

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

Laura T. Beyer, Judge Presiding

FRIDAY, OCTOBER 2, 2020

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 OCTOBER 2, 2020 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 at 9:15.

All parties with cases on the 11:00 calendar should call in at 10:45.

The dial-in numbers for October 2, 2020 are:

Teleconference Number: 888-684-8852

Access Code: 4340964#

Security Code: 4623#

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 hearings@ncwd.net if you have any questions or concerns.

9:30 a.m.

- 1) 13 Martha C. Cronin 16-50491 11th continued hearing on debtor's objection to claim (61); response [Raymond J. Phillips] (62)
- 10th continued status hearing on order granting conditional confirmation of debtor's plan (66)
- 10th continued hearing on Trustee's motion for status hearing (95)

BADGER
SHERLOCK

- 2) 13 David M. Allen 19-50586 Continued hearing on Trustee's motion to dismiss for payment default (20)

CARTER

- 3) 13 April R. Crawford 18-50600 Hearing on Trustee's motion for status hearing (39)

COLEMAN

- 4) 13 Mary H. Flynn 19-50717 Hearing on Trustee's motion to dismiss for failure to make plan payments (40)

COURT

- 5) 13 James E. Feldmeyer 20-50013 2nd continued status hearing on order granting debtors' motion for plan payment moratorium (67, 63, 55, 50)
Jill A. Feldmeyer

HAYES

6) 13 Christopher P. Kidd 19-50702 Continued status hearing on order
Caroline E. Kidd granting debtors' motion for moratorium
(20, 19)

LEZMAN

7) 13 Alvin E. Shook 19-50355 2nd continued hearing on Trustee's motion
to dismiss for payment default (24)

Status hearing on order granting debtor's
motion for moratorium (34, 28)

PLANER

8) 13 Creag A. Hanson 20-50273 Hearing on Trustee's objection to
Tonya L. Hanson confirmation of Chapter 13 plan and
motion to dismiss (17, 3)

VUJOVIC

9) 13 Randall J. Greene 17-50303 Hearing on Trustee's motion to dismiss for
Cathy T. Greene payment default (35)

Hearing on debtors' motion for
moratorium (36); Trustee's response (38)

BOLGER

10) 13 Chastity R. Thomas 19-50455 Status hearing on order granting debtor's
motion for moratorium (38, 26)

BOLGER

11) 13 David T. Young 19-50474 3rd continued hearing on Trustee's motion to dismiss for payment default (32)

Continued status hearing on order granting debtors' motion for moratorium (48, 43, 40, 34)

BOLGER

12) 13 Stanley J. Burns 18-50477 2nd continued hearing on Trustee's motion to dismiss for payment default (50)

Continued status hearing on order granting debtor's motion for moratorium (57, 52)

LANEY

13) 13 Michael Lambert 19-50382 3rd continued status hearing on order granting debtors' motion for moratorium (61, 57, 55, 47)

Rita P. Lambert

LANEY

14) 13 Thomas D. Shumate 19-50705 2nd continued status hearing on order granting debtors' motion for moratorium (22, 21)

Wendy L. Shumate

LANEY

15) 13 Thomas D. McKinney 14-50388 Continued hearing on debtor's motion for sanctions for creditor misconduct (67)

GROFF

16) 13 Michelle L. Lipwich 19-50159 Hearing on Trustee's motion to modify plan (20); debtor's response (22)

Hearing on debtor's motion to use retirement funds (21); Trustee's response (23)

GROFF

17) 13 Derrick J. Smith 19-50278 Hearing on debtors' motion for trial loan modification (40, 37); Trustee's response (38); debtors' reply (39)
Tamika C. Smith

GROFF

18) 13 Kyle P. McNeely 20-50207 3rd continued hearing on objection to confirmation of plan [Jimmy R. Summerlin, Jr., Trustee] (13, 12, 3)

3rd continued hearing on objection to valuation of collateral [Jimmy R. Summerlin, Jr. Trustee] (14, 12, 3)

GROFF
SUMMERLIN

19) 13 Jeffrey W. Brown 17-50510 Hearing on debtors' motion to modify plan (49); Trustee's response (52)
Brittany P. Brown

FLIPPIN

20) 13 Addie L. Wilmoth 19-50306 Continued hearing on Trustee's motion to dismiss for payment default (21)
Shelby D. Wilmoth

FLIPPIN

21) 13 Brooke L. Valdemar 19-50332 2nd continued hearing on Trustee's motion to dismiss for payment default (24)

Status hearing on bench order granting debtor's motion to modify plan (28)

FLIPPIN

22) 13 Christopher A. Taylor 19-50602 Hearing on Trustee's motion to dismiss for payment default (33)

FLIPPIN

23) 13 Frank R. Temple 20-50289 Continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (18, 14, 2)
Evelyn M. Temple

Continued hearing on Trustee's objection to exemptions (15); debtors' response (22)

FLIPPIN

24) 13 Christopher D. Elliott 16-50024 Hearing on motion for relief from stay and co-debtor stay [Nationstar Mortgage LLC] (68); debtors' response (69)
April T. Elliott

MALLORY
J. BROWN

25) 13 John J. Galati, II 18-50512 Continued hearing on Trustee's motion to dismiss for payment default (46)

Hearing on debtor's motion for moratorium (51, 48)

MALLORY

26) 13 Paul C. Perry 18-50744 Continued hearing on Trustee's motion to dismiss for payment default (39)

MALLORY

27) 13 Walter Kasmir 19-50066 Continued hearing on Trustee's motion to dismiss for payment default (49)

Continued hearing on debtor's objection to notice of mortgage payment change (50, 3/6/20 doc); response [Wilmington Savings Fund Society, FSB] (52)

MALLORY
JONAS

28) 13 Vincent M. Mattox Shatarra H. Mattox 19-50480 Continued hearing on Trustee's motion to dismiss for payment default (39)

MALLORY

29) 13 Christopher S. Haynes 19-50692 4th continued hearing on Trustee's motion to dismiss for failure to make plan payments (27)

2nd continued hearing on Trustee's motion for status hearing (37, 35)

Continued status hearing on order granting debtor's motion for plan payment moratorium (43, 33)

MALLORY

30) 13 Bobby D. Abbott 17-50652 Hearing on Trustee's motion to dismiss for
Crystal P. Abbott payment default (65)

WOOD

31) 13 Azeem A. Wahid-Holman 18-50356 Continued hearing on Trustee's motion to
dismiss for payment default (41)

Hearing on debtor's motion for
moratorium (46)

WOOD

32) 13 Anthony S. Forney 19-50025 2nd continued hearing on Trustee's motion
to dismiss for payment default (42)

WOOD

33) 13 Mark A. Koback 19-50064 Hearing on Trustee's motion to dismiss for
payment default (30)

WOOD

34) 13 Brady L. White 19-50195 Hearing on debtor's motion to approve
settlement and insurance disbursement
(50); Trustee's response (51)

WOOD

35) 13 Ryan M. Lindahl 19-50567 Hearing on Trustee's motion to dismiss for
payment default (35)

WOOD

36) 13 James R. MacLeod 19-50633 Continued hearing on Trustee's motion to dismiss for payment default (20)

WOOD

37) 13 Gary L. Ledford 20-50070 Hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (40, 39, 33, 30, 27, 25, 15, 9)
Kate H. Ledford

WOOD

38) 13 Alex N. Guthrie 20-50082 Hearing on debtor's motion to approve settlement and modify plan (20)

WOOD

39) 13 James M. Shriner 15-50662 3rd continued hearing on Trustee's motion to dismiss for payment default (33)
Sandra C. Shriner

Status hearing on bench order granting debtors' motion for moratorium (36)

LUCK

40) 13 Jonathan B. Anderson 16-50541 3rd continued hearing on Trustee's motion to dismiss for payment default (31)

Status hearing on bench order granting debtor's motion for moratorium (34)

LUCK

41) 13 Leonel V. Chavez 17-50347 3rd continued hearing on Trustee's motion to dismiss for payment default (41)

Status hearing on bench order granting debtor's motion for moratorium (45)

LUCK

42) Adv Select Specialty Hospital - 18-5024 7th continued hearing on court order and notice of status hearing (22, 1)
Winston-Salem, Inc. Ch 13
v. 18-50473
Whitt

ADAMS/COOK
LUCK

43) 13 Travis B. Buttrey 18-50083 Hearing on Trustee's motion to dismiss for payment default (31)
Lisa W. Buttrey

Status hearing on bench order granting debtors' motion for moratorium (32)

LUCK

44) 13 Melissa G. Parsons 18-50125 Status hearing on bench order granting debtor's motion for moratorium (36)

LUCK

45) 13 Danny L. South 18-50207 Continued hearing on Trustee's motion to dismiss for payment default (32)

Status hearing on bench order granting debtor's motion for moratorium (34)

LUCK

46) 13 Lorraine E. Dulin 18-50632 3rd continued hearing on Trustee's motion to dismiss for payment default (53)

LUCK

47) 13 Franklin D. Miller 19-50021 2nd continued hearing on Trustee's motion to dismiss for payment default (22)

LUCK

48) 13 Penelope C. Clement 19-50131 Hearing on debtor's motion to approve settlement (28); Trustee's response (30)

LUCK

49) 13 George D. Wilcox
Jennifer D. Wilcox 19-50352 Continued hearing on Trustee's motion to dismiss for payment default (31)

Status hearing on bench order granting debtors' motion for moratorium (32)

LUCK

50) 13 James L. Lester
Martha L. Lester 19-50399 3rd continued hearing on Trustee's motion to dismiss for payment default (40)

LUCK

51) 13 Thomas D. Setzer 16-50058 2nd continued hearing on motion for relief from stay and co-debtor stay [Nationstar Mortgage LLC] (48); debtor's response (49)

GOURLEY
J. BROWN

52) 13 Sharon M. Walters 16-50115 Hearing on Trustee's motion to dismiss for payment default (47)

GOURLEY

53) 13 Athena D. Garnto 16-50475 Hearing on Trustee's motion to modify Gabriel I. Garnto plan (47); debtors' response (48)

GOURLEY

54) 13 Roger H. Jones 17-50355 4th continued hearing on Trustee's motion to dismiss for payment default (42)

3rd continued hearing on debtor's objection to claim no. 2 (45)

3rd continued hearing on debtor's objection to claim no. 3 (46); response [Wilmington Trust, National Association] (47)

GOURLEY
VINING

55) 13 Bradly G. Cardwell 17-50413 Hearing on Trustee's motion to dismiss for Belinda D. Cardwell payment default (31)

GOURLEY

56) 13 Audrey G. Stewart 17-50698 Hearing on Trustee's motion to dismiss for Katha V. Stewart payment default (35)

GOURLEY

57) 13 Douglas J. Rocque 18-50162 2nd continued status hearing on order granting debtor's motion for moratorium (48, 46)

GOURLEY

58) 13 Jeffery R. Villines 18-50371 Hearing on debtors' motion to modify plan (28); Trustee's response (30)
April M. Villines

GOURLEY

59) 13 Julie K. Gabriel 18-50463 3rd continued hearing on Trustee's motion to dismiss for payment default (39)

Status hearing on order granting debtor's motion for moratorium (52, 47)

GOURLEY

60) 13 Woodrow W. Parks III 18-50594 Continued hearing on Trustee's motion to dismiss for payment default (28)

Status hearing on order granting debtor's motion for moratorium (34, 30)

GOURLEY

61) 13 Julia A. McIntyre 18-50719 3rd continued status hearing on order granting debtors' motion for moratorium (38, 32)
John H. McIntyre

GOURLEY

62) 13 Jeremy D. Baker 18-50756 Hearing on Trustee's motion to dismiss for payment default (78)

GOURLEY

63) 13 Byron K. Long, Sr.
Joelin A. Long 19-50092 Continued status hearing on order granting debtors' motion for moratorium (44, 38)

GOURLEY

64) 13 Anita S. England 19-50418 Hearing on debtor's motion for order in aid of administration (69)

GOURLEY

65) 13 Daniel R. Reid 19-50450 Hearing on Trustee's motion to modify plan (22); debtor's response (23)

GOURLEY

66) 13 Wanda W. Steele 19-50493 3rd continued hearing on Trustee's motion to modify plan (30); debtor's response (31)

2nd continued hearing on debtor's objection to claim (32); response [IRS/USA] (33)

GOURLEY
BECK

67) 13 Tamnika D. Mayfield 19-50561 2nd continued hearing on Trustee's motion to dismiss for payment default (17)

GOURLEY

68) 13 Karen L. Rudolph 19-50588 Continued hearing on Trustee's motion to dismiss for payment default (20)

Status hearing on order granting debtor's motion for moratorium (27, 22)

GOURLEY

69) 13 Jeffrey K. Vargo 19-50593 Continued hearing on Trustee's motion to dismiss for payment default (38)
Sharyn J. Vargo

Continued hearing on Trustee's motion for determination of status of claims in confirmed plan (39); debtors' response (42)

Hearing on debtors' objection to claim (41)

GOURLEY

70) 13 Darrell L. Millsaps 19-50726 2nd continued hearing on debtors' objection to claim no. 33 (29); response [IRS/USA] (32)
Peggy C. Millsaps

GOURLEY
BECK

71) 13 Tracy R. Gwyn 20-50018 Hearing on Trustee's motion to dismiss for payment default (25)

GOURLEY

72) 13 Thomas S. Smith 20-50230 Hearing on debtors' objection to claim (11); response [USA/IRS] (14)
Heather M. Smith

GOURLEY
BECK

73) 13 Mary E. Watts 20-50309 Continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (23, 18, 6)

Hearing on objection to confirmation of plan [U.S. Bank National Association] (21, 6)

GOURLEY
JONAS

74) 13 Lora R. Davis 20-50344 Hearing on court order to appear and show cause (4, 1)

GOURLEY

11:00 a.m.

75) 11 Radford Quarries, Inc. 19-50454 Status hearing on court order and notice of status of hearing (157, 141)

BROWN/WRIGHT

76) 7 Peter L. Zagaroli 18-50508 2nd continued hearing on Trustee's motion to sell property free and clear of liens (113); response [PACT Company and Partners] (114)

BRUMBAUGH
TAYLOR/MITCHELL, TR.

77) 7 Joseph D. Roybal 19-50076 Hearing on motion to withdraw as attorney [Beth Carter] (42)
Heather R. Roybal

CARTER/CORDES
C. WRIGHT, TR.

78) 7 Christina L. Fox 20-50296 Continued hearing on motion for relief from stay [TIAA, FSB] (12); Trustee's response (15)

GROFF
SUMMERLIN, TR.
VINING

79) 7 Worley I. Robbins 16-50409 Hearing on debtor's motion to reopen case (12)

MEADOWS
D. HENDERSON, TR.

80) 7 Kelley G. Riley 20-50253 Hearing on Trustee's motion to turnover (12); debtor's response (13)

PLANER
TAYLOR, TR.

81) 11 Danny J. Cecile, Jr. 20-50285 Hearing on motion for relief from stay [Citizens Bank N.A.] (51); debtor's response (57)

WOODMAN
MARTINEZ, TR.
BIRCHER

82) 7 Sandy E. Wooten 16-50472 Hearing on motion to withdraw as attorney [Robert H. Gourley, Jr.] (68)
Victor G. Wooten

GOURLEY
TAYLOR, TR.

83) 7 William S. Goodrich 18-50066 Hearing on debtors' motion to convert case from Chapter 7 to Chapter 13 (67);
Aimee S. Goodrich response [Steven G. Tate] (70)

GOURLEY
C. WRIGHT, TR.
TATE

84) 11 Hayes & Hayes 18-50750 Continued hearing on court order and
Enterprises, LLC notice of status hearing (139, 133)

LANEY

85) 7 Carla J. Clontz 19-50443 2nd continued compliance hearing on order granting Trustee's motion for turnover (26, 23, 20, 17)

LANEY
TAYLOR, TR.

86) 11 Jewel Couture, LLC 20-50328 Hearing on court order setting Subchapter V status conference (5); debtor's pre-status conference report (21)

LANEY
BOWERS, TR.
