

**Pre and Post Conf Galveston Hearing
 Judge Jeffrey P. Norman, Galveston
 William E. Heitkamp, Trustee
 December 15, 2023 10:00 am**

Reset Dates:
 01/19/2024
 02/16/2024
 03/22/2024

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					
23-80038	DEIDRE ANNE	\$307.64	<p align="center"><u>CONFIRMATION HEARING AND TRUSTEE'S MOTION TO DISMISS #21 FILED 4/21/2023</u></p> <p align="center">No Response to Trustee's Motion to Dismiss.</p> <p>Plan #65 filed 12/7/2023 fails to properly provide for treatment of 2nd amended secured claim #3 filed 10/20/2023 by IRS in the amount of \$88,130.25.</p> <p>Plan lists a special provision in Paragraph #27: Pursuant to Paragraph #9C Debtor shall pay the Internal Revenue Service the sum of \$1,500.00 per month beginning January 5, 2024, and continuing monthly thereafter until such time as their claim of \$88,130.25 has been paid in full. Debtor shall provide proof of said payments to the Chapter 13 Trustee no less than quarterly beginning March 30, 2024. All payment made by Debtor's ex-spouse, Joshua Meyer, shall be credited against the balance owed. The Internal Revenue Service shall make their best efforts to collect from Joshua Meyer for the payment of any and all sums owed.</p>	GREENE, LIZA	Trustee does not recommend confirmation.
5 Resets	EPPERSON	0.15 Mos			
2/28/23	\$2,000.00	12/5/23			
10 of 60	WO	\$923.08			
20-80181	AMY and SIMON	\$4,826.53	<p align="center"><u>TRUSTEE'S MOTION TO DISMISS FOR NON-PAYMENT DOC #117 FILED 9/27/2023</u></p> <p align="center">Response filed 11/15/2023 at #119.</p> <p>Debtors pay via ePay. Regular payment posted in October. Partial payment posted in November. Last payment posted on 12/7/2023 for regular payment of \$1,885.51.</p>	GUZMAN, ELOISE A	Trustee Recommends Dismissal.
1 Reset	GONZALES	2.56 Mos			
7/3/20	\$1,885.51	12/7/23			
41 of 60	EFT	\$1,885.51			
23-80201	CINDY BERNARD	\$0.00	<p align="center"><u>CONFIRMATION HEARING AND TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS #25 FILED 11/15/2023.</u></p> <p>Plan #8 filed 10/10/2023 overprovides for IRS priority claim #4 (POC: \$44,812.14, Plan \$50,000.00).</p> <p>The plan fails to provide 100% to the general unsecured creditors as required by the debtor's OF122-C.</p> <p>The plan improperly provides for Shellpoint/Newrez in paragraph 9C instead of 8C despite the claim being secured by Debtor's principal residence. Objection to Confirmation #14 filed 10/12/2023 by NewRez LLC.</p> <p>The plan improperly provides for Brazoria MUD and Brazoria County in paragraph</p>	GUZMAN, ELOISE A	Trustee does not recommend confirmation.
0 Resets	WEST	0.00 Mos			
10/4/23	\$3,350.00	12/5/23			
2 of 60	WO	\$3,350.00			

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9C instead of 8C despite the claims being secured by Debtor's principal residence. Objection to Confirmation #27 filed 12/7/2023 by Brazoria County.					
The plan fails to fully provide for the 910-day claim of Primeway FCU (POC: \$14,417.81, Plan \$13,981.00). Objection to Confirmation #22 filed 11/1/2023 by Prime Way FCU.					
23-80081	ANDREA MONIQUE	(\$1,500.00)	<u>AMENDED UNIFORM MODIFICATION #66 FILED 12/8/2023</u>	HARDWICK, MICHAEL L	Trustee Recommends Approval of Amended Mod #66 WITH M7 ORDER.
0 Resets	BELL	-0.32 Mos	Modification was filed to provide for Agreed Order #59 with Mercedes-Benz entered 10/16/23.		
5/1/23	\$4,650.00	12/7/23			
7 of 60	EFT WO	\$1,500.00			
Amended Mod works at 100% to general unsecured creditors per Debtor's OF122C requirement and liquidation test with no adverse effect on any creditor requiring additional notice.					
Potential non-exempt cause of action listed in Schedule A/B.					
23-80096	MICHAEL ANTHONY	(\$0.03)	<u>CONFIRMATION HEARING</u>	HARDWICK, MICHAEL L	Trustee recommends confirmation of Plan #62 filed 12/5/2023.
3 Resets	LOPEZ	0.00 Mos	Amended Plan #62 filed 12/5/2023 works paying 9.45% to the general unsecured creditors and meets the Liquidation Test.		
5/19/23	\$770.00	11/29/23			
7 of 60	WO	\$267.69			
23-80193	PATRICIA ELLEN	(\$316.15)	<u>CONFIRMATION HEARING</u>	HYDE, JACOB BRUCE	Trustee recommends confirmation of plan #35 filed 12/7/2023 and requests a C2 Order.
0 Resets	HOOPER	-0.18 Mos	Plan #35 filed 12/7/2023 works paying 100% to the secured and priority creditors; there are no general unsecured claims filed in this case.		
9/28/23	\$1,785.00	12/5/23			
3 of 60	EFT	\$777.23			
20-80036	BRIAN DEON and ERICA MONIQUE	\$8,268.59	<u>TRUSTEE'S MOTION TO DISMISS FOR NON-PAYMENT</u>	KEELING, KENNETH A	Trustee Recommends Dismissal.
0 Resets	WILLIS	4.08 Mos	<u>DOC #95 FILED 10/20/2023</u>		
1/31/20		9/8/23	Response filed 11/9/2023 at #97.		
47 of 60	\$2,028.13 No Pmt info	\$480.00	Last payment posted in September 2023 from employer.		

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10:00 am					
22-80030	GILBERTO	\$0.00	<u>AMENDED UNIFORM MODIFICATION #80 FILED 12/7/2023</u>	KEELING, KENNETH	Trustee
1 Reset	DUENES, SR. and	0.00 Mos	Modification was filed to cure delinquency, add post-petition mortgage payments, and change the treatment of Amos Financial from a Total Debt Claim to Cure and	A	Recommends
2/23/22	LEONOR ORTIZ	11/8/23	Maintain in Paragraph 8A.		Approval of
22 of 60	DUENES	\$2,220.00			Amended Mod
	\$2,220.00				#80.
	EFT		Amended Mod works at 15% to general unsecured creditors with no adverse effect on any creditor requiring additional notice.		
23-80194	DORI LYNN	\$1,661.52	<u>CONFIRMATION HEARING AND TRUSTEE'S MOTION TO DISMISS #24 FILED</u>	KIM, MIN GYU	Trustee does not
0 Resets	ALVAREZ	0.62 Mos	<u>11/17/2023</u>		recommend
9/29/23	\$2,700.00	12/1/23	No Response to Trustee's Motion to Dismiss.		confirmation.
3 of 60	WO	\$1,246.16	Plan #20 filed 10/24/2023 fails to provide for treatment of secured claim # 11 filed 11/6/2023 by Brazoria County in the amount of \$4,734.96.		
			Plan fails to properly provide for mortgage claim #15 of Planet Home Lending (Ongoing per POC: \$2,194.30; Plan: \$2,212.21).		
			IRS claim #8 filed 11/1/2023 shows an unfiled tax return for the year 2020 and estimates a priority liability claim of \$2,769.38. Trustee received a signed copy of Debtor's 2020 return on 11/14/2023 (shows a liability of \$620.00). Plan fails to provide any treatment for the IRS.		
			Trustee alleges Debtor's Official Form 122C #19 filed 10/24/2023 is inaccurate and thus the plan may not meet the disposable income test.		
23-80205	SHARONDA LENISE	(\$288.47)	<u>CONFIRMATION HEARING</u>	KIM, MIN GYU	Trustee requests
0 Resets	BARARD	-0.46 Mos	Plan #17 filed 10/24/2023 currently works at 100% to all creditors, but bar date is 12/19/2023. Plan must remain 100% per Debtor's Official Form 122C requirement		confirmation
10/10/23	\$625.00	12/1/23	of \$113,866.20 and disposable income.		hearing be
2 of 60	WO	\$288.47			continued to
					1/19/2024 at 10:00
					am to allow bar
					date to pass.

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10:00 am					
22-80197 1 Reset 10/30/22 14 of 13	MICAH WAYLAND MCFARLANE \$3,447.69 WO	(\$10,343.07) -3.00 Mos 12/1/23 \$3,447.69	<u>AMENDED UNIFORM MODIFICATION #48 FILED 12/7/2023</u> Modification was filed to incorporate a mortgage loan modification with Select Portfolio, add post-petition mortgage payments, and reduce the plan term from 60 to 13 months, ending the plan in November 2023. Amended Mod works at 100% to general unsecured creditors per Debtor's OF122C requirement and plan length with no adverse effect on any creditor requiring additional notice. TRUSTEE REQUESTS M4 ORDER due to disposable income and ACP.	LUSKY, BENJAMIN	Trustee Recommends Approval of Amended Mod #48 - WITH M4 ORDER.
23-80173 2 Resets 9/1/23 3 of 60	TIMOTHY LOUIS and GWENDOLYN ANN BOURGEOIS \$4,835.00 EFT WO	(\$636.32) -0.13 Mos 12/8/23 \$525.00	<u>CONFIRMATION HEARING AND TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS #34 FILED 10/18/2023.</u> Plan #43 filed 11/29/2023 fails to provide for claim #9 filed 11/7/2023 by Harris County for \$35,837.58.	PACK LAW, P.C.	Trustee does not recommend confirmation.
23-80196 0 Resets 10/2/23 2 of 60	BRIAN V BUCHANAN \$0.01 No Pmt info	\$0.02 2.00 Mos 1/1/00 \$0.00	<u>CONFIRMATION HEARING AND TRUSTEE'S MOTION TO DISMISS #19 FILED 11/17/2023</u> No Response to Trustee's Motion to Dismiss. Debtor failed to appear at the Meeting of Creditors on 11/13/2023. The meeting has been reset to 12/11/2023 at 12:15 pm. No payments have been made, and Debtor has failed to file a wage deduction order or EFT/ACH authorization with the Court. Debtor has failed to file a Plan or Plan Summary. IRS claim #3 filed 11/8/2023 shows unfiled tax returns for the years 2020, 2021 and 2022, estimating a priority liability claim of \$18,470.62. Trustee has not received copies of any tax returns.	PACKARD, LAWRENCE H III	Trustee recommends dismissal with prejudice.

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23-80197	THERESA SMITH	\$500.00	<u>CONFIRMATION HEARING AND TRUSTEE'S MOTION TO DISMISS #22 FILED</u>	PAYNE, KYLE	Trustee does not recommend confirmation.
0 Resets	WILLIAMS	1.00 Mos	<u>11/17/2023</u>	KENNETH	
10/2/23	\$500.00	11/16/23	No Response to Trustee's Motion to Dismiss.		
2 of 60	EFT	\$500.00			

Plan #2 filed 10/2/2023 fails to properly provide for claim #3 of Deutsche Bank/PHH Mortgage (Arrears per POC: \$34,931.32; Plan: \$0. Ongoing per POC: \$686.63; Plan: \$664.94 beginning month 3). Further, Plan fails to provide for Notice of Mortgage Payment Change #19 filed 11/8/2023 indicating a new ongoing amount of \$704.61 effective 12/1/2023. Objection to Confirmation #25 filed 12/4/2023 by Deutsche Bank.

IRS claim #2 filed 11/8/2023 shows unfiled tax returns for the years 2021 and 2022, estimating a priority liability claim of \$12,374.50 and a secured claim of \$10,554.78. Trustee received unsigned copies of these returns on 11/8/2023; 2021 return shows a refund of \$2,188.00 and 2022 return shows a refund of \$1,283.00. Plan fails to provide for treatment of the priority amount and lists a secured IRS claim of \$6,776.60 on the plan summary only. Further, Plan fails to provide the proper rate of interest of 8% on the secured IRS claim per Section 511; plan summary provides 7%.

Trustee alleges Plan is not feasible pursuant to 1325(a)(6).

Debtor has failed to provide Trustee with proof of income to substantiate the amounts listed on Schedule I.

18-80363	JEFFERY PAUL and	\$4,985.34	<u>AMENDED TRUSTEE'S MOTION TO DISMISS FOR FEASIBILITY AND</u>	RASHID,	Trustee Recommends Dismissal
0 Resets	SHARON KAY	1.16 Mos	<u>NON-PAYMENT DOC #173 FILED 11/30/2023</u>	AZWAR-RADI M	
12/3/18	WOODRUFF	12/6/23	Modified Plan #143 no longer provides for 100% return to all allowed claims pursuant to Order #154 requiring 100% return based on the increase in Trustee fee from 5.95 to 7.75 effective 4/1/2023. Further, Debtors are delinquent.		
60 of 60	\$4,292.78	\$4,292.78			

Debtors' Response #174 filed 12/7/2023.

Debtors are in month 60 of 60 and are delinquent \$4,985.34, or approx. 1.2 payments through the end of the plan. All payments have come due. Base balance matches delinquency. 2 payments of \$4,292.78 posted on 12/4/23 and

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10:00 am					
12/6/23 via epay.					
23-80184	KERRY WAYNE	(\$462.16)	<u>CONFIRMATION HEARING</u>	RASHID,	Trustee
0 Resets	COLEMAN, JR. and	-0.95 Mos	Plan #24 filed 12/7/2023 works paying 6% to the general unsecured creditors.	AZWAR-RADI M	recommends
9/15/23	DEANNA RENEE	12/5/23			confirmation of
3 of 60	COLEMAN	\$223.85			plan #24 filed
	\$485.00				12/7/2023.
	WO				
23-80203	TIMOTHY	\$1,657.70	<u>CONFIRMATION HEARING AND TRUSTEE'S OBJECTION TO CONFIRMATION</u>	RASHID,	Trustee does not
0 Resets	JEREMIAH and	1.02 Mos	<u>AND MOTION TO DISMISS #24 FILED 11/15/2023.</u>	AZWAR-RADI M	recommend
10/6/23	CARLA FAY JONES	11/28/23	Debtors failed to appear at the 341 Meeting of Creditors on 11/13/2023. A reset		confirmation.
2 of 60	\$1,625.00	\$796.15	Meeting is scheduled for 12/11/2023 at 12:00PM.		
	WO				
			Debtors are delinquent 1.02 payments through 12/5/2023 totaling \$1,657.70.		
			Plan #32 filed 12/8/2023 works paying 2% to the general unsecured creditors, however, the plan provides new treatment for Wells Fargo Bank N.A.'s claim #19 filed 11/22/2023 for furniture purchased from American Furniture Warehouse, requiring proper notice.		
23-80182	BYRON JOSEPH	(\$1,900.00)	<u>CONFIRMATION HEARING</u>	WILLINGHAM,	Trustee
1 Reset	MILLER and INGRID	-0.51 Mos	Plan #49 filed 12/1/2023 works, paying 1.69% to the general unsecured creditors.	AMBER L	recommends
9/11/23	LAUREL	12/5/23			confirmation of
3 of 60	CLARK-MILLER	\$2,750.00			Plan #49 filed
	\$3,750.00				12/1/2023.
	EFT				