued hearing on Trustee's motion for status hearing (23)  
Karen W. Worley

WOOD

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30) 13 Gary L. Ledford 20-50070 Status hearing on order granting debtors' motion for moratorium (50, 48)  
Kate H. Ledford

WOOD

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31) 13 Freddie D. Bowers 20-50455 Hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (11, 9)

WOOD

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32) 13 Debora A. Criger 20-50460 Hearing on Trustee's motion to dismiss for failure to make plan payments (13)

WOOD

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33) 13 Mark A. Howell 16-50219 2<sup>nd</sup> continued hearing on Trustee's motion to dismiss for payment default (32)

Hearing on debtor's motion to use retirement funds (36); Trustee's response (38)

FLIPPIN

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34) 13 Robert M. Graybeal, Sr. 18-50445 Continued hearing on Trustee's motion to dismiss for payment default (29)  
Shelby A. Graybeal

FLIPPIN

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35) 13 Christopher F. Kiszka 18-50484 2<sup>nd</sup> continued hearing on Trustee's motion to dismiss for payment default (60)  
Erin R. Kiszka

Hearing on debtors' motion to modify plan (66); Trustee's response (69)

FLIPPIN

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36) 13 James S. Waddell 18-50572 Continued hearing on Trustee's motion to dismiss for payment default (18)

FLIPPIN

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37) 13 Rocky L. Matthews 19-50129 Hearing on Trustee's motion to dismiss for payment default (32)  
Lynn B. Matthews

FLIPPIN

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38) 13 Rebecca W. Carson 19-50148 Hearing on debtor's motion to sell property free and clear of liens and satisfy the plan early (36); response [Fay Servicing, LLC] (39)

FLIPPIN  
HEDRICK

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39) 13 Jose J. Santillan-Ramos 19-50211 Hearing on debtors' motion to modify plan (40); Trustee's response (43)  
Sandra B. Santillan-Ramos

FLIPPIN

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40) 13 Brooke L. Valdemar 19-50332 7<sup>th</sup> continued hearing on Trustee's motion to dismiss for payment default (24)

FLIPPIN

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41) 13 Johnny W. Clifton 20-50208 Continued hearing on Trustee's motion for determination of status of claims in confirmed plan (16); debtors' response (20)

Continued hearing on Trustee's motion to modify plan and set liability as to claims (17); debtors' response (21, 19)

FLIPPIN

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42) 13 Shawn C. Branon 20-50397 Continued hearing on Trustee's motion to dismiss for failure to make plan payments (10)

FLIPPIN

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43) 13 Richard M. Deal 20-50422 2<sup>nd</sup> continued hearing on objection to confirmation of plan [First National Bank of Pennsylvania] (14, 2)

FLIPPIN  
PETTIT

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44) 13 Clarence E. Bennett 15-50771 2<sup>nd</sup> continued hearing on Trustee's motion to deem mortgage current or paid in full (46); response [JP Morgan Chase Bank, National Association] (1/07/21 doc)

GOURLEY  
VINING

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45) 13 Charles A. Bailey 16-50568 Hearing on Trustee's motion to dismiss for payment default (47)

GOURLEY

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46) 13 Warren G. Shepherd 17-50465 Hearing on motion for relief from stay [4 Forty Four, Inc.] (27); debtor's response (31)

Hearing on debtor's motion to modify plan (24)

GOURLEY  
BROMBERGER

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47) 13 Edie B. Carroll 17-50493 Hearing on Trustee's motion to dismiss for payment default (63)

GOURLEY

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48) 13 Douglas J. Rocque 18-50162 3<sup>rd</sup> continued status hearing on order granting debtor's motion for moratorium (55, 48, 46)

GOURLEY

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49) 13 Nancy E. Reavis  
Marvin E. Cheeks 18-50178 Hearing on motion for order in aid of enforcement [Sharonview Federal Credit Union] (88)

GOURLEY  
KEENAN

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- 50) 13 Jeffery R. Villines 18-50371 Status hearing on order granting debtors' motion to modify plan (32, 28)  
April M. Villines
- GOURLEY
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- 51) 13 Mark A. Barber 18-50527 Continued hearing on debtor's motion to reconsider dismissal of case (84, 83, 80, 76); Trustee's response (82)
- GOURLEY
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- 52) 13 Janet T. Meadows 18-50660 Hearing on Trustee's motion to dismiss for payment default (46)
- GOURLEY
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- 53) 13 Michael A. Shull 18-50662 Hearing on Trustee's motion to dismiss for payment default (36)  
Amber A. Shull
- GOURLEY
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- 54) 13 Mark G. Owens 19-50149 Continued hearing on Trustee's motion to dismiss for payment default (33)
- GOURLEY
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- 55) 13 Hilda S. Gatton 19-50347 Hearing on Trustee's motion to dismiss for payment default (57)
- GOURLEY
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56) 13 Megan C. Norris 19-50535 Hearing on Trustee's motion to dismiss for payment default (39)

GOURLEY

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57) 13 Karen L. Rudolph 19-50588 Hearing on Trustee's motion to dismiss for payment default (37)

GOURLEY

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58) 13 Amber W. Smith 19-50644 2<sup>nd</sup> continued hearing on Trustee's motion to dismiss for payment default (35)  
Joshua K. Smith

GOURLEY

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59) Adv Young's Truck Center, 20-5005 Continued pre-trial conference (19, 17)  
Inc. Ch 13  
v. 20-50132  
Filiault, et al.

CAUDILL  
GOURLEY

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60) 13 Richard K. Filiault 20-50132 Hearing on debtors' motion to modify plan (50)  
Tammie J. Filiault

Hearing on debtors' motion for authority to compromise claim, purchase personal property and substitute collateral (54)

GOURLEY

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- 61) 13 George M. Morman, Jr. 20-50214 Continued hearing on debtors' objection  
Melicia K. Morman to claim (28)
- Hearing on Trustee's motion for  
determination of status of claims in  
confirmed plan (24); debtors' response (27)
- Hearing on Trustee's motion to modify  
plan (25); debtors' response (26)

GOURLEY

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- 62) 13 Bobby J. Crosby 20-50224 Hearing on Trustee's motion to dismiss for  
payment default (22)

GOURLEY

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- 63) 13 Kenny R. Bass 20-50256 Hearing on Trustee's motion to dismiss for  
Deborah N. Bass payment default (17)

GOURLEY

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- 64) 13 Mark O. Kling 20-50475 Hearing on Trustee's objection to  
Marife Z. Kling confirmation of Chapter 13 plan and  
motion to dismiss (20, 11, 9)

GOURLEY

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- 65) 13 Steven C. Myers 21-50002 Hearing on Trustee's motion to dismiss for  
failure to make plan payments (17)

GOURLEY

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**11:00 a.m.**

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|--|----|------------------------|----------|--|
| 66)  | 7  | Peter L. Zagaroli      | 18-50508 | 2 <sup>nd</sup> continued confirmation hearing on order granting Trustee's motion to sell property free and clear of liens (129, 113)          |
| <br>BRUMBAUGH<br>TAYLOR/MITCHELL, TR.<br><br>----- |    |                        |          |  |
| 67)  | 7  | Christina L. Fox       | 20-50296 | 4 <sup>th</sup> continued hearing on motion for relief from stay [TIAA, FSB] (12); Trustee's response (15)                                     |
| <br>GROFF<br>SUMMERLIN, TR.<br>VINING<br><br>----- |    |                        |          |  |
| 68)  | 7  | Kelly G. Riley         | 20-50253 | 4 <sup>th</sup> continued reaffirmation hearing (39, 25, 24)   |
| <br>PLANER<br>TAYLOR, TR.<br><br>-----             |    |                        |          |  |
| 69)  | 11 | Danny J. Cecile, Jr.   | 20-50285 | Status hearing on confirmation of debtor's Chapter 11 Subchapter V plan (69, 67)<br><br>Hearing on debtor's motion to approve settlement (148) |
| <br>WOODMAN/DIMATTEO<br>MARTINEZ, TR.<br><br>----- |    |                        |          |  |
| 70)  | 11 | Radford Quarries, Inc. | 19-50454 | 3 <sup>rd</sup> continued status hearing on court order and notice of status of hearing (157, 141)   |
| <br>BROWN/WRIGHT<br><br>-----                      |    |                        |          |  |

71) 11 Custom Design Group, LLC 20-50463

Continued hearing on motion to determine secured status in deposit accounts, to allow setoff, for adequate protection or in the alternative, for relief from the automatic stay [Peoples Bank] (30)

Hearing on motion to dismiss bankruptcy case for lack of authority [Dewyone "Pedie" King] (32)

BROWN/WRIGHT  
BOWERS, TR.  
PETTIT  
MARTINEZ

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