

Post Conf Victoria Hearing
Judge MARVIN ISGUR, Victoria
William E. Heitkamp, Trustee
January 18, 2023 11:30 am

Reset Dates:
02/15/2023
03/22/2023
04/12/2023

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>			
11:30 am					
19-60046	JUAN GABRIEL and	\$1,450.00	<u>TRUSTEE'S MOTION TO DISMISS FOR NON-PAYMENT</u>	BROWN, JEROME A	Trustee Recommends Dismissal.
2 Resets	AZALEA MARTINEZ	1.04 Mos	<u>DOC #117 FILED 8/23/2022</u>		
5/31/19	\$1,400.00	1/5/23	Response filed 9/13/2022 at #118.		
44 of 60	EFT	\$1,000.00			
			Debtor pays via ePay. Partial payment posted in November. Debtor paid extra in December. Last payment posted on 1/5/2023 for \$1,000.		
			Delinquent 1.1 payments with next payment due January 28th.		
21-60062	SCOTT and RANDI	\$4,137.86	<u>UNIFORM MODIFICATION #52 FILED 11/8/2022</u>	RAUB, TIMOTHY D	Trustee Recommends Mod #52 be Denied.
3 Resets	GAYLE REICHARD	1.10 Mos	<u>TRUSTEE'S OBJECTION TO MOD FILED 12/2/2022, DOC #56</u>		
7/7/21	\$3,770.00	1/10/23	<u>TRUSTEE'S MOTION TO DISMISS FOR FEASIBILITY #49 FILED 9/9/2022</u>		Trustee Recommends Dismissal.
18 of 60	WO	\$63.67	Modification was filed to provide for a deficiency claim filed by Credit Acceptance and extend the plan term from 59 to 60 months.		
			Mod Plan Summary fails to reflect the correct amount of pre-modification distributions to secured creditors (Correct Amount: \$49,141.83; Plan: \$48,141.60).		
			Mod fails to provide for the correct Remaining Claim to LoanCare (Remaining Claim: \$7,350.56; Plan: \$7,869.09).		
			Debtors failed to file an amended wage order or electronic payment mechanism consistent with the proposed modification in compliance with BLR 3015-1(c)(1).		
			Motion to dismiss for feasibility. Confirmation order #33 required 100% return to holders of general unsecured claims. Amended general unsecured proof of claim (court claim #1-2) filed by Credit Acceptance Corporation for \$16,279.53 on 11/30/2021 is not provided for in the confirmed plan (docket #26). Plan no longer provides for a 100% return to holders of general unsecured claims. Notice of Post-pet mortgage fees #37 for Lakeview Loan Servicing LLC totaling \$600.00 and Notice of attorney's fees #46 for Raub Law Firm totaling \$300.00 further render the plan deficient.		
			Mod payment is \$3,770.		

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Per the Mod, Debtors are delinquent \$4,137.86 (1.09 months). If the Mod is not approved, Debtors will be delinquent \$4,865.57.					
20-60052	WILLIAM L SCIBA	\$25,448.73	<u>AMENDED TRUSTEE'S MOTION TO DISMISS FOR NON-COMPLIANCE WITH</u>	STEWART, PAMELA L	Trustee Recommends Dismissal.
0 Resets	JR	4.15 Mos	<u>CONFIRMED PLAN AND NON-PAYMENT</u>		
8/31/20	\$6,129.11	11/2/22	<u>DOC #153 FILED 1/11/2023</u>		
29 of 56	EFT	\$1,200.00	No response filed.		
Paragraph 29 of confirmed plan required Debtor to sell and transfer real property by December 31, 2022. Debtor has failed to comply with the requirements of paragraph 29 of the confirmed plan. Debtor pays via ePay. Partial payment posted in October and November. Last payment posted on 11/2/2022 for \$1,200.					
18-60054	DEKESSON D.	\$2,152.06	<u>TRUSTEE'S MOTION TO DISMISS FOR NON-PAYMENT</u>	WERNER, LESLIE A	Trustee Recommends Dismissal.
2 Resets	CALLIS	1.98 Mos	<u>DOC # 89 FILED 9/14/2022</u>		
8/3/18	\$1,085.00	1/11/23	Response filed 11/8/2022 at #94.		
53 of 60	WO	\$610.02			
Case is on full wage order plus \$236.71 extra per month. Debtor was paying via TFS, but then employer started paying in December. Last payment posted 1/11/2023 for \$610.02.					