

U.S. BANKRUPTCY COURT
Western District of Texas
Judge Craig A. Gargotta, Presiding
4/16/19
San Antonio Courtroom #3
HEARINGS

9:00 AM

CHAPTER 13 MISCELLANEOUS DOCKET

13-51517-cag Allen Stovall Chapter: 13

William R. Davis Jr representing Allen Stovall (Debtor)

Mary K. Viegelahn (Trustee)

#108 Application of Langley & Banack, Inc. For Compensation and Reimbursement of Expenses Sixth Request for Additional Attorney's Fees filed by William R. Davis Jr for Attorney Langley & Banack, Inc.

14-52698-cag Charles Adrian Juarez Chapter: 13

J. Todd Malaise representing Charles Adrian Juarez (Debtor)

Mary K. Viegelahn (Trustee)

#66 Motion to Modify Confirmed Plan Pursuant To 11 U.S.C. 1329(a) filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

WITHDRAWN 4/15/19

15-50060-cag Ofelia C. Benavides Chapter: 13

Ricardo Ojeda Jr representing Ofelia C. Benavides (Debtor)
Mary K. Viegelahn (Trustee)

#55 Objection to Claim U.S. BANK TRUST NA AS TRUSTEE FOR LSF9 MASTER PARTICIPTION TRUST- CAILBER HOME LOANS Court Claim #7 with Notice thereof, (30 Day Objection Language) Filed by Mary K. Viegelahn.

RESET 5/14/19

15-51250-cag Wilma Jean Brooks Chapter: 13

Heidi McLeod representing Wilma Jean Brooks (Debtor)
Mary K. Viegelahn (Trustee)

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

WITHDRAWN 4/15/19

15-51497-cag Gerard Michael Gonzalez and Leticia Romero Gonzalez Chapter: 13

J. Todd Malaise representing Gerard Michael Gonzalez (Debtor)
J. Todd Malaise representing Leticia Romero Gonzalez (Debtor)
Mary K Viegelahn (Trustee)

#45 Trustee's Motion to Deny Debtors' Discharge After Completion of Plan.

*****NOTICE OF WITHDRAWAL FILED ON 3/4/19*****

15-51622-cag Antonio Calderon Mojica Chapter: 13

J. Todd Malaise representing Antonio Calderon Mojica (Debtor)
Mary K Viegelahn (Trustee)

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

*****RESET IN OPEN COURT ON 3/19/19-NFN*****

*****NOTICE OF WITHDRAWAL FILED ON 3/20/19*****

**15-51999-cag Thomas Raymond Smith and Yvonne Rosales Smith
Chapter: 13**

J. Todd Malaise representing Thomas Raymond Smith (Debtor)
J. Todd Malaise representing Yvonne Rosales Smith (Debtor)
Mary K. Viegelahn (Trustee)

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

WITHDRAWN 4/15/19

15-52257-cag Loretta Beatrice Myles Chapter: 13

J. Todd Malaise and J. Todd Malaise03 and J. Todd Malaise04 representing Loretta
Beatrice Myles (Debtor)
Mary K Viegelahn (Trustee)

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

WITHDRAWN 4/3/19

15-52697-cag Ignacio Garcia Esquivel Chapter: 13

Joris Robert Vanhemelrijck representing Ignacio Garcia Esquivel (Debtor)
Mary K. Viegelahn (Trustee)

#42 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 Ignacio Garcia Esquivel

GRANT W/REVISED ORDER UPLOADED 4/12/19

15-53029-cag Rita Marie Rascoe Chapter: 13

J. Todd Malaise representing Rita Marie Rascoe (Debtor)
Mary K. Viegelahn (Trustee)

#76 Motion to Modify Confirmed Chapter 13 Plan Requesting Attorney Fees in the Amount of \$1087.49 filed by J. Todd Malaise05 for Debtor Rita Marie Rascoe

GRANT MOTION

16-50288-cag Susan Lei Wilson Chapter: 13

Ricardo Ojeda Jr representing Susan Lei Wilson (Debtor)
Mary K. Viegelahn (Trustee)

#82 Motion to Incur Debt and Second Request for Additional Compensation filed by Ricardo Ojeda Jr for Debtor Susan Lei Wilson (Attachments: # 1 Exhibit Attorney Fee Itemization)

GRANT W/REVISED ORDER UPLOADED 4/12/19

16-50317-cag Freda Rene Jackson Chapter: 13

J. Todd Malaise representing Freda Rene Jackson (Debtor)
Mary K. Viegelahn (Trustee)

#67 Motion to Modify Confirmed Chapter 13 Plan Requesting Attorney Fees in the Amount of \$1165.45 filed by J. Todd Malaise04 for Debtor Freda Rene Jackson
*****RESET IN OPEN COURT ON 3/19/19-NFN*****

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.
AGREED ORDER TO COME FROM MARY VIEGELAHN

16-51361-cag Matthew Patrick McCall Chapter: 13

J. Todd Malaise representing Matthew Patrick McCall (Debtor)
Mary K. Viegelahn (Trustee)

#57 Motion to Modify Chapter 13 Plan and Fourth Request for Attorney's Fees, Requesting Attorney Fees in the Amount of \$1,096.60, (21 -Day Objection Language) filed by J. Todd Malaise for Debtor Matthew Patrick McCall
RESET 5/14/19

16-52649-cag Pamela Renee Llanas Chapter: 13

J. Todd Malaise representing Pamela Renee Llanas (Debtor)

Mary K. Viegelahn (Trustee)

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

RESET 6/18/19

16-52948-cag Ricardo A. Figueroa and Terry Ficello-Figueroa Chapter: 13

Jose L. Soria representing Ricardo A. Figueroa (Debtor)

Jose L. Soria representing Terry Ficello-Figueroa (Debtor)

Mary K. Viegelahn (Trustee)

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

RESET 5/14/19

17-50069-cag Deborah C. Guerra Chapter: 13

Heidi McLeod representing Deborah C. Guerra (Debtor)

Mary K. Viegelahn (Trustee)

#22 Motion to Modify Confirmed Chapter 13 Plan filed by Heidi McLeod for Debtor Deborah C. Guerra.

17-50076-cag Douglas Glass DuShane Chapter: 13

Joris Robert Vanhemelrijck representing Douglas Glass DuShane (Debtor)
Mary K. Viegelahn (Trustee)

#55 Motion to Modify Plan Post-Confirmation to Add Post-Petition Arrears with Creditor Ovation Services, LLC, as Servicer for FGMS Holdings LLC and Second Request for Additional Attorney's Fees (21-Day Objection Language) filed by Joris Robert Vanhemelrijck for Debtor Douglas Glass DuShane

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 5/14/19

17-50357-cag Dorothy Marie Ellis Chapter: 13

Heidi McLeod representing Dorothy Marie Ellis (Debtor)
Mary K Viegelahn (Trustee)

#22 Motion to Modify Confirmed Chapter 13 Plan (21-Day Objection Language) filed by Heidi McLeod for Debtor Dorothy Marie Ellis.

17-50550-cag Maria Delcarmen Ayala Chapter: 13

J. Todd Malaise representing Maria Delcarmen Ayala (Debtor)
Mary K. Viegelahn (Trustee)

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

RESET 5/14/19

17-51634-cag Marcus D. Maxwell and Debbie E. Maxwell Chapter: 13

Sean T. Flynn representing Marcus D. Maxwell (Debtor)
Sean T. Flynn representing Debbie E. Maxwell (Debtor)
Mary K. Viegelahn¹⁰ representing Mary K Viegelahn (Trustee)

#42 Motion to Modify Confirmed Chapter 13 Plan filed by Sean T. Flynn for Debtors
Debbie E. Maxwell, Marcus D. Maxwell

RESET 6/18/19

17-51643-cag Candido J. Trillo and Corina Gonzalez Trillo Chapter: 13

J. Todd Malaise representing Candido J. Trillo (Debtor)
J. Todd Malaise representing Corina Gonzalez Trillo (Debtor)
Mary K. Viegelahn (Trustee)

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

RESET 5/14/19

17-51884-cag Emilio Adrian Rodriguez and Elsa Tellez Chapter: 13

Joris Robert Vanhemelrijck representing Emilio Adrian Rodriguez (Debtor)

Joris Robert Vanhemelrijck representing Elsa Tellez Robles (Debtor)

Mary K. Viegelahn (Trustee)

#48 Motion to Modify Plan Post-Confirmation to Add Post-Petition Mortgage Arrears and Second Request for Additional Attorney's Fees (21 Day Objection Language) filed by Joris Robert Vanhemelrijck for Debtors Elsa Tellez Robles, Emilio Adrian Rodriguez.

RESET 5/14/19

17-51911-cag Bruce Howell Moran and Angela C Moran Chapter: 13

J. Todd Malaise representing Bruce Howell Moran (Debtor)

J. Todd Malaise representing Angela C Moran (Debtor)

Mary K. Viegelahn (Trustee)

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

WITHDRAWN 4/15/19

17-52324-cag Freddie Lee Brown Chapter: 13

J. Todd Malaise representing Freddie Lee Brown (Debtor)

Mary K. Viegelahn (Trustee)

#59 First Application for Attorney's Fees filed by J. Todd Malaise for Debtor Freddie Lee Brown.

GRANT W/REVISED ORDER UPLOADED 4/15/19

17-52317-cag James Anthony Castaneda Chapter: 13

J. Todd Malaise representing James Anthony Castaneda (Debtor)
Mary K. Viegelahn (Trustee)

RULING:

#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

*****SET IN OPEN COURT ON 3/19/19-NFN*****

RULING:

#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

*****SET IN OPEN COURT ON 3/19/19-NFN*****

17-52425-cag Aaron Christopher Escamilla and Megan M. Escamilla

Chapter: 13

J. Todd Malaise representing Aaron Christopher Escamilla (Debtor)

J. Todd Malaise representing Megan M. Escamilla (Debtor)

Mary K. Viegelahn (Trustee)

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

WITHDRAWN 4/15/19

17-52452-cag David M. Mirelez and Tabitha Gilmore Mirelez hapter: 13

J. Todd Malaise representing David M. Mirelez (Debtor)

J. Todd Malaise representing Tabitha Gilmore Mirelez (Debtor)

Mary K. Viegelahn (Trustee)

#68 Motion to Modify Confirmed Chapter 13 Plan Requesting Attorney Fees in the Amount of \$806.50 filed by J. Todd Malaise for Debtors David M. Mirelez, Tabitha Gilmore Mirelez

MOOT – CASE DISMISSED 4/3/19

17-52553-cag Carlos Vega-Lara and Aura Cecilia Vega Chapter: 13

J. Todd Malaise representing Carlos Vega-Lara (Debtor)

J. Todd Malaise representing Aura Cecilia Vega (Debtor)

Mary K. Viegelahn (Trustee)

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

RESET 5/14/19

17-52626-cag Daniel Edward Vigil and Rebecca Elvira Vigil hapter: 13

J. Todd Malaise representing Daniel Edward Vigil (Debtor)

J. Todd Malaise representing Rebecca Elvira Vigil (Debtor)

Mary K. Viegelahn (Trustee)

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

RESET 5/14/19

17-52681-cag George A. Palacios Chapter: 13

Raymond J Vale Jr representing George A. Palacios (Debtor)

Mary K. Viegelahn (Trustee)

#85 Motion to Modify Plan with First Request to Award Post-Confirmation Attorney's Fees filed by Raymond J Vale Jr for Debtor George A. Palacios

RESET 5/14/19

18-50283-cag Una Ann Contreras Chapter: 13

Jose L. Soria representing Una Ann Contreras (Debtor)

Mary K. Viegelahn (Trustee)

#52 Motion to Reconsider Dismissal of Case filed by Jose L. Soria for Debtor Una Ann Contreras.

WITHDRAWN 4/15/19

18-51310-cag Barbara Hampton Chapter: 13

Seth Crosland representing Barbara Hampton (Debtor)

Mary K. Viegelahn (Trustee)

#80 Amended Motion to Modify Plan and Request for Attorney's Fees Requesting Attorney Fees in the Amount of \$450 filed by Seth Crosland for Debtor Barbara Hampton.

18-51441-cag Jermiah Dametrius Squire Chapter: 13

Joris Robert Vanhemelrijck representing Jermiah Dametrius Squire (Debtor)

Mary K. Viegelahn (Trustee)

#31 Debtor's Notice to Retain 2018 Tax Refund filed by Joris Robert Vanhemelrijck for Debtor Jermiah Dametrius Squire.

AGREED ORDER TO COME FROM MARY VIEGELAHN

18-51786-cag Matias Sanchez and Linda Sanchez Chapter: 13

David T. Cain representing Matias Sanchez (Debtor)

David T. Cain representing Linda Sanchez (Debtor)

Mary K. Viegelahn (Trustee)

#50 Motion to Approve Compromise under Rule 9019 filed by David T. Cain for Debtors Linda Sanchez, Matias Sanchez

*****PREVIOUSLY HEARD ON 4/1/19*****

18-52012-cag Freddy Ortiz Chapter: 13

David T. Cain representing Freddy Ortiz (Debtor)

Mary K. Viegelahn¹³ representing Mary K Viegelahn (Trustee)

#24 Objection to Claim claim #2 IRS with Notice thereof, (30 Day Objection Language) Filed by David T. Cain for Debtor Freddy Ortiz

RESET 5/14/19

18-52343-cag Patrick M. Smith, Jr Chapter: 13

James H Stokes Jr representing Patrick M. Smith Jr (Debtor)
Mary K. Viegelahn (Trustee)

#37 Objection to Claim 2 USAA Federal Savings Bank with Notice thereof, (30 Day Objection Language) Filed by James H Stokes Jr for Debtor Patrick M. Smith Jr.

MOOT – CASE DISMISSED 2/27/19

18-52578-cag Marisol Rangel Chapter: 13

Joris Robert Vanhemelrijck representing Marisol Rangel (Debtor)
Mary K. Viegelahn (Trustee)

#28 Application for Attorney's Fees on Chapter 13 Case filed by Joris Robert Vanhemelrijck for Debtor Marisol Rangel.

18-52584-cag David R. Cardenas Chapter: 13

Joris Robert Vanhemelrijck representing David R. Cardenas (Debtor)
Mary K. Viegelahn (Trustee)

#14 Objection to Exemption filed by Mary K. Viegelahn for Trustee Mary K Viegelahn
WITHDRAWN 4/15/19

**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 5/14/19

18-52838-cag Henry J. Trevino and Gloria G. Trevino Chapter: 13

Joris Robert Vanhemelrijck representing Henry J. Trevino (Debtor)

Joris Robert Vanhemelrijck representing Gloria G. Trevino (Debtor)

Mary K. Viegelahn (Trustee)

#14 Trustee's Objection to Exemptions filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

*****NOTICE OF WITHDRAWAL FILED ON 3/28/19*****

19-50282-cag Darrell L Crumling Chapter: 13

David T. Cain representing Darrell L Crumling (Debtor)

Mary K Viegelahn (Trustee)

#11 Objection to Claim of Texas Attorney General (30-Day Objection Language) filed by David T. Cain for Debtor Darrell L Crumling

19-50356-cag Shawn E Geter and Rosa Beatriz Geter Chapter: 13

Albert William Van Cleave III representing Shawn E Geter (Debtor)

Albert William Van Cleave III representing Rosa Beatriz Geter (Debtor)

Mary K Viegelahn (Trustee)

#16 Motion to Incur Debt and First Request for Attorney's Fees filed by Albert William Van Cleave III for Debtors Rosa Beatriz Geter, Shawn E Geter

1:30 PM

18-52043-cag Manuela M. Elizondo Chapter: 13

Joris Robert Vanhemelrijck representing Manuela M. Elizondo (Debtor)

Mary K. Viegelahn03 and Mary K. Viegelahn10 and Mary K. Viegelahn13 representing Mary K Viegelahn (Trustee)

#26 Objection to Claim DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR AMERIQUEST MORTGAGE SECURITIES INC, QUEST TRUST 2004-X1, ASSET BACKED CERTIFICATES, SERIES 2004-X1 OCWEN LOAN SERVICING LLC, Court Claim #4 with Notice thereof, (30 Day Objection Language) Filed by Mary K. Viegelahn03 for Trustee Mary K Viegelahn.

AGREED ORDER TO COME FROM MARY VIEGELAHN

#38 Confirmation Hearing RESET.

*****RESET IN OPEN COURT ON 3/26/19-NFN*****

CASE CONFIRMED – ORDER UPLOADED

2:00 PM

18-52185-cag William H. Jackson Chapter: 7

James Samuel Wilkins representing William H. Jackson (Debtor)

John Patrick Lowe representing John Patrick Lowe (Trustee)

#32 Motion to Compel the Debtor to File Certain Federal Income Tax Returns and for Related Relief filed by John Patrick Lowe for Trustee John Patrick Lowe.

*****SET PER ORDER GRANTING CONTINUANCE FROM 4/2/19, PAT LOWE SHALL GIVE NOTICE OF THE HEARING*****