

U.S. BANKRUPTCY COURT
Western District of Texas
Judge Craig A. Gargotta, Presiding
2/26/19
San Antonio Courtroom #3
HEARINGS
AMENDED 2/25/19

9:30 AM

CHAPTER 13 DISMISSAL DOCKET

10:00 AM

CHAPTER 13 CONFIRMATION DOCKET

1:30 PM

CHATER 13 MISCELLANEOUS DOCKET

13-51401-cag David Michael Gilchrist Chapter: 13

J. Todd Malaise representing David Michael Gilchrist (Debtor)

Mary K. Viegelahn (Trustee)

#38 Trustee's Motion to Deny Debtor's Discharge After Completion of Plan.

13-52691-cag Raymond D Singer Chapter: 13

Jose L. Soria representing Raymond D Singer (Debtor)

Mary K. Viegelahn (Trustee)

#28 Trustee's Motion to Deny Debtor's Discharge After Completion of Plan.

*****NOTICE OF WITHDRAWAL FILED ON 1/30/19*****

14-50564-cag Patricia Ann Lenton Chapter: 13

Ricardo Ojeda Jr representing Patricia Ann Lenton (Debtor)

Mary K. Viegelahn (Trustee)

#39 Trustee's Motion to Deny Debtor's Discharge After Completion of Plan.

15-50069-cag Roberto Sanchez Chapter: 13

Ricardo Ojeda Jr representing Roberto Sanchez (Debtor)

Mary K. Viegelahn (Trustee)

#68 Trustee's Motion to Enter Discharge After Completion of Plan Payments.

DISCHARGE ORDER ENTERED 2/20/19

15-50558-cag Tanya Nicole Randle Chapter: 13

J. Todd Malaise representing Tanya Nicole Randle (Debtor)

Mary K. Viegelahn (Trustee)

#47 Motion to Modify Confirmed Chapter 13 Plan Requesting Attorney Fees in the Amount of \$962.83 filed by J. Todd Malaise04 for Debtor Tanya Nicole Randle

OBJECTION W/DRAWN – GRANT MOTION

15-52313-cag Andrea Michelle Garcia Chapter: 13

J. Todd Malaise representing Andrea Michelle Garcia (Debtor)
Mary K. Viegelahn (Trustee)

#42 Motion to Modify Confirmed Plan Pursuant To 11 U.S.C. 1329, Or in the Alternative, Dismissal of Chapter 13 Case filed by Mary K. Viegelahn for Trustee Mary K Viegelahn
AGREED ORDER TO COME FROM MARY VIEGELAHN

15-52365-cag Andrew Ray Flores Chapter: 13

J. Todd Malaise representing Andrew Ray Flores (Debtor)
Mary K. Viegelahn (Trustee)

#70 Motion to Modify Confirmed Plan Pursuant to 11 U.S.C. § 1329 or, in the Alternative, Dismissal of Chapter 13 Case, filed by Mary K. Viegelahn for Trustee Mary K Viegelahn.
WITHDRAWN 2/25/19

15-52366-cag Michael Logan Gossett and Lori Ann Gossett Chapter: 13

J. Todd Malaise representing Michael Logan Gossett (Debtor)
J. Todd Malaise representing Lori Ann Gossett (Debtor)
Mary K. Viegelahn (Trustee)

#46 Motion to Modify Confirmed Chapter 13 Plan Requesting Attorney Fees in the Amount of \$828.86 filed by J. Todd Malaise for Debtors Lori Ann Gossett, Michael Logan Gossett

15-52815-cag Gregorio Garcia, III and Irma Gaitan Garcia Chapter: 13

Joe A. Gamez Jr representing Gregorio Garcia III (Debtor)

Joe A. Gamez Jr representing Irma Gaitan Garcia (Debtor)

Mary K. Viegelahn (Trustee)

#28 Motion to Distribute Proceeds (21-Day Objection Language) filed by Joe A. Gamez Jr for Debtors Gregorio Garcia III, Irma Gaitan Garcia

15-53019-cag Jonathan Randall McBride Chapter: 13

J. Todd Malaise representing Jonathan Randall McBride (Debtor)

Mary K. Viegelahn (Trustee)

#44 **Motion to Modify Confirmed Chapter 13 Plan Pursuant To 11 U.S.C. 1329, Or in the Alternative, Dismissal of Chapter 13 Case** filed by Mary K. Viegelahn for Trustee Mary K Viegelahn.

RESET 3/19/19

16-50330-cag Jerry Douglas Reed and Kelly Sue Reed Chapter: 13

J. Todd Malaise representing Jerry Douglas Reed (Debtor)

J. Todd Malaise representing Kelly Sue Reed (Debtor)

Mary K. Viegelahn (Trustee)

#106 **Motion to Modify Confirmed Plan** pursuant to 11 U.S.C. Section 1329 **or in the Alternative, Dismissal of Chapter 13 Case** filed by Trustee Mary K. Viegelahn.

RESET 3/19/19

**16-50968-cag Rogelio Luis Mendoza and Silvia Hernandez Mendoza
Chapter: 13**

Rick Flume representing Rogelio Luis Mendoza (Debtor)
Rick Flume representing Silvia Hernandez Mendoza (Debtor)
Mary K. Viegelahn (Trustee)

#54 Motion to Modify Confirmed Chapter 13 Plan filed by Mary K. Viegelahn for
Trustee Mary K Viegelahn

AGREED ORDER TO COME FROM MARY VIEGELAHN

16-51670-cag Martin Martinez Chapter: 13

William R. Davis Jr representing Martin Martinez (Debtor)
Mary K. Viegelahn (Trustee)

#60 Debtor's Motion to Modify Plan After Confirmation and Third Request for
Additional Attorney's Fees in the Amount of \$450.89 filed by William R. Davis Jr for
Debtor Martin Martinez

GRANT AMENDED MODIFICATION

16-51942-cag Marcus Dion Culpepper Chapter: 13

J. Todd Malaise representing Marcus Dion Culpepper (Debtor)
Mary K. Viegelahn (Trustee)

#45 Trustee's Motion to Modify Confirmed Chapter 13 Plan Pursuant To 11 U.S.C. §
1329(a)(1) filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

AGREED ORDER TO COME FROM MARY VIEGELAHN

16-52190-cag Peter Charles Sayre Chapter: 13

J. Todd Malaise representing Peter Charles Sayre (Debtor)

Mary K. Viegelahn (Trustee)

#52 Motion to Modify Confirmed Chapter 13 Plan filed by Mary K. Viegelahn for Trustee Mary K Viegelahn.

RESET 3/19/19

16-52252-cag Julian Lamar Waddell and Lorna Waddell Chapter: 13

Heidi McLeod representing Julian Lamar Waddell (Debtor)

Heidi McLeod representing Lorna Waddell (Debtor)

Mary K. Viegelahn (Trustee)

#55 Motion to Modify Chapter 13 Plan to Add Post-Petition Mortgage Arrearage (21-Day Objection Language) filed by Heidi McLeod for Debtors Julian Lamar Waddell, Lorna Waddell

MOOT – CASE DISMISSED

16-52322-cag Henry Patrick McCarthy and Sheila Denise Pippens-McCarthy Chapter: 13

J. Todd Malaise representing Henry Patrick McCarthy (Debtor)

J. Todd Malaise representing Sheila Denise Pippens-McCarthy (Debtor)

Mary K. Viegelahn (Trustee)

#50 Motion to Modify Confirmed Chapter 13 Plan filed by Mary K. Viegelahn03 for Trustee Mary K Viegelahn

AGREED ORDER TO COME FROM MARY VIEGELAHN

16-52401-cag David Johnson Chapter: 13

Heidi McLeod representing David Johnson (Debtor)

Mary K. Viegelahn (Trustee)

#55 Objection to Exemption filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

AGREED ORDER TO COME FROM MARY VIEGELAHN

16-52635-cag Tayana Balderrama Chapter: 13

Joris Robert Vanhemelrijck representing Tayana Balderrama (Debtor)

Mary K. Viegelahn (Trustee)

#34 Motion to Modify Confirmed Chapter 13 Plan filed by Mary K. Viegelahn03 for Trustee Mary K Viegelahn

*****RESET IN OPEN COURT ON 1/24/19-NFN*****

17-50112-cag Mathew W. Woody and Brandi L. Woody Chapter: 13

Joris Robert Vanhemelrijck representing Mathew W. Woody (Debtor)

Joris Robert Vanhemelrijck representing Brandi L. Woody (Debtor)

Mary K. Viegelahn (Trustee)

#69 Motion to Modify Confirmed Chapter 13 Plan filed by David Bernard Packard for Debtors Brandi L. Woody, Mathew W. Woody

*****RESET IN OPEN COURT ON 1/24/19-NFN*****

17-50767-cag Lonnie Joe Buck and Sarah Buck Chapter: 13

Heidi McLeod representing Lonnie Joe Buck (Debtor)

Heidi McLeod representing Sarah Buck (Debtor)

Mary K. Viegelahn (Trustee)

#57 Motion to Modify Chapter 13 Plan to Add Post-Petition Mortgage Arrearage (21-Day Objection Language) filed by Heidi McLeod for Debtors Lonnie Joe Buck, Sarah Buck

OBJECTION W/DRAWN – GRANT MOTION

#59 **Objection** filed by Heidi McLeod for Debtors Lonnie Joe Buck, Sarah Buck (related document(s): doc **Notice of Mortgage Payment Change** and Certificate of Service (Claim filed by U.S. Bank Trust, N.A., as Trustee for LSF9 Master).

17-50790-cag Robert Lynn Frazier and Ima Jean Frazier Chapter: 13

J. Todd Malaise representing Robert Lynn Frazier (Debtor)

J. Todd Malaise representing Ima Jean Frazier (Debtor)

Mary K. Viegelahn (Trustee)

#44 Motion to Modify Confirmed Chapter 13 Plan Requesting Attorney Fees in the Amount of \$706.20 filed by J. Todd Malaise for Debtors Ima Jean Frazier, Robert Lynn Frazier.

AGREED ORDER TO COME FROM J. TODD MALAISE

17-50819-cag Candace Ruth Taylor Chapter: 13

Joris Robert Vanhemelrijck representing Candace Ruth Taylor (Debtor)
Mary K. Viegelahn (Trustee)

#50 Motion to Modify Plan to Surrender Property and Third Request for Additional Attorney's Fees filed by Joris Robert Vanhemelrijck for Debtor Candace Ruth Taylor.

17-50835-cag Estivin Florenciani and Dolores Yvonne Gutierrez Chapter: 13

Joris Robert Vanhemelrijck representing Estivin Florenciani (Debtor)
Joris Robert Vanhemelrijck representing Dolores Yvonne Gutierrez (Debtor)
Mary K. Viegelahn (Trustee)

#69 Motion to Modify Plan Post-Confirmation and Fourth Request for Additional Attorney's Fees filed by Joris Robert Vanhemelrijck for Debtors Estivin Florenciani, Dolores Yvonne Gutierrez

17-50890-cag Juanita Perez Barrera Chapter: 13

Magdalena Gonzales representing Juanita Perez Barrera (Debtor)
Mary K. Viegelahn (Trustee)

#24 Motion to Allow Distribution of Proceeds from Settlement of Personal Injury Claim filed by Magdalena Gonzales for Debtor Juanita Perez Barrera
AGREED ORDER TO COME FROM MARY VIEGELAHN

17-51490-cag Christopher J. Barrera Chapter: 13

Joris Robert Vanhemelrijck representing Christopher J. Barrera (Debtor)
Mary K. Viegelahn (Trustee)

#43 Objection to Exemption filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

17-51654-cag Terry C. PaoPao and Melinda A. PaoPao Chapter: 13

Joris Robert Vanhemelrijck representing Terry C. PaoPao (Debtor)
Joris Robert Vanhemelrijck representing Melinda A. PaoPao (Debtor)
Mary K. Viegelahn (Trustee)

#75 Objection to Exemption filed by Mary K. Viegelahn for Trustee Mary K Viegelahn
*****NOTICE OF WITHDRAWAL FILED 1/28/19*****

17-52100-cag Charles Anderson Carter, Jr. Chapter: 13

Lewis E. Buttles representing Charles Anderson Carter Jr. (Debtor)
Mary K. Viegelahn (Trustee)

#53 **Motion to Modify Plan in Response** filed by Lewis E. Buttles for Debtor Charles Anderson Carter Jr. (Related Document(s): 51 Trustee's Motion to Dismiss Case for Failure to Make Plan Payments.

*****RESET IN OPEN COURT ON 1/24/19-NFN*** - TO BE HEARD AT 9:30
WITH MOTION TO DISMSS**

17-52317-cag James Anthony Castaneda Chapter: 13

J. Todd Malaise representing James Anthony Castaneda (Debtor)

Mary K. Viegelahn (Trustee)

#40 Objection to Claim Internal Revenue Service, ct clm #6, \$1,681.03 with Notice thereof, (30 Day Objection Language) Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn.

*****RESET IN OPEN COURT ON 1/24/19-NFN*****

#56 Joint Motion to Allow Late Filing of Priority Proof of Claim Of Internal Revenue Service (Claim # filed by J. Todd Malaise for Debtor James Anthony Castaneda And Internal Revenue Service

*****RESET IN OPEN COURT ON 1/24/19-NFN*****

17-52464-cag Lynn Marie Ellis Chapter: 13

Heidi McLeod representing Lynn Marie Ellis (Debtor)

Mary K. Viegelahn (Trustee)

#32 Motion to Authorize Debtor to Retain Bonus filed by Heidi McLeod for Debtor Lynn Marie Ellis

SPECIAL SETTING 4/2/19 AT 10:30 AM

17-52478-cag Jose Roberto Diaz Chapter: 13

Joris Robert Vanhemelrijck representing Jose Roberto Diaz (Debtor)

Mary K. Viegelahn (Trustee)

#40 Motion to Modify Plan Post-Confirmation to Add Post-Petition Mortgage Arrears and Second Request for Additional Attorney's Fees filed by Joris Robert Vanhemelrijck for Debtor Jose Roberto Diaz

18-50059-cag Ismael Vazquez Sanchez and Maria Delacruz Sanchez Chapter: 13

Joris Robert Vanhemelrijck representing Ismael Vazquez Sanchez (Debtor)

Joris Robert Vanhemelrijck representing Maria Delacruz Sanchez (Debtor)

Mary K. Viegelahn (Trustee)

#25 **Motion to Vacate and/or Reconsider Order** (21-Day Objection Language) filed by Joris Robert Vanhemelrijck for Debtors Ismael Vazquez Sanchez, Maria Delacruz Sanchez (Related Document(s): 22 Order Granting (related document(s): 20 Trustee's Motion to Dismiss Case for Failure to Make Plan Payments.

18-50968-cag Martha Laura Ballesteros Chapter: 13

Joris Robert Vanhemelrijck representing Martha Laura Ballesteros (Debtor)

Mary K. Viegelahn (Trustee)

#25 **Motion to Modify Plan in Response** filed by Joris Robert Vanhemelrijck for Debtor Martha Laura Ballesteros (Related Document(s): 19 Trustee's Motion to Dismiss Case for Failure to Make Plan Payments

*****RESET IN OPEN COURT ON 1/24/19-TO BE HEARD WITH TMTD AT 9:30AM-NFN*****

18-51412-cag Norma Gonzales Barela Chapter: 13

Joris Robert Vanhemelrijck representing Norma Gonzales Barela (Debtor)
Mary K. Viegelahn (Trustee)

#27 Motion to Modify Plan Post-Confirmation and First Request for Additional Attorney's Fees (21-Day Objection Language) filed by Joris Robert Vanhemelrijck for Debtor Norma Gonzales Barela

18-51725-cag James Oliver Lightning Chapter: 13

Joris Robert Vanhemelrijck representing James Oliver Lightning (Debtor)
Mary K. Viegelahn (Trustee)

#20 Motion to Modify Plan and First Request for Additional Attorney's Fees (21-Day Objection Language) filed by Joris Robert Vanhemelrijck for Debtor James Oliver Lightning

18-51732-cag Raymond Brubaker and Rosalinda A. Brubaker Chapter: 13

Heidi McLeod representing Raymond Brubaker (Debtor)
Heidi McLeod representing Rosalinda A. Brubaker (Debtor)
Mary K. Viegelahn (Trustee)

#24 Objection to Claim BBVA COMPASS BANK Court Claim #8 with Notice thereof, (30 Day Objection Language) Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn.

*****RESET IN OPEN COURT ON 1/24/19-NFN*****

*****NOTICE OF WITHDRAWAL FILED ON 2/19/19*****

18-51770-cag Jesus J. Alvarez Perez and Ady A. Alvarez Chapter: 13

Joris Robert Vanhemelrijck representing Jesus J. Alvarez Perez (Debtor)

Joris Robert Vanhemelrijck representing Ady A. Alvarez (Debtor)

Mary K. Viegelahn (Trustee)

#15 Objection to Claim 11 HYUNDAI CAPITAL AMERICA with Notice thereof, (30 Day Objection Language) Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

*****NOTICE OF WITHDRAWAL FILED ON 1/14/19*****

18-51794-cag Bettina Marie Rizzuto Chapter: 13

William R. Davis Jr representing Bettina Marie Rizzuto (Debtor)

Mary K. Viegelahn (Trustee)

#24 Motion to Modify Confirmed Chapter 13 Plan and Third Request for Additional Attorney's Fees (21-Day Objection Language), Requesting Attorney Fees in the Amount of \$461.52, filed by William R. Davis Jr for Debtor Bettina Marie Rizzuto

AGREED ORDER TO COME FROM WILLIAM R. DAVIS

18-51829-cag George Darnell Woods, Sr. Chapter: 13

Joris Robert Vanhemelrijck representing George Darnell Woods Sr. (Debtor)

Mary K. Viegelahn (Trustee)

#39 Objection to Claim 10 Spicewood IV with Notice thereof, (30 Day Objection Language) Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

MOOT – AMENDED CLAIM FILED

18-51856-cag Guadalupe Salaiz Chapter: 13

J. Todd Malaise representing Guadalupe Salaiz (Debtor)
Mary K. Viegelahn (Trustee)

#25 Objection to Claim DANIEL O MENDEZ, Court Claim #12 with Notice thereof, (30 Day Objection Language) Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn
RESET 3/19/19

18-51868-cag John B. Sairsiry Chapter: 13

Jose L. Soria representing John B. Sairsiry (Debtor)
Mary K Viegelahn (Trustee)

#26 Objection to Claim CLAIM 1; SECURITY SERVICE FEDERAL CREDIT UNION with Notice thereof, (30 Day Objection Language) Filed by Jose L. Soria for Debtor John B. Sairsiry.

*****NOTICE OF WITHDRAWAL FILED ON 2/12/19*****

18-52012-cag Freddy Ortiz Chapter: 13

David T. Cain representing Freddy Ortiz (Debtor)
Mary K. Viegelahn (Trustee)

#17 Objection to Exemptions (21-Day Objection Language) filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

18-52241-cag Jeffrey Jon Hutzler and April Dawn Hutzler Chapter: 13

Joris Robert Vanhemelrijck representing Jeffrey Jon Hutzler (Debtor)

Joris Robert Vanhemelrijck representing April Dawn Hutzler (Debtor)

Mary K. Viegelahn (Trustee)

#45 Objection to Exemption filed by Mary K. Viegelahn Trustee Mary K Viegelahn

MOOT – CASE DISMISSED

18-52320-cag William P. Brendel and Catherine L. Brendel Chapter: 13

Lewis E. Buttles representing William P. Brendel (Debtor)

Lewis E. Buttles representing Catherine L. Brendel (Debtor)

Mary K Viegelahn (Trustee)

#20 Motion to Reinstate Case (14-Day Objection Language) filed by Lewis E. Buttles for Debtors Catherine L. Brendel, William P. Brendel.

18-52497-cag Cristoval Cardona, III Chapter: 13

J. Todd Malaise representing Cristoval Cardona III (Debtor)

Mary K. Viegelahn (Trustee)

#21 Objection to Exemption filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

18-52613-cag William Preston Howard and Jeannie Rohmer Howard

Chapter: 13

J. Todd Malaise representing William Preston Howard (Debtor)

J. Todd Malaise representing Jeannie Rohmer Howard (Debtor)

Mary K. Viegelahn (Trustee)

#17 Objection to Exemption filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

RESET 3/19/19

18-52871-cag Patrick Bill Rubalcaba Chapter: 13

David T. Cain representing Patrick Bill Rubalcaba (Debtor)

Mary K Viegelahn (Trustee)

#17 Motion to Reinstate Case filed by David T. Cain for Debtor Patrick Bill Rubalcaba

18-52883-cag Martha Ann Contreras Chapter: 13

David T. Cain representing Martha Ann Contreras (Debtor)

Mary K Viegelahn (Trustee)

#15 Motion to Reinstate Case filed by David T. Cain for Debtor Martha Ann Contreras.

*****NOTIC OF WITHDRAWAL FILED ON 2/6/19*****

19-50196-cag Serina Marie Torres Chapter: 13

PRO SE Serina Marie Torres (Debtor)

Mary K Viegelahn (Trustee)

#4 Motion to Extend Time Take the Credit Counseling Class filed by Debtor Serina Marie Torres

SHOW CAUSE HEARING:

#11 Order for Sirena Marie Torres to Appear and Show Cause (Why Case Should Not Be Dismissed) and Why Debtor is filing a Fourth Bankruptcy case.

_____ **Cause Shown**

_____ **Cause not Shown**

_____ **Case Dismissed**

_____ **Case dismissed with prejudice for _____ days with refusal language**

_____ **Refuse filings until all unpaid fees are paid**

19-50245-cag Belinda Lee Holliefield Chapter: 13

PRO SE Belinda Lee Holliefield (Debtor)

Mary K Viegelahn (Trustee)

#9 Order to Belinda Lee Holliefield to Appear and Show Cause (Why Case Should Not Be Dismissed) and Why Debtor is Filing a Fourth Bankruptcy Case.

_____ **Cause Shown**

_____ **Cause not Shown**

_____ **Case Dismissed**

_____ **Case dismissed with prejudice for _____ days with refusal language**

_____ **Refuse filings until all unpaid fees are paid**

#6 Application to Pay Filing Fee in Installments filed by Debtor Belinda Lee Holliefield

19-50141-cag Kelly Susan Alenduff Chapter: 13

Joris Robert Vanhemelrijck representing Kelly Susan Alenduff (Debtor)

Mary K. Viegelahn (Trustee)

#11 Motion to Incur New Debt filed by Joris Ropbert Vanhemelrijck for Debtor Kelly Susan Alenduff

*****SET ON EXPEDITED BASIS, ROBERT VANHEMELRIJCK IS RESPONSIBLE FOR NOTICE*****

18-52586-cag Melissa Rae Quiroz Chapter: 13
Magdalena Gonzales representing Melissa Rae Quiroz (Debtor)
Mary K Viegelahn (Trustee)

#22 Expedited Motion to Sell Property Free and Clear of Liens 11 USC 363(f) (Filing Fee: \$ 181.00) filed by Magdalena Gonzales for Debtor Melissa Rae Quiroz

*****SET ON EXPEDITED BASIS, MAGDALENA GONZALES IS RESPONSIBLE FOR NOTICE*****