

U.S. BANKRUPTCY COURT
Western District of Texas
Judge Craig A. Gargotta, Presiding
12/10/19
San Antonio Courtroom #3
HEARINGS

9:30 AM

CHAPTER 13 MISCELLANEOUS DOCKET

14-51481-cag Albert De La Cruz and Mary Lou De La Cruz Chapter: 13

Ricardo Ojeda Jr representing Albert De La Cruz (Debtor)

Ricardo Ojeda Jr representing Mary Lou De La Cruz (Debtor)

Mary K. Viegelahn (Trustee)

#50 Trustee's Motion to Deem Mortgage Paid in Full Including All Fees, Expenses and Charges Pursuant to Bankruptcy Rule 3002.1.

GRANT MOTION

15-51616-cag Mitchell Dwayne Roberts and Shelley Jobe Roberts Chapter: 13

J. Todd Malaise representing Mitchell Dwayne Roberts (Debtor)

J. Todd Malaise representing Shelley Jobe Roberts (Debtor)

Mary K. Viegelahn (Trustee)

#82 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.

15-52066-cag Ramon Arauza and Corina Ann Arauza Chapter: 13

J. Todd Malaise representing Ramon Arauza (Debtor)

J. Todd Malaise representing Corina Ann Arauza (Debtor)

Mary K. Viegelahn (Trustee)

#78 Motion to Modify Confirmed Chapter 13 Plan Pursuant to 11 U.S.C. Section 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

16-51084-cag Joel Alaniz and Rebecca Perez Alaniz Chapter: 13

Joris Robert Vanhemelrijck representing Joel Alaniz (Debtor)

Joris Robert Vanhemelrijck representing Rebecca Perez Alaniz (Debtor)

Mary K. Viegelahn (Trustee)

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

AGREED ORDER TO COME FROM MARY VIEGELAHN

17-50543-cag Helen Ruth Schreiber- Huckabee Chapter: 13

Joris Robert Vanhemelrijck representing Helen Ruth Schreiber- Huckabee (Debtor)

Mary K. Viegelahn (Trustee)

#55 Trustee's 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

GRANT DISMISSAL OF CASE – OTC FROM MARY VIEGELAHN

17-51753-cag Alonzo A. Kenton and Carnecka Leslie Kenton Chapter: 13

J. Todd Malaise representing Alonzo A. Kenton (Debtor)

J. Todd Malaise representing Carnecka Leslie Kenton (Debtor)

Mary K. Viegelahn (Trustee)

#40 Motion to Modify Confirmed Chapter 13 Plan Pursuant to 11 U.S.C. Sec. 1329 or in the Alternative Dismissal of Chapter 13 Case filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

*****RESET IN OPEN COURT ON 11/12/19-NFN*****

17-52205-cag Richard Allen Muncy and Hannah Faye Muncy Chapter: 13

Joris Robert Vanhemelrijck representing Richard Allen Muncy (Debtor)

Joris Robert Vanhemelrijck representing Hannah Faye Muncy (Debtor)

Mary K. Viegelahn (Trustee)

#57 Amended Motion to Modify Plan to Surrender Property and Third Request For Additional Attorneys Fees filed by Joris Robert Vanhemelrijck for Debtors Hannah Faye Muncy, Richard Allen Muncy

GRANT W/REVISED ORDER UPLOADED 12/9/19

18-50481-cag Frederick Ganges Chase Chapter: 13

Rick Flume representing Frederick Ganges Chase (Debtor)

Mary K. Viegelahn (Trustee)

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

WITHDRAWN 12/2/19

18-50514-cag Chriselda Rodriguez Chapter: 13

Magdalena Gonzales representing Chriselda Rodriguez (Debtor)
Mary K. Viegelahn (Trustee)

#38 Trustee's Motion to Determine Whether the Notice of Mortgage Payment Change is Required and for an Accounting of Balance Due to 21st Mortgage Corporation

MOOT – CASE DISMISSED

18-50778-cag Frances Marie Hernandez Chapter: 13

J. Todd Malaise representing Frances Marie Hernandez (Debtor)
Mary K. Viegelahn (Trustee)

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

18-51120-cag Ashley Janine Hill Chapter: 13

J. Todd Malaise representing Ashley Janine Hill (Debtor)
Mary K. Viegelahn (Trustee)

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

WITHDRAWN 12/9/19

**18-52861-cag Randy Christopher Koenig and Heather Nicole Koenig
Chapter: 13**

Joris Robert Vanhemelrijck representing Randy Christopher Koenig (Debtor)

Joris Robert Vanhemelrijck representing Heather Nicole Koenig (Debtor)

Mary K. Viegelahn (Trustee)

#53 Agreed Motion to Reconsider Order filed by Matt Delmore Manning for Creditor TitleMax of Texas, Inc. d/b/a TitleMax (Related Document(s): 26 Order on Objection to Claims (related document(s): 23 Objection to Claim 9-1, NCP Finance Limited Partnership, with Notice thereof, (30-Day Objection Language) filed by Mary K. Viegelahn for Trustee Mary K Viegelahn.

19-50277-cag Dario Fedencio Garcia, Jr. DISMISSED Chapter: 13

Joris Robert Vanhemelrijck representing Dario Fedencio Garcia Jr. (Debtor)

Mary K. Viegelahn (Trustee)

#27 Trustee's 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

MOOT – CASE DISMISSED 11/21/19

19-50409-cag Cruz Armando Renteria and Lisa Renteria Chapter: 13

Heidi McLeod representing Cruz Armando Renteria (Debtor)

Heidi McLeod representing Lisa Renteria (Debtor)

Mary K Viegelahn (Trustee)

#28 Objection (WITH 21 Day Objection Language) Filed by Heidi McLeod for Debtors Cruz Armando Renteria, Lisa Renteria (related document(s): doc Notice of Postpetition Mortgage Fees, Expenses, and Charges and Certificate of Service filed by Harriet Langston Wagner for Creditor Wells Fargo Bank, National Association as Trustee for Option One Mortgage Loan Trust 2005-3, Asset-Backed Certificates, Series 2005-3.

RESET 1/16/2020

19-50456-cag Nidia Chapa-Rodriguez Perez Chapter: 13

Joris Robert Vanhemelrijck representing Nidia Chapa-Rodriguez Perez (Debtor)
Mary K Viegelahn (Trustee)

#55 Objection Filed by Bradley S Balderrama for Creditor Bexar County (Balderrama, Bradley) (related document(s): 53 Trustee's Notice of Intent to Pay Claims.)

AGREED ORDER TO COME FROM BRADLEY S. BALDERRAMA

19-50505-cag Veronica Medina Pezina Chapter: 13

Joris Robert Vanhemelrijck representing Veronica Medina Pezina (Debtor)
Mary K. Viegelahn (Trustee)

#26 Objection to Claim #1-1, TitleMax of Texas, Inc. with Notice thereof, (30 Day Objection Language) Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

RESET 1/16/2020

19-51074-cag JoAnn Zertuche Silva Chapter: 13

Magdalena Gonzales representing JoAnn Zertuche Silva (Debtor)
Mary K. Viegelahn (Trustee)

#35 Objection to Claim TAMARA TILSON, Court Claim #6 with Notice thereof, (30 Day Objection Language) Filed by Mary K. Viegelahn03 for Trustee Mary K Viegelahn.

INTERIM ORDER ADJOURNING TO 1/16/2020

19-51264-cag Randy Paul Jimmerson and Natacha Jimmerson Chapter: 13

Heidi McLeod representing Randy Paul Jimmerson (Debtor)

Heidi McLeod representing Natacha Jimmerson (Debtor)

Mary K. Viegelahn (Trustee)

#22 Objection to Claim of Reserve at Culebra Creek Community Association Inc., Court Claim #15, with Notice thereof, (30-Day Objection Language) filed by Mary K.

Viegelahn for Trustee Mary K Viegelahn

WITHDRAWN 12/3/19

19-51343-cag Patricia Carranza Aguero Chapter: 13

Heidi McLeod representing Patricia Carranza Aguero (Debtor)

Mary K. Viegelahn (Trustee)

#19 Motion to Deem Pleading an Informal Proof of Claim filed by Heidi McLeod for Debtor Patricia Carranza Aguero

RESET TO 1/16/2020 PER MOTION TO CONTINUE

19-51483-cag Lanisha Antoinette Bell Chapter: 13

Magdalena Gonzales representing Lanisha Antoinette Bell (Debtor)

Mary K. Viegelahn (Trustee)

#33 Amended Motion to Modify Confirmed Chapter 13 Plan Requesting Attorney Fees in the Amount of \$973.07 filed by Magdalena Gonzales for Debtor Lanisha Antoinette Bell

19-51679-cag Kevin Michael Saxon, I and Michelle Dimando Saxon

Chapter: 13

Joseph W. Shulter representing Kevin Michael Saxon I (Debtor)

Joseph W. Shulter representing Michelle Dimando Saxon (Debtor)

Mary K Viegelahn (Trustee)

#19 Ex Parte Motion to Reinstate Case filed by Debtors Kevin Michael Saxon I, Michelle Dimando Saxon

19-51799-cag Eva Maria Benavides-Scott Chapter: 13

Joris Robert Vanhemelrijck representing Eva Maria Benavides-Scott (Debtor)

Mary K. Viegelahn (Trustee)

#12 Objection to Exemption filed by Mary K. Viegelahn for Trustee Mary K Viegelahn
AGREED ORDER TO COME FROM MARY VIEGELAHN

19-52534-cag Robert Michael Aylesworth Chapter: 13

Joris Robert Vanhemelrijck and Joris Robert Vanhemelrijck3 representing Robert

Michael Aylesworth (Debtor)

Mary K Viegelahn (Trustee)

#15 Order to Show Cause (why Debtor is filing a fourth bankruptcy, and why Debtor's case should not be dismissed)

_____ **Cause Shown**

_____ **Cause not Shown**

_____ **Case Dismissed**

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

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

19-52538-cag William Boyd Belcher, Jr Chapter: 13

PRO SE William Boyd Belcher Jr (Debtor)

Mary K Viegelahn (Trustee)

#4 Application to Pay Filing Fee Installments filed by Debtor William Boyd Belcher Jr

#9 Order for William Boyd Belcher, Jr. to Appear and Show Cause (Why Case Should Not Be Dismissed) and show cause why Debtor is filing a third bankruptcy case, why Debtor has unpaid filing fees in case number 19-52279

_____ **Cause Shown**

_____ **Cause not Shown**

_____ **Case Dismissed**

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

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

19-52603-cag Beatrice A. Ibarra and Michael A. Ibarra Chapter: 13

PRO SE Beatrice A. Ibarra (Debtor)

PRO SE Michael A. Ibarra (Debtor)

Mary K Viegelahn (Trustee)

#11 Order for Michael and Beatrice Ibarra to Appear and Show Cause (Why Case Should Not Be Dismissed) and show cause why Debtors are filing a sixth 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**

19-52641-cag Emmanuel James Todd Chapter: 13

PRO SE Emmanuel James Todd (Debtor)

Mary K Viegelahn (Trustee)

#8 Order for Emmanuel James Todd to Appear and Show Cause (Why Case Should Not Be Dismissed) and show cause why Debtor has unpaid filing fees in case numbered 19-51903; and why Debtors case should not be dismissed with prejudice to refile until all outstanding filing fees are paid.

_____ **Cause Shown**

_____ **Cause not Shown**

_____ **Case Dismissed**

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

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

19-52652-cag Cristeta G Pescadero and Mario G Pescadero Chapter: 13

Oscar L. Cantu Jr representing Cristeta G Pescadero (Debtor)

Oscar L. Cantu Jr representing Mario G Pescadero (Debtor)

Mary K Viegelahn (Trustee)

#7 Order for Mario and Cristeta Pescadeor to Appear and to Show Cause (Why Case Should Not be Dismissed) and show cause why Debtors are filing a fifth 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**

19-52717-cag Kenneth Donald Scott, Sr. and Arliss Jacques Scott Chapter: 13

Sean T. Flynn representing Kenneth Donald Scott Sr. (Debtor)

Sean T. Flynn representing Arliss Jacques Scott (Debtor)

Mary K Viegelahn (Trustee)

#11 Motion for Extension of Stay Pursuant to 362(c)(3)(B) filed by Sean T. Flynn for Debtors Arliss Jacques Scott, Kenneth Donald Scott Sr.

*****SET ON EXPEDITED BASIS, SEAN FLYNN SHALL GIVE NOTICE OF THE HEARING*****

2:00 PM

19-52578-cag Arete Healthcare LLC and Southcross Hospital, LLC

Chapter: 11

Allen M. DeBard representing Arete Healthcare LLC (Debtor)

Allen M. DeBard representing Southcross Hospital, LLC (JointAdmin Debtor)

#12 Emergency Motion For Interim and Final Orders Pursuant To 11 U.S.C. Sections 105, 361, 362, 363, 364 & 507 and Federal Rules Of Bankruptcy Procedure 2002, 4001 & 9014 (I) Authorizing Use Of Cash Collateral; (II) Granting Post-Petition Replacement Liens ; (III) Granting Adequate Protection; and (IV) Scheduling A Final Hearing On The Motion filed by Allen M. DeBard for Debtor Arete Healthcare LLC

*****2ND INTERIM ORDER APPROVED - FINAL HEARING SET IN OPEN COURT ON 11/25/19-NFN*****

#13 Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to Obtain Post-Petition Financing on A Secured, Superpriority Basis, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing, (IV) Modifying the Automatic Stay, and (V) Granting Related Relief filed by Allen M. DeBard for Debtor Arete Healthcare LLC

*****2ND INTERIM ORDER APPROVED - FINAL HEARING SET IN OPEN COURT ON 11/25/19-NFN*****