

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

Laura T. Beyer, Judge Presiding

FRIDAY, FEBRUARY 8, 2019

Steven G. Tate, Trustee

9:30 a.m.

- 1) 13 Paul A. Rauscher 18-50723 Hearing on Trustee's motion to dismiss for failure to make plan payments (13)

CASE DISMISSED

PRO SE

- 2) 13 Sandy H. Foxx 18-50779 Hearing on court order to appear and show cause for dismissal of case (12, 1)

Hearing on Trustee's motion to dismiss for failure to make plan payments (16)

PRO SE

- 3) 13 Marcus L. Poindexter 18-50792 Hearing on court order to appear and show cause for dismissal of case (14, 6, 1)

PRO SE

- 4) 13 Noel E. White 19-50009 Hearing on court order to appear and show cause for dismissal of case (4, 1)

Hearing on court order to appear and show cause for dismissal of case (7, 1)

PRO SE

- 5) 13 Sharon K. Setzer 18-50402 Continued hearing on Trustee's motion to modify plan (17)
Continued hearing on Trustee's motion for status hearing (18); debtor's response (19)

CASE CONVERTED TO CHAPTER 7

CARTER

- 6) 13 Jon C. Biggerstaff 15-50413 Hearing on debtors' motion to approve settlement, attorney fees and expenses for personal injury attorney nunc pro tunc and for additional attorney fees and costs (57); Trustee's response (60)
Dena G. Biggerstaff

HAMBY

- 7) 13 Michael E. Thompson, Sr. 19-50016 Hearing on debtors' motion to extend automatic stay (6); response [HSBC Bank USA, N.A.] (17)
Rita R. Thompson
Hearing on court order to appear and show cause for dismissal of case (9, 1)

PENNEBAKER
JONAS

- 8) 13 Julian E. Walker 18-50563 Hearing on debtor's motion to incur debt in relation to approval of mortgage loan modification, motion to exclude conduit payment, motion to modify plan during and following completion of loan modification and motion for non-base fees and costs and other related relief (31, 30)

SUMMERLIN

- 9) 13 Robin A. Mullins 17-50016 Hearing on debtor's motion to modify plan and allow debtor to retain insurance proceeds (31); Trustee's response (34)

Y. TAYLOR

10) 13 John H. Bowman 15-50779 Hearing on debtors' motion to approve
Peggy L. Bowman settlement and disburse excess funds for
replacement vehicle (45); Trustee's
response (46)

TUTTLE

11) 13 Tonya D. Parker 18-50716 Hearing on Trustee's motion to dismiss for
failure to make plan payments (12)

VUJOVIC

12) 13 George M. Levitt, Sr. 18-50380 Hearing on Trustee's motion to dismiss for
Kathy L. Levitt payment default (16)

BOLGER

13) 13 Diane H. Cable 18-50694 Hearing on Trustee's objection to
confirmation of chapter 13 plan and
motion to dismiss (15, 9, 8)

BOLGER

14) 13 Angela S. Wise 16-50531 Hearing on Trustee's motion to dismiss for
payment default (31); debtor's response
(33)

COLEMAN

15) 13 April R. Crawford 18-50600 Continued hearing on Trustee's motion to
dismiss for failure to make plan payments
(14)

COLEMAN

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| 16) | 13 | Regenia M. Skinner | 18-50674 | Hearing on Trustee's objection to confirmation of chapter 13 plan and motion to dismiss (24, 19, 9) |
| | | MALLORY | | |
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| 17) | 13 | Charles R. Lowrance
Loutinia B. Lowrance | 18-50702 | Hearing on Trustee's objection to confirmation of chapter 13 plan and motion to dismiss (20, 19, 9) |
| | | MALLORY | | |
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| 18) | 13 | Crystal E. Whitley | 17-50087 | Hearing on Trustee's motion to dismiss for payment default (46) |
| | | LANEY | | |
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| 19) | 13 | Thomas L. Walsh | 17-50548 | 2 nd continued hearing on Trustee's motion to dismiss for payment default (39) |
| | | LANEY | | |
| | | ----- | | |
| 20) | 13 | Stanley J. Burns | 18-50477 | 3 rd continued hearing on Trustee's objection to confirmation of chapter 13 plan and motion to dismiss (21, 13, 12, 9) |
| | | | | 3 rd continued hearing on debtor's objection to claim (15); Trustee's response (16); response [USA/IRS] (20) |
| | | LANEY
BECK | | |
| | | ----- | | |
| 21) | 13 | Angela D. Mastin | 16-50632 | Hearing on Trustee's motion to dismiss for payment default (47) |
| | | FLIPPIN | | |
| | | ----- | | |

- 22) 13 Stephen M. Crews 17-50425 8th continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (37, 35, 23, 16, 2)
- 8th continued hearing on objection to confirmation of plan [USA/IRS] (26, 24, 16, 2)
- 4th continued hearing on debtor's objection to claim (42); response [USA/IRS] (43)
- 4th continued hearing on Trustee's motion to dismiss or modify plan for payment default (58, 44)

FLIPPIN
BECK
McMONAGLE

- 23) 12 John A. Thompson, Jr. 17-50755 11th continued confirmation hearing on debtors' Chapter 12 plan (77, 15, 14); objection to debtors' schedules, exemptions and Chapter 12 plan of reorganization [Capital Bank, a division of First Tennessee Bank, National Association] (33, 30); objection to confirmation [Branch Banking & Trust] (86)
- Hearing on motion for relief from order under Rule 60(b)(1) [Branch Bank and Trust Company] (105) **CONSENT ORDER ENTERED**

FLIPPIN
LEONARD
PETTIT

- 24) 13 Joseph R. McMillian 18-50124 4th continued hearing on Trustee's motion to dismiss for failure to make plan payments (14)
- 2nd continued hearing on Trustee's motion for status hearing (22)
- Hearing on Trustee's motion to modify plan (26); debtor's response (28)
- Hearing on debtor's motion to sell property free and clear of liens nunc pro tunc (29)

FLIPPIN

- 25) 13 Trevor P. Ashline 17-50147 Hearing on debtor's motion to modify plan (55); Trustee's response (56)

GROFF

- 26) 13 Mark S. Prentice 18-50149 Hearing on Trustee's motion to dismiss for payment default (34)
Heather E. Prentice

GROFF

- 27) 13 Kenneth E. Cowan 18-50643 Continued hearing on debtor's objection to claim (16); response [USA/IRS] (18)
- Continued hearing on Trustee's objection to confirmation of chapter 13 plan and motion to dismiss (17, 8)

GROFF

BECK

- 28) 13 Christopher A. Thomas 18-50696 Hearing on Trustee's motion to dismiss for failure to make plan payments (14)
Wendy G. Thomas

GROFF

29) 13 Shelton Bell 19-50010 Hearing on court order to appear and show cause for dismissal of case (4, 1)

GROFF

30) 13 Joshua R. Griffin 14-50445 Hearing on Trustee's motion to dismiss for payment default (32)

LUCK

31) 13 Allen R. Barker 14-50540 Hearing on Trustee's motion to dismiss for payment default (39)

LUCK

32) 13 Mitchael P. Lambert 16-50493 Hearing on Trustee's motion to dismiss for payment default (28); debtor's response (29)

LUCK

33) 13 Anthony B. Cauthren 18-50456 Hearing on Trustee's motion for status hearing (16)

LUCK

34) 13 Teresa S. Whitt 18-50473 Hearing on Trustee's objection to confirmation of chapter 13 plan and motion to dismiss (38, 30, 22, 9); response in support [Select Specialty-Winston-Salem, Inc.] (32)

LUCK
ADAMS

35) 13 Lorraine E. Dulin 18-50632 Hearing on objection to confirmation of plan [Nuvelt Credit Company LLC] (30, 17)

LUCK
KEENAN

36) 13 Timothy S. Lakey 18-50699 Hearing on Trustee's objection to confirmation of chapter 13 plan and motion to dismiss (12, 9)
Donna B. Lakey

LUCK

37) 13 Darrin R. Duckworth 17-50675 Hearing on debtors' motion to modify plan (41); Trustee's response (42)
Kechia D. Duckworth

WOOD

38) 13 Scott L. Stamey 18-50364 Hearing on Trustee's motion to dismiss for payment default (18)

WOOD

39) 13 Steven D. Thigpen 18-50522 2nd continued hearing on objection to confirmation of plan and motion to dismiss [Shelly N. Thigpen] (26, 25, 20)

2nd continued hearing on Trustee's motion for status hearing (30)

WOOD
SUMMERLIN

40) 13 Stacey D. Earls 18-50556 Continued hearing on Trustee's motion for status hearing (21)

Hearing on debtor's motion for approval of permanent loan modification (28); Trustee's response (29)

WOOD

- 41) 13 Ronald F. Travis 18-50650 Continued hearing on Trustee's objection to confirmation of chapter 13 plan and motion to dismiss (15, 13, 3)
Peggy P. Travis

Hearing on debtors' objection to claim (18); Trustee's response (20); response [IRS/USA] (24)

WOOD
BECK

- 42) 13 Eric W. Taylor 18-50714 Hearing on Trustee's motion to dismiss for failure to make plan payments (15)
Cheryl G. Taylor

WOOD

- 43) 13 Debra W. Darnell 18-50773 Hearing on court order to appear and show cause for dismissal of case (14, 12, 3)

Hearing on Trustee's motion to dismiss bankruptcy case for failure to file documents (20)

WOOD

- 44) 13 Robert S. Abshire 19-50011 Hearing on debtors' motion to extend automatic stay (4); Trustee's response (7)
Elisha A. Abshire

WOOD

- 45) 13 Ricky L. Ellis 16-50494 Hearing on motion to withdraw as attorney [Robert H. Gourley, Jr.] (30)
Cheri T. Ellis

GOURLEY

- 46) 13 Diron M. Presnell 16-50791 2nd continued hearing on debtor's motion to incur debt (32); Trustee's response (33)

GOURLEY

47) 13 James H. Ruhr 17-50032 Hearing on Trustee's motion to dismiss for
Marnne T. Day-Ruhr payment default (35)

GOURLEY

48) 13 McKendree E. McNabb 17-50101 Continued hearing on Trustee's motion to
dismiss for failure to file documents (35)

GOURLEY

49) 13 Roger H. Jones 17-50355 Hearing on Trustee's motion to dismiss for
payment default (34)

GOURLEY

50) 13 Jerry P. Gryder 17-50557 Hearing on Trustee's motion to dismiss for
payment default (31)

GOURLEY

51) 13 Herlinda S. Pastore 18-50201 2nd continued hearing on Trustee's motion
to dismiss for payment default (22)

GOURLEY
BECK

52) 13 Timothy K. Ayers 18-50404 Continued hearing on Trustee's motion to
dismiss or modify plan for failure to file
documents (38)

Hearing on motion for relief from stay
[Capital Bank] (39); debtor's response (41)

Hearing on motion to include claim in
plan [CL45 MW Loan 1, LLC] (44);
Trustee's response (45)

GOURLEY
VONNEGUT
PETTIT

53) 13 Nicole L. Johnson 18-50450 Hearing on motion for relief from stay and
Brian Y. Johnson co-debtor stay [Ally Financial Inc.] (24);
debtors' response (25)

GOURLEY
KEENAN

54) 13 Aimee C. Culler 18-50663 Continued hearing on objection to
confirmation of plan [First National Bank
of Pennsylvania] (17, 14, 10)

GOURLEY
KEENAN

11:00 a.m.

55) 7 Dara L. Bertrand 18-50795 Hearing on court order to appear and show cause for dismissal of case (10, 1)

PRO SE
MITCHELL, TR.

56) 7 Stacey J. Mezzano 19-50023 Hearing on court order to appear and show cause for dismissal of case (10, 5)
William F. Mezzano

PRO SE
MITCHELL, TR.

57) 11 Professional Floor 18-50405 Continued hearing on debtor's motion to establish substantive consolidation procedures and bar date for creditor of TMS Property Solutions, LLC (75); brief in support (94)
Covering and Cleaning, Inc.

HAYES/WRIGHT

58) 7 Joshua M. Bushey 17-50484 2nd continued hearing on Trustee's objection to exemptions (36); debtor's response (43, 41)

MALLORY
J. TAYLOR, TR.

59) 11 Johnny W. Hayes 18-50316 3rd continued hearing on objection to exemptions [Live Oak Banking Company] (20)
Selena M. Hayes

2nd continued hearing on motion for examination under Rule 2004 of Hayes Family Farms, Inc. [Live Oak Banking Company] (54); debtors' response (63)

2nd continued hearing on motion for examination under Rule 2004 of JEMS

Healthcare, Inc. [Live Oak Banking Company] (55); debtors' response (63)

2nd continued hearing on motion for examination under Rule 2004 of Hayes & Hayes Enterprises, LLC [Live Oak Banking Company] (56); debtors' response (63)

2nd continued hearing on motion for examination under Rule 2004 of Caldwell Discount Drug Company, Inc. [Live Oak Banking Company] (57); debtors' response (63)

2nd continued hearing on motion for examination under Rule 2004 of Caldwell Medical Equipment and Supplies, Inc. [Live Oak Banking Company] (58); debtors' response (63)

2nd continued hearing on motion for examination under Rule 2004 of the Debtors [Live Oak Banking Company] (59); debtors' response (63)

Hearing on motion to extend time to object to discharge-dischargeability [Live Oak Banking Company] (108)

SUMMERLIN
PETTIT

60)	7	Bertha E. Carryer	18-50559	Continued hearing on motion for relief from stay [United Community Bank] (7); Trustee's response (8)
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VUJOVIC
J. TAYLOR, TR.
PINKSTON

- 61) 7 Sandy E. Wooten 16-50472 Continued hearing on motion for relief from stay [Members Credit Union] (47); Trustee's response (48)
Victor G. Wooten
- GOURLEY
J. TAYLOR, TR.
KEENAN
-
- 62) 7 Timothy J. Mitchell 16-50615 4th continued hearing on motion for relief from stay [Freedom Mortgage Corporation] (36); debtors' response (37)
Kimberly S. Mitchell
- GOURLEY
J. TAYLOR, TR.
VONNEGUT
-
- 63) 7 Deborah Y. Fagan 18-50432 3rd continued hearing on debtor's motion to avoid judgment lien (10); response [TBF Financial LLC] (11)
- WOOD
MITCHELL, TR.
PINKSTON
-
- 64) 7 Ilie Tamas 18-50807 Hearing on motion for relief from stay [SunTrust Bank] (11); debtor's response (12)
- WOOD
MITCHELL, TR.
REDMAN
-
- 65) 7 Sloop Properties, LLC 17-50728 Hearing on Trustee's motion for order directing First National Bank to close account held in debtor's name, or in the alternative, authorizing the Trustee to abandon the account (96)
- LANEY
WRIGHT, TR.
-

66) 7 Tammy M. Young 18-50679 Continued hearing on motion for relief
Christopher T. Young from stay [Santander Consumer USA Inc.]
(7); debtors' response (11)

Continued hearing on motion for relief
from stay [Wells Fargo Bank, N.A.] (9);
debtors' response (12)

LANEY
WRIGHT, TR.
KEENAN
VINING

67) 11 Hayes & Hayes 18-50750 2nd continued hearing on debtor's motion
Enterprises, LLC to use cash collateral (35, 30, 3)

Hearing on debtor's motion for final order
to use cash collateral (33)

Hearing on motion for examination under
Rule 2004 [Live Oak Banking Company]
(34)

LANEY
PETTIT

68) Adv Reclamation, LLC, et al 18-5023 Hearing on defendant's motion to
vs. Ch 7 dismiss adversary proceeding (8)
Zagaroli 18-50508

BRUMBAUGH
MITCHELL, TR.
SUMMERLIN

69) 7 Peter L. Zagaroli 18-50508 Continued hearing on motion to dismiss case [Rick Berry, James Clayton Neill, Neill Grading and Construction Company, Inc., Reclamation, LLC] (51); debtor's response (64)

Continued hearing on objection to exemptions [Rick Berry, James Clayton Neill, Neill Grading and Construction Company, Inc., Reclamation, LLC] (52)

BRUMBAUGH
MITCHELL, TR.
SUMMERLIN
