

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
Statesville Division

Laura T. Beyer, Judge Presiding

**FRIDAY, SEPTEMBER 7, 2018**

**Steven G. Tate, Trustee**

**9:30 a.m.**

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|----|----|---------------------------------------|----------|--|
| 1) | 13 | Sheila M. Collins<br>Shawn E. Collins | 15-50291 | Continued hearing on Trustee's motion to dismiss or modify plan for payment default (77, 68); debtors' response (72) |
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PRO SE

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| 2) | 13 | Nancy C. Pope | 16-50699 | Hearing on Trustee's motion to dismiss for payment default (36) |
|----|----|---------------|----------|---|

PRO SE

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|----|----|------------------|----------|---|
| 3) | 13 | Janice P. Burris | 18-50391 | Hearing on court order to appear and show cause for dismissal of case (10, 3, 1)<br><br>Hearing on BA's motion to dismiss bankruptcy case for credit counseling not filed within 180 days prior to filing petition (11) |
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PRO SE  
ABEL

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| 4) | 13 | Betty Phillips | 18-50437 | Hearing on BA's motion to dismiss bankruptcy case for credit counseling not filed within 180 days prior to filing petition (11)<br><br>Hearing on court order to appear and show cause for dismissal of case (15, 3, 1) |
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PRO SE  
ABEL

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- 5) 13 Michael J. Garvey 18-50455 Continued hearing on court order to appear and show cause for dismissal of case (16, 4, 1); BA's response in support (9)
- Hearing on BA's motion to dismiss bankruptcy case for credit counseling not filed within 180 days prior to filing (25)
- CARTER  
KENNY  
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- 6) 13 Joshua M. Anthony 18-50518 Hearing on court order to appear and show cause for dismissal of case (10, 1)
- PRO SE  
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- 7) 13 Valerie R. Huffin 18-50554 Hearing on debtor's motion to extend automatic stay (4)
- CUMMINGS  
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- 8) 13 Jerry G. Moore, Sr.  
Darlene P. Moore 14-50346 Hearing on debtors' motion to approve insurance settlement and amend exemptions (35); Trustee's response (37)
- DILLENBECK  
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- 9) 13 Kevin R. Reece 14-50488 Hearing on Trustee's motion to dismiss for failure to file documents (79)
- PENNEBAKER  
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- 10) 13 Curtis R. Ruhlin  
Sandra L. Ruhlin 17-50368 Hearing on motion to withdraw as attorney [Kayce C. Staehle] (42)
- STAEHLE  
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|-------------------|------|---|---------------------------|---|
| 11)               | 13   | Robert J. Tingman, Jr.<br>Jennifer R. Tingman | 13-50866                  | Hearing on Trustee's motion to dismiss for<br>payment default (31)  |
| WALLE             |      |   |                           |   |
| -----             |      |   |                           |   |
| 12)               | 13   | Thomas B. Gragg<br>Barbara A. Gragg           | 18-50360                  | Hearing on Trustee's motion to dismiss for<br>failure to make plan payments (11)  |
| WILLCOX           |      |   |                           |   |
| -----             |      |   |                           |   |
| 13)               | 13   | Jeremy D. Baker<br>Jennifer R. Baker          | 16-50751                  | Continued hearing on Trustee's motion to<br>modify plan (63); debtors' response (64)                                      |
| GROFF             |      |   |                           |   |
| -----             |      |   |                           |   |
| 14)               | 13   | Larry G. Pope                                 | 16-50811                  | Hearing on Trustee's motion to dismiss for<br>payment default (36)  |
| GROFF             |      |   |                           |   |
| -----             |      |   |                           |   |
| 15)               | Adv. | Nicholson, et al<br>v.<br>Malvern Bank        | 18-5015<br>13<br>18-50151 | Continued hearing on defendant's motion<br>to dismiss adversary proceeding for lack of<br>subject-matter jurisdiction (4) |
| JOHNSON<br>BRUTON |      |   |                           |   |
| -----             |      |   |                           |   |

16) 13 John E. Nicholson 18-50151 2<sup>nd</sup> continued hearing on Trustee's motion to dismiss for failure to make plan payments (47)

Hearing on debtors' objection to claim (59); response [IRS] (64)

Hearing on Trustee's objection to confirmation of chapter 13 plan and motion to dismiss (60, 49, 33, 25)

Hearing on objection to confirmation of plan [Cass County Bank] (62, 49, 33, 25)

JOHNSON  
BECK  
PETTIT

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17) 13 Lant M. Rhodes 13-50726 Hearing on Trustee's motion to dismiss for payment default (45)

LANEY

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18) 13 William C. Taylor 17-50438 Hearing on Trustee's motion to dismiss for failure to file documents (68)

LANEY

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19) 13 Johnny W. Hayes 18-50316 Continued hearing on motion to dismiss case [Live Oak Banking Company] (17)

Continued hearing on objection to exemptions [Live Oak Banking Company] (20)

Continued hearing on objection to confirmation of plan [Live Oak Banking Company] (25, 21, 15, 13)

SUMMERLIN  
PETTIT

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20) 13 Sharon A. Hunter 18-50471 Hearing on Trustee's motion to dismiss for failure to make plan payments (10); debtor's response (11)

SUMMERLIN

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21) 13 Kenneth J. Blevins 16-50155 Hearing on Trustee's motion to dismiss for payment default (32)  
Holly A. Blevins

MALLORY

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22) 13 Mark A. Wilson 16-50168 Hearing on Trustee's motion to dismiss for payment default (65)  
Jennifer L. Wilson

MALLORY

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23) 13 Lana T. Eliseo 17-50547 Continued hearing on motion for relief from stay [Wells Fargo Bank, N.A.] (79); debtor's response (81)

MALLORY  
JONAS

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24) 13 David R. Eller 15-50793 Hearing on debtors' motion to approve settlement and substitute collateral (32)  
Cassandra S. Eller

VUJOVIC

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25) 13 Terry L. Greene 18-50171 Continued hearing on Trustee's motion to dismiss for payment default (20)

VUJOVIC

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26) 13 Alvin L. Clark 18-50331 Continued hearing on Trustee's objection to confirmation of chapter 13 plan and motion to dismiss (10, 3)

VUJOVIC

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27)	13	Justin D. Hutchens Rogina C. Hutchens	13-50902	4 <sup>th</sup> continued hearing on Trustee's motion to dismiss or modify plan for payment default (59)
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FLIPPIN

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28)	13	Jeffrey W. Brown Brittany P. Brown	17-50510	Continued hearing on Trustee's motion to dismiss or modify plan for payment default (24)
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FLIPPIN

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29)	12	John A. Thompson, Jr. Amanda J. Thompson	17-50755	7 <sup>th</sup> continued confirmation hearing on debtors' Chapter 12 plan (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)
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2<sup>nd</sup> continued confirmation hearing on debtors' amended chapter 12 plan (77, 14); response [Branch Banking & Trust] (86)

FLIPPIN  
LEONARD  
PETTIT

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30)	13	Joseph R. McMillian	18-50124	Continued hearing on Trustee's motion to dismiss for failure to make plan payments (14)
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FLIPPIN

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- 31) 13 Fredrick R. Motley 14-50547 Continued status hearing on order granting debtor's motion for approval to pay mortgage trial period payments directly (57, 53)
- Continued hearing on Trustee's motion to dismiss for failure to make plan payments (62, 58)
- Hearing on motion to incur debt to approve loan modification [Specialized Loan Servicing LLC] (64); Trustee's response (65)
- WOOD  
LAMB  
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- 32) 13 Charles R. Allison, Jr. 16-50681 Hearing on Trustee's motion to dismiss for payment default (56)
- WOOD  
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- 33) 13 Alan S. Teague 17-50626 Hearing on Trustee's motion to dismiss (82)
- WOOD  
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- 34) 13 Bobby D. Abbott  
Crystal P. Abbott 17-50652 Hearing on motion for relief from stay [Specialized Loan Servicing LLC] (53); debtors' response (54)
- WOOD  
FLETCHER  
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- 35) 13 Doreen T. Abernathy 17-50657 2<sup>nd</sup> continued hearing on Trustee's motion to dismiss or modify plan for payment default (27)
- WOOD  
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36) 13 Jamie R. Parsons 17-50249 Hearing on Trustee's motion to dismiss for  
Shannon M. Parsons payment default (32)

BOLGER

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37) 13 Raymond F. Endicott 18-50190 Hearing on Trustee's motion to dismiss for  
payment default (21)

BOLGER

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38) 13 James S. Eno 18-50276 Hearing on Trustee's objection to claim  
Elizabeth P. Eno (13); response [Creekside Finance, Inc.]  
(17)

BOLGER  
WALLER

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39) 13 Steven R. Auton 18-50361 Hearing on Trustee's motion to dismiss for  
Cherish R. Auton failure to make plan payments (14)

BOLGER

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40) 13 Claudia W. Cleary 16-50706 2<sup>nd</sup> continued hearing on Trustee's motion  
to dismiss or modify plan for payment  
default (24)

LUCK

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41) 13 Jason N. Church 16-50708 Hearing on Trustee's motion to dismiss or  
modify plan for payment default (31)

LUCK

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42) 13 Jerry L. Walker 17-50080 Continued hearing on Trustee's motion to  
dismiss or modify plan for payment  
default (51)

LUCK

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43)	13	Ricky D. Roten Angel M. Roten	18-50240	Hearing on court order to appear and show cause for dismissal of case (22, 6, 2); debtors' response (27, 23)
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LUCK

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44)	13	Eugenia A. Mitchell	18-50293	Hearing on court order to appear and show cause for dismissal of case (17, 6); debtor's response (18)
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LUCK

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45)	13	Cecelia M. Ross	18-50514	Hearing on court order to appear and show cause for dismissal of case (8, 1)
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LUCK

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46)	13	Michael E. Thompson, Sr. Rita R. Thompson	16-50016	Hearing on Trustee's motion to dismiss for payment default (45)
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GOURLEY

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47)	13	Timothy L. Lackey Melissa M. Lackey	16-50137	Hearing on Trustee's motion to dismiss for payment default (50)
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GOURLEY

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48)	13	Jorge P. Cuanas	16-50165	Hearing on Trustee's motion to dismiss for payment default (36)
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GOURLEY

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49)	13	Carolyn M. Daniels	16-50539	Hearing on Trustee's motion to dismiss for payment default (60)
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GOURLEY

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| 50)   | 13 | David R. Barnes, Jr.<br>Jamie L. Barnes | 16-50731 | Continued hearing on Trustee's motion to dismiss for payment default (37)   |
| <br>GOURLEY<br>-----  |    |   |          |   |
| 51)   | 13 | Diron M. Presnell                       | 16-50791 | Hearing on debtor's motion to incur debt (27)   |
| <br>GOURLEY<br>-----  |    |   |          |   |
| 52)   | 13 | Chastity M. Burke<br>Jamey S. Burke     | 17-50105 | Hearing on debtors' motion for authority to compromise claim, purchase personal property and substitute collateral (28)                             |
| <br>GOURLEY<br>-----  |    |   |          |   |
| 53)   | 13 | Tina A. Imes                            | 17-50239 | Continued hearing on Trustee's motion to dismiss for payment default (53)   |
| <br>GOURLEY<br>-----  |    |   |          |   |
| 54)   | 13 | Henry A. Turner                         | 17-50456 | Continued hearing on Trustee's motion for status hearing (37)   |
| <br>GOURLEY<br>-----  |    |   |          |   |
| 55)   | 13 | Robin S. Walker                         | 17-50721 | 2 <sup>nd</sup> continued hearing on debtor's objection to notice of mortgage payment change (33, 5/8/18 doc); response [Ditech Financial LLC] (41) |
| <br>2 <sup>nd</sup> continued hearing on debtor's objection to Trustee's notice of plan modification (34, 32) |    |   |          |   |
| <br>GOURLEY<br>STALEY<br>-----  |    |   |          |   |

56) 13 Corey L. Rhoney 17-50751 Hearing on Trustee's motion for determination of status of claims in confirmed plan (33); debtor's response (37)

Hearing on Trustee's motion to modify plan (34); debtor's response (36)

Hearing on debtor's objection to notice of mortgage payment change (38, 7/19/18 doc); response [Rural Housing Customer Service Center USDA] (39)

GOURLEY  
BECK

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57) 13 Bryan J. Klitz 18-50060 3<sup>rd</sup> continued hearing on debtor's objection to claim (23); response [Terra C. Maitra] (26)

Continued hearing on objection to confirmation of plan and motion to dismiss case [Terra C. Maitra] (36, 21, 14)

GOURLEY  
WALTERS

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58) 13 William H. Stevenson 18-50172 2<sup>nd</sup> continued hearing on objection to confirmation of plan [SN Servicing Corporation] (17, 7)

Hearing on Trustee's motion to dismiss for failure to make plan payments (24)

GOURLEY  
FLETCHER

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59) 13 James B. Shue 18-50469 Hearing on Trustee's motion to dismiss for failure to make plan payments (18)

GOURLEY

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**11:00 a.m.**

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| 60) | 7  | Peter L. Zagaroli                          | 18-50508 | Status hearing on Middle District's court order and opinion transferring case (33, 29)                     |
|     |    | BRUMBAUGH<br>MITCHELL, TR.                 |          |  |
|     |    | -----                                      |          |  |
| 61) | 7  | Ralph H. Shaw, III                         | 18-50165 | Continued hearing on debtor's amended motion to amend exemptions (18, 13); Trustee's response (21)         |
|     |    | COLLIER<br>TAYLOR, TR.                     |          |  |
|     |    | -----                                      |          |  |
| 62) | 11 | Piedmont Sales Service<br>& Transport, LLC | 18-50160 | 2 <sup>nd</sup> continued status hearing on order granting debtor's motion to use cash collateral (47, 13) |
|     |    | LANEY                                      |          |  |
|     |    | -----                                      |          |  |
| 63) | 7  | Joshua M. Bushey                           | 17-50484 | Continued hearing on Trustee's objection to exemptions (36); debtor's response (43, 41)                    |
|     |    | MALLORY<br>J. TAYLOR, TR.                  |          |  |
|     |    | -----                                      |          |  |
| 64) | 7  | Vincent J. Colella                         | 17-50013 | Hearing on motion for relief from stay [Nationstar Mortgage LLC] (78); Trustee's response (79)             |
|     |    | Y. TAYLOR<br>J. TAYLOR, TR.<br>VINING      |          |  |
|     |    | -----                                      |          |  |

CONTINUED TO 10/12/18

65) 7 Sally P. Moretz 16-50583 Hearing on Trustee's motion to turnover  
property of the estate (44)

WOOD  
D. HENDERSON, TR.

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66) 7 April L. Parker 18-50384 Reaffirmation hearing (8)

TUTTLE  
D. HENDERSON, TR.

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