

Post Conf Victoria Hearing
Judge MARVIN ISGUR, Victoria
William E. Heitkamp, Trustee
February 15, 2023 11:30 am

Reset Dates:
03/22/2023
04/12/2023
05/17/2023

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					
19-60016	AMANDA MAE	\$10,786.02	<u>TRUSTEE'S MOTION TO DISMISS FOR NON-PAYMENT</u>	BROWN, JEROME A	Trustee
0 Resets	RODRIGUEZ	2.96 Mos	<u>DOC #73 FILED 12/20/2022</u>		Recommends
3/4/19	\$3,649.17	2/7/23	Response filed 1/6/2023 at #74.		Dismissal.
47 of 60	ACH	\$1,825.00	Case is on ACH but debtor continues to call to have the draft stopped . Debtor pays via ePay. Partial payment posted in December. Regular payment plus \$475.83 extra posted in January. Last payment posted on 2/7/2023 for \$1,825.		
21-60062	SCOTT and RANDI	\$5,457.76	<u>AMENDED UNIFORM MODIFICATION #61 FILED 1/12/2023</u>	RAUB, TIMOTHY D	Trustee
4 Resets	GAYLE REICHARD	1.45 Mos	<u>AMENDED TRUSTEE'S OBJECTION TO MOD FILED 2/1/2023, DOC #68</u>		Recommends
7/7/21	\$3,770.00	2/1/23	<u>TRUSTEE'S MOTION TO DISMISS FOR FEASIBILITY #49 FILED 9/9/2022</u>		Amended Mod
19 of 60	WO	\$850.31	Modification was filed to provide for a deficiency claim filed by Credit Acceptance and extend the plan term from 59 to 60 months.		#61 be Denied.
			Mod Plan Summary fails to reflect the correct amount of pre-modification distributions to secured creditors (Correct Amount: \$49,141.92; Plan: \$48,141.83).		Trustee
			Mod proposes to begin payments November 2023 when it appears Debtors intended to commence November 2022.		Recommends
			Mod fails to provide for 100% return to unsecured creditors.		Dismissal.
			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.		

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Mod payment is \$3,770. Per the Mod, Debtors are delinquent \$5,457.76 (1.45 months). If the Mod is not approved, Debtors will be delinquent \$6,100.13.					
20-60052	WILLIAM L SCIBA	\$31,577.84	<u>AMENDED TRUSTEE'S MOTION TO DISMISS FOR NON-COMPLIANCE WITH</u>	STEWART, PAMELA L	Trustee
1 Reset	JR	5.53 Mos	<u>CONFIRMED PLAN AND NON-PAYMENT</u>		Recommends
8/31/20	\$5,707.33	11/2/22	<u>DOC #153 FILED 1/11/2023</u>		Dismissal.
30 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.					
Debtor's Response #154 filed 1/16/2023.					
Agreed Order Authorizing Sale of Real Estate #161 entered 2/2/2023.					
Order Approving William Heitkamp to Hold Funds Remaining from Sale of Land #164 entered 2/8/2023.					