

Pre and Post Conf Galveston Hearing
Judge Jeffrey P. Norman, Galveston
William E. Heitkamp, Trustee
December 16, 2022 10:00 am

Reset Dates:
01/20/2023
02/24/2023
03/24/2023

Highlighted = H Claims

<u>Case #</u>	<u>Debtor(s)</u>	<u>Arrears</u>	<u>Notes</u>	<u>Attorney</u>	<u>Recommendation</u>
<u># of R/S</u>	<u>Plan Pmt</u>	<u>No of Mos</u>			<u>Case Disposition</u>
<u>Petition Dt</u>	<u>Pmt Method</u>	<u>Last Rcpt</u>			
10:00 am					
22-80070	TROY DONAVAN	\$4,366.91	<u>TRUSTEE'S MOTION TO DISMISS FOR NON-PAYMENT</u>	BAKER, REESE W	Trustee Recommends Dismissal.
0 Resets	and CARRIE ANN	3.21 Mos	<u>DOC #63 FILED 10/21/2022</u>		
4/14/22	TAYLOR	9/16/22	Response filed 11/22/2022 at #64.		
8 of 60	\$1,360.00 No Pmt info	\$657.69	Last payment posted on 9/16/2022 from employer.		
22-80179	KELLY MICHELLE	\$1,698.45	<u>CONFIRMATION HEARING AND TRUSTEE'S MOTION TO DISMISS #37 FILED</u>	BAKER, REESE W	Trustee does not recommend confirmation.
0 Resets	NEATHERY	0.62 Mos	<u>11/10/2022.</u>		
10/3/22	\$2,760.00	12/8/22	Debtors' Response #39 filed 12/7/2022.		
2 of 60	EFT WO	\$1,273.85	Plan #2 filed 10/3/2022 fails to provide for claim #2 filed 10/14/2022 by Chambers County for \$3,524.28. Per testimony at the 341 Meeting of Creditors, Debtors are not in compliance with Paragraph 13 of the Plan.		
22-80176	ANDRE NEMOUR	\$1,692.28	<u>CONFIRMATION HEARING AND TRUSTEE'S MOTION TO DISMISS #22 FILED</u>	GALLEVO, MICHAEL	Trustee recommends dismissal.
0 Resets	PORCHE and	0.62 Mos	<u>11/10/2022, AMENDED TRUSTEE'S MOTION TO DISMISS #24 FILED</u>		
9/30/22	ONDREAL	12/5/22	<u>11/15/2022.</u>		
3 of 60	STEWART	\$1,269.24	Debtor's failed to appear at the 341 Meeting of Creditors on 11/14/2022. A reset Meeting is set for Monday 12/12/2022. IRS amended claim #6 filed 12/2/2022 reflects Debtor 2 has not filed a tax return for the years 2019, 2020 and 2021. Trustee has received an unsigned copy of the 2021 tax return on 11/10/2022. Trustee has not received copies of the 2019 and 2020 tax returns. Plan #2 filed 9/30/2022 fails to provide for the IRS amended claim's Right to Setoff in the amount of \$93.00. Plan fails to fully provide for the claim of Truist Mortgage (Arrears per POC: \$62,357.58, Plan \$45,000.00. Ongoing per POC \$1,961.89; Plan: \$1,935.00). Plan fails to provide for secured claims filed by the US Department of HUD for \$44,421.24, Santander Consumer (2006 Honda Ridgeline) for \$642.93, Brazoria County for \$10,587.85, Brazoria MUD #19 for \$444.33, and Brazoria MUD		

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10:00 am

#19 for \$847.47. Brazoria County filed Objection to Confirmation #25 on 12/7/2022.

Plan is proposing to pay American Credit Acceptance (2015 Corolla) claim directly per paragraph 10 despite creditor's proof of claim showing pre-petition arrears of \$694.96. Debtor is also proposing to pay creditor directly for a claim with an excessive contractual interest rate of 18% at the expense of general unsecured creditors.

Plan is proposing to pay Exeter's (2013 Lexus) claim directly per paragraph 10 despite creditor's proof of claim showing pre-petition arrears of \$1,964.28. Debtor is proposing to pay creditor directly for a claim with an excessive contractual interest rate of 20.61% at the expense of general unsecured creditors and schedules an amount owed of only \$2,392.80 when their proof of claim reflects the amount owed of \$15,241.98.

The Plan does not meet the requirements of 1322(a)(2), as it does not provide for all known future fixed fees that will come due during the life of the plan, pursuant to the fixed fee agreement granted at docket #7.

18-80195	JOE CURTIS	\$1,413.66	<u>TRUSTEE'S MOTION TO DISMISS FOR NON-PAYMENT</u>	GUZMAN, ELOISE A	Trustee
0 Resets	MCAFEE, JR. and	3.97 Mos	<u>DOC #107 FILED 10/21/2022</u>		Recommends
7/18/18	VANESSA GORTON	8/17/22	No response filed. Last payment posted in August 2022 via ePay.		Dismissal.
53 of 60	MCAFEE	\$250.00			
	\$356.12				
	WO				

19-80399	TIBURCIO ALANIZ	\$1,950.00	<u>UNIFORM MODIFICATION #47 FILED 10/17/2022</u>	GUZMAN, ELOISE A	Trustee
0 Resets	\$1,950.00	1.00 Mos	Modification was filed to cure delinquency and extend the plan term from 44 to 60 months.		Recommends
11/27/19	EFT	10/26/22			Mod #47 de
37 of 60		\$1,950.00	Mod works at 100% to general unsecured creditors but cannot be recommended until payments are brought current. Debtor now pays via ePay.		Denied.
			Mod payment is \$1,950.		
			Per the Mod, Debtor is delinquent \$1,950 (1 payment).		

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10:00 am					
If the Mod is not approved, Debtor will be delinquent \$2,573.96.					
22-80103	BESHKA LA'RESA	\$20,700.00	<u>TRUSTEE'S MOTION TO DISMISS FOR NON-PAYMENT</u>	HIGGINBOTHAM,	Trustee
0 Resets	PHADELL MOOR	4.00 Mos	<u>DOC #44 FILED 10/21/2022</u>	CRAIG ALEXANDER	Recommends
5/26/22	\$5,175.00	8/4/22	Response filed 10/24/2022 at #45.		Dismissal.
7 of 60	EFT	\$5,250.00			
Last payment posted in August 2022 via ePay.					
18-80343	SHARRISE	\$10,807.60	<u>TRUSTEE'S MOTION TO DISMISS FOR NON-PAYMENT</u>	KEELING, KENNETH	Trustee
1 Reset	WALKER COTTON	4.08 Mos	<u>DOC #94 FILED 9/9/2022</u>	A	Recommends
11/9/18	\$2,645.81	9/28/22	Response filed 9/26/2022 at #96.		Dismissal.
49 of 84	WO	\$1,194.90			
Case is on full wage order. Employer stopped paying in September 2022. Last payment posted on 9/28/2022 for \$1,194.90.					
22-80174	LOUIS MERRICK, III	\$1,433.70	<u>CONFIRMATION HEARING</u>	KHOSHNOOD,	Trustee
0 Resets	and ANTONIA	0.61 Mos	Plan #42 filed 12/8/2022 works, paying 17.09% to the general unsecured creditors.	HOOMAN	Recommends
9/29/22	MARIE	12/9/22			Confirmation of
3 of 60	GUIDRY-MERRICK	\$530.77			Plan #42 filed
	\$2,335.00				12/8/2022
	WO				
22-80071	FELISA J. MILLER	\$1,910.70	<u>CONFIRMATION HEARING</u>	LUSKY, BENJAMIN	Trustee Does Not
3 Resets	\$2,975.00	0.64 Mos	<u>TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS #21</u>		Recommend
4/20/22	WO	12/8/22	<u>FILED 6/15/2022</u>		Confirmation
8 of 60		\$1,358.92	Debtor's Response to Trustee's Motion to Dismiss filed 10/6/2022 at docket #43.		
Plan #28 filed 7/13/2022 fails to fully provide for mortgage claim #8 filed 5/9/2022 by Wells Fargo (Arrears per POC: \$40,861.70; Plan: \$5,765.34). Additionally, Plan fails to provide for the first 3 mortgage installment payments. Objection to Confirmation #34 filed 8/4/2022 by Wells Fargo.					
IRS claim #19 filed 10/25/2022 shows an unfiled tax return for the year 2020 and estimates a priority liability claim of \$1,390.38. Trustee received an unsigned copy of Debtor's 2020 tax return on 10/14/2022 (shows a liability of \$1,348.00). Plan provides \$6,500.00 priority amount for the IRS in paragraph #6.					

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10:00 am					
22-80178	HECTOR	\$3,500.00	<u>CONFIRMATION HEARING</u>	PAYNE, KYLE	Trustee
0 Resets	CISNEROS	1.89 Mos	<u>TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS #21</u>	KENNETH	Recommends
10/3/22	\$1,850.00	1/1/00	<u>FILED 11/15/2022</u>		Dismissal
2 of 60	WO	\$0.00	No Response to Trustee's Motion to Dismiss.		
<p>No payments have been made. Debtor is delinquent 2 payments through December 2022 totaling \$3,500.00.</p> <p>IRS claim #2 filed 11/3/2022 shows unfiled tax returns for the years 2020 and 2021, estimating a priority liability claim of \$13,612.27. Trustee received an unsigned copy of Debtor's 2021 tax return on 11/17/2022 (shows refund of \$24,005.00) but has not received any copy of a 2020 return. Plan #23 filed 11/17/2022 fails to provide any treatment for the IRS.</p> <p>Debtor has failed to provide Trustee with proof of income for his spouse.</p> <p>Debtor failed to appear at the Meeting of Creditors on 11/14/2022. The meeting has been reset to 12/12/2022 at 11:30 am.</p> <p>The filing fee for this case has not been paid in full. Order granting Application to Pay Filing Fee in Installments was entered 10/4/2022 at docket #6. The final installment payment is due by 12/30/2022.</p>					
18-80079	JAMES JOSEPH	(\$1,384.60)	<u>CHAPTER 13 TRUSTEE'S MOTION TO MODIFY PLAN #55 FILED 10/14/2022</u>	RASHID,	Trustee Rcnds
0 Resets	and CAROL SUE	-2.41 Mos	Trustee moves for an order terminating Trustee's obligation to reserve future amounts for Comptroller of Public Accounts' scheduled \$1,440.46 secured claim and authorizing Trustee to distribute funds on reserve for Comptroller of Public Accounts to other allowed claims given Comptroller of Public Accounts has not accepted any Trustee disbursement payments and further advised Trustee that Debtors have no liability or claim.	AZWAR-RADI M	Special Order
3/29/18	THERIOT	12/7/22			Uploaded at #55
57 of 60	\$575.00	\$275.00			
	WO				
No response filed.					

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10:00 am					
22-80119	JUSTIN ALLEN and	\$1,159.60	<u>CONFIRMATION HEARING</u>	RASHID,	Trustee Does Not Recommend Confirmation
2 Resets	KERRESA ARIEL	0.38 Mos	<u>TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS #24</u>	AZWAR-RADI M	
6/30/22	BURNS	12/2/22	<u>FILED 8/5/2022</u>		
6 of 60	\$3,015.00 WO	\$1,391.54	No Response to Trustee's Motion to Dismiss.		
Plan #2 filed 6/30/2022 fails to provide for treatment of secured claim #8 filed 8/8/2022 by Brazoria County for estimated 2022 ad valorem taxes in the amount of \$5,073.30. Objection to Confirmation #27 filed 8/26/2022 by Brazoria County.					
Plan fails to fully provide for secured claim #6 filed 7/22/2022 by Westlake Financial Services for a 2017 Chevrolet Traverse (Claim: \$16,945.35; Plan: \$16,800.18).					
Plan fails to fully provide for amended mortgage claim #13 of LoanCare LLC (Ongoing payments per POC: \$2,036.98; Plan: \$1,928.56).					
22-80172	NINA MICHELLE	\$51.52	<u>CONFIRMATION HEARING</u>	RASHID,	Trustee recommends confirmation of plan #33 filed 11/17/2022.
0 Resets	ASH	0.14 Mos	Plan #33 filed 11/17/2022 works at 1.14% to the general unsecured creditors.	AZWAR-RADI M	
9/27/22	\$375.00	11/29/22			
3 of 60	WO	\$154.62			
22-80177	VERNON TYRONE	\$0.00	<u>CONFIRMATION HEARING AND TRUSTEE'S MOTION TO DISMISS #22 FILED</u>	RASHID,	Trustee does not recommend confirmation.
0 Resets	STEWART	0.00 Mos	<u>11/10/2022.</u>	AZWAR-RADI M	
9/30/22	\$1,665.00	12/1/22	Plan #14 filed 10/13/2022 fails to provide a 100% dividend to the general unsecured creditors as required by Non-Exempt Property.		
3 of 60	EFT	\$1,665.00			
Debtor is proposing to pay Santander directly for a claim with an excessive contractual interest rate of 21% at the expense of general unsecured creditors.					
22-80184	REYNALDO	\$123.85	<u>CONFIRMATION HEARING</u>	RASHID,	Trustee Does Not Recommend Confirmation
0 Resets	HERRERA, JR.	0.54 Mos	<u>TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS #22</u>	AZWAR-RADI M	
10/11/22	\$230.00	11/21/22	<u>FILED 11/15/2022</u>		
2 of 60	WO	\$106.15	No Response to Trustee's Motion to Dismiss.		
Debtor is delinquent 0.54 payment of \$123.85, with next payment due 12/10/2022. The first full payment has not been made.					

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Plan #2 filed 10/11/2022 fails to provide for treatment of secured claim #8 filed 11/21/2022 by Galveston County for 2022 ad valorem taxes in the amount of \$935.57.					
22-80139	JOSEPH J SPARKS	\$2,552.86	CONFIRMATION HEARING AND TRUSTEE'S MOTION TO DISMISS #33 FILED 9/13/2022.	SMITH, JOHN E	Trustee does not recommend confirmation.
0 Resets	and CARMEN P	0.71 Mos			
8/1/22	GAINES	12/9/22	Plan #37 filed 10/25/2022 fails to provide for claim #7 filed 10/26/2022 by Brazoria County for \$4,833.62. Brazoria County filed Objection to Confirmation #44 on 12/7/2022.		
4 of 60	\$3,575.00 EFT WO	\$265.38			
Plan fails to provide for Notice of Post-Petition Mortgage Fees #45 filed 12/7/2022 for \$575.00.					
22-80140	ADAM and RACHEL	(\$900.00)	CONFIRMATION HEARING	SMITH, JOHN E	Trustee recommends confirmation of plan #40 filed 12/8/2022 and requests a C4 - 100% confirmation order.
0 Resets	RICHARDS	-0.23 Mos	Plan #40 filed 12/8/2022 works paying 100% to the general unsecured creditors. Trustee requests a C4 100% confirmation order.		
8/1/22	\$3,900.00	12/2/22			
4 of 60	WO	\$1,800.00			
22-80155	DAVID and	\$3,655.76	CONFIRMATION HEARING	SMITH, JOHN E	Trustee Does Not Recommend Confirmation
1 Reset	KIMBERLY	1.09 Mos	TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS #24 FILED 10/6/2022		
8/26/22	SWARTZ	12/5/22	AMENDED MOTION TO DISMISS #39 FILED 11/16/2022		
4 of 60	\$3,355.00 WO	\$1,502.31	Debtors' Response to Trustee's Motion to Dismiss filed 10/31/2022 at docket #28.		
Debtors are delinquent 1.09 payments totaling \$3,655.76, with next payment due 12/25/2022.					
Plan #29 filed 11/1/2022 fails to properly provide for claim #16 of NewRez/Shellpoint Mortgage (Arrears per POC: \$11,073.96; Plan: \$5,581.57. Ongoing payments per POC: \$1,800.03; Plan: \$1,824.73).					
Plan fails to fully provide for secured claim #18 filed 11/4/2022 by JSC Federal Credit Union for a 2011 Ford F350 (Claim: \$11,497.62; Plan: \$11,146.62).					

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10:00 am					
22-80161	MELINDA EVE	\$875.00	<u>CONFIRMATION HEARING</u>	SMITH, JOHN E	Trustee
1 Reset	MALLOY	1.00 Mos	<u>TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS #18</u>		Recommends
9/4/22	\$875.00	12/1/22	<u>FILED 10/6/2022</u>		Dismissal
3 of 60	WO	\$437.50	Debtor's Response to Trustee's Motion to Dismiss filed 11/1/2022 at docket #24.		
			Plan #22 filed 10/19/2022 fails to provide for treatment of priority claim #8 filed 10/27/2022 by IRS in the amount of \$162,322.93. Order on Trustee's Motion to Dismiss entered 11/4/2022 at docket #25 states that Debtor is to either file a valid objection to the IRS claim or file an amended Plan that provides for payment of the IRS priority claim of \$162,322.93 by 12/9/2022 or case will be dismissed sua sponte.		
			Plan provides for direct payment of the mortgage in paragraph #10. However, secured claim #10 filed 11/15/2022 by Southwest Airlines Federal Credit Union reflects pre-petition arrears in the amount of \$15,090.68, which consists of P&I of \$5,941.32 with the remainder being fees, escrow deficiency for funds advanced and projected escrow shortage. Amended Objection to Confirmation #32 filed 12/8/2022 by Southwest Airlines Federal Credit Union.		
22-80180	PHILIP J VRAZEL	\$0.02	<u>CONFIRMATION HEARING</u>	SMITH, JOHN E	Trustee
0 Resets	\$0.01	2.00 Mos	<u>TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS #19</u>		Recommends
10/3/22	No Pmt info	1/1/00	<u>FILED 11/15/2022</u>		Dismissal
2 of 60		\$0.00	No Response to Trustee's Motion to Dismiss.		
			Debtor has failed to file a Plan or Plan Summary.		
			No payments have been made, and Debtor has failed to file a wage deduction order or EFT/ACH authorization with the Court.		
			341 meeting not concluded.		

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10:00 am					
22-80136 0 Resets 7/31/22 5 of 60	JARROD DANIEL BLOCKER \$740.00 WO	(\$1,390.76) -1.88 Mos 12/6/22 \$456.92	<u>CONFIRMATION HEARING</u> Amended plan #32 filed 12/7/2022 works paying 100% to the general unsecured creditors. Trustee requests a C4 confirmation order.	SOUTHWARD, ERIC	Trustee recommends confirmation of plan #32 filed 12/7/2022 with a C4 100% Confirmation Order.
20-80019 0 Resets 1/15/20 35 of 60	JAMES MONROE SENN, III and STELLA MARIE SENN \$1,244.84 ACH	(\$171.78) -0.14 Mos 11/18/22 \$1,244.84	<u>UNIFORM MODIFICATION #74 FILED 11/4/2022</u> <u>AMENDED TRUTEE'S OBJECTION TO MOD FILED 12/8/2022, DOC #81</u> <u>TRUSTEE'S MOTION TO DISMISS FOR NON-PAYMENT</u> <u>DOC #107 FILED 10/21/2022</u> Modification was filed to provide for Agreed Order #70 with Quicken Loans entered 10/6/22. Mod proposes to add ongoing mortgage payments and post-petition mortgage payments to the plan. Mod Plan Summary fails to reflect the correct Required post-modification payments to Trustee (Correct Amount: \$33,610.68; Plan: \$36,100.36). Modified plan fails to provide for ongoing payments to the mortgage on Debtor's principal residence although distributions are reflected in plan summary. Debtors have failed to provide proof of the October 2022 mortgage payment, as per agreed order #70. Schedule J does not show disposable income sufficient to fund the plan. Motin to dismiss for non-payment: Debtors had been making payments via wage order and ACH. Last wage order payment was received on 6/14/22. Last payment posted on 11/18/22 for \$1,244.84 via ePay. Mod payment is \$1,244.84. Per the Mod, Debtor is current.	TOROK, WILLIAM DAVID	Trustee Recommends Mod #74 be Denied. Trustee Recommends Dismissal.

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10:00 am

If the Mod is not approved, Debtor will be paid ahead by \$1,244.84.

22-80127	FREDIA CASMIRE	\$1,970.00	<u>CONFIRMATION HEARING AND TRUSTEE'S MOTION TO DISMISS #24 FILED 11/9/2022, AMENDED TRUSTEE'S MOTION TO DISMISS #26 FILED 11/15/2022.</u>	WAJDA, NICHOLAS M	Trustee does not recommend confirmation.
0 Resets	HARDEMAN	2.00 Mos	Debtors' Response #29 filed 12/6/2022.		
7/20/22	\$985.00	1/1/00	Debtor failed to appear at her 341 Meeting of Creditors on 11/14/2022. A reset Meeting is scheduled for 12/12/2022.		
5 of 60	No Pmt info	\$0.00	Debtor is delinquent 2 payments through 11/21/2022 totaling \$1,970.00. No payments have been received in this case.		
			Debtor has failed to provide the Trustee with a copy of her 2021 tax return.		
			Debtor has failed to implement an EFT/ACH authorization.		
			Plan #15 filed 10/6/2022 provides for Galveston Police Department in paragraph #6 for \$500.00. However, Galveston Police Department is not listed as a creditor on schedule E. There are no creditors on E including no attorney fees.		
			Pursuant to paragraph 2 of the plan, the plan summary fails to match the amounts under the proposed plan. The plan summary provides for \$3,000.00 for attorney fees that are not the plan.		
			Plan fails to fully provide for the claim of PHH Mortgage (Arrears per POC: \$24,095.02, Plan \$22,269.07. Ongoing payments per POC \$410.89; Plan: \$401.81). Plan provides for Ocwen Loan in paragraph 8 as cure arrears of \$22,269.07 at 2%, monthly on-going mortgage payments of \$401.81 and Total Debt Claim for the same amount as the arrears at 2%. Plan proposes to credit the entire escrow mortgage payment towards principal and interest in Paragraph 8.		
			Schedule D lists mortgage creditor as Ocwen and PHH Mortgage.		
			Debtor has failed to file a Chapter 13 Statement of Income; docket entry #2 is a Chapter 7 OF122A-1.		

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 December 16, 2022 10:00 am

Reset Dates:
 01/20/2023
 02/24/2023
 03/24/2023

Highlighted = H Claims

<u>Case #</u>	<u>Debtor(s)</u>	<u>Arrears</u>	<u>Notes</u>	<u>Attorney</u>	<u>Recommendation</u>
<u># of R/S</u>	<u>Plan Pmt</u>	<u>No of Mos</u>			<u>Case Disposition</u>
<u>Petition Dt</u>	<u>Pmt Method</u>	<u>Last Rcpt</u>			
10:00 am					
Objection to Confirmation #28 filed 11/29/2022 by PHH Mortgage.					
22-80175	MICHAEL PATRICK	\$482.06	CONFIRMATION HEARING	WRZESINSKI,	Trustee Does Not Recommend Confirmation
0 Resets	and JENNY RENEE	0.15 Mos	<u>TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS #26</u>	CLAYTON WILLIAM	
9/29/22	PICKELL	12/6/22	<u>FILED 11/15/2022</u>		
3 of 60	\$3,133.37	\$1,446.17	No Response to Trustee's Motion to Dismiss.		
	WO				
Plan #28 filed 12/8/2022 works, paying 19.99% to the general unsecured creditors.					
Paragraph #10 of the Plan is incomplete as Date Last Payment is Due has not been provided on the Lakeview Loan Servicing claim.					
Objection to Confirmation #27 filed 12/6/2022 by Clear Creek ISD.					