

Pre and Post Conf Galveston Hearing
Judge Jeffrey P. Norman, Galveston
William E. Heitkamp, Trustee
November 12, 2021 10:00 am

Reset Dates:
12/17/2021
01/21/2022
02/18/2022

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					
17-80106	Reva and Daniel	\$4,227.95	<u>TRUSTEE'S MOTION TO DISMISS FOR NON-PAYMENT</u>	BOTTING, MELISSA	Trustee Recommends Dismissal.
1 Reset	Reyna	1.53 Mos	<u>DOC #159 FILED 7/28/2021</u>		
4/10/17	\$2,769.77	11/2/21	Response filed on 8/2/2021 at #160.		
55 of 60	WO	\$600.46	Case is on partial wage order. Employer is not paying. Debtors pay via TFS and did pay extra in October. Last payment posted on 11/2/2021 for \$600.46.		
21-80144	MOISES SAUCEDA	\$2,122.66	<u>CONFIRMATION HEARING AND TRUSTEE'S OBJECTION TO CONFIRMATION</u>	BOTTING, MELISSA	Trustee recommends dismissal.
1 Reset	and ALMA ROSARIO	2.00 Mos	<u>AND MOTION TO DISMISS #27 FILED 9/29/2021.</u>		
8/13/21	JARAMILLO	1/1/00	Debtor is delinquent 2 payments through October totaling \$2,122.66, with next payment due on November 12, 2021.		
3 of 36	\$1,061.33 No Pmt info	\$0.00	Trustee alleges that Plan #30 filed November 4, 2021 fails to provide all of Debtor's disposable income into the plan.		
			Amended Plan #30 fails to provide for the claim of Title Max on the 2010 Lincoln Navigator for \$7,109.73, plan has Title Bucks for \$6,571.00.		
			Debtor is proposing to pay Ally directly for a claim whose proof of claim indicates a pre-petition arrearage.		
			Debtor is proposing to pay Dillon Auto directly for a claim with an excessive contractual interest rate of 19%. Additionally, based on maturity date, claim amount and monthly payment, Trustee alleges that Debtors are delinquent. Dillon Auto has not filed a claim.		
			Plan fails to provide for attorney fees awarded per Fixed Fee #20 (Fixed Fee: \$3,500.00; Plan: \$3,238.00).		
21-80132	JANET FAYE	\$3,032.00	<u>CONFIRMATION HEARING AND TRUSTEE'S OBJECTION TO CONFIRMATION</u>	FUERST, JACK N	Trustee does not recommend confirmation.
0 Resets	BUCKINGHAM and	2.02 Mos	<u>AND MOTION TO DISMISS #26 FILED 09/09/2021.</u>		
7/28/21	RHONDA RENEE	11/8/21	No response to Trustee's Motion to Dismiss filed.		
4 of 60	COURTNEY	\$367.00	Debtor is delinquent 2.02 payments through October 27, 2021 totaling \$3,032.00.		
	\$1,500.00 ACH		Paragraph 10 of Plan #38 filed 11/5/2021 is incomplete as the Date Last Payment is Due has not been provided on the Gulf Coast FCU, Toyota Motor Credit and		

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Wells Fargo Home Mortgage claims.					
Trustee alleges Debtor's Official Form 122C is incorrect, thus the plan fails to meet the requirements of 1325(b). Additionally, Trustee asserts that Debtors' schedule J indicates several expenses that are not reasonably necessary for the support or maintenance of Debtors or their dependents.					
Objection to Confirmation of Plan Filed by Wells Fargo Bank, N.A.#23 filed 8/17/2021.					
Objection to Confirmation of Plan Filed by Toyota Motor Credit Corporation #24 filed 8/17/2021.					
21-80120	OLGA CONTRERAS	\$1,282.85	<u>CONFIRMATION HEARING AND TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS #31 FILED 09/09/2021. AMENDED TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS #33 FILED 09/29/2021.</u>	GALLEVO, MICHAEL	Trustee does not recommend confirmation.
0 Resets	MERRELL	0.86 Mos	Debtor is delinquent 1.05 payments through November 4, 2021 totaling \$1,282.85.		
7/5/21	\$1,500.00	11/5/21	Amended Plan #45 works paying 3.9% to the general unsecured creditors.		
4 of 60	WO	\$300.00	No response to Trustee's Motion to Dismiss filed.		
21-80142	RENEE LYNN	(\$50.00)	<u>CONFIRMATION HEARING AND TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS #34 FILED 9/29/2021.</u>	GALLEVO, MICHAEL	Trustee recommends dismissal.
0 Resets	SIMMONS	-0.07 Mos	IRS claim #8 filed September 14, 2021 shows unfiled tax returns for the years 2017, 2018 and 2020 and reflects a priority claim amount of \$2,688.00. Trustee has not received copies of these returns. Plan #38 filed 8/24/2021 fails to provide any treatment for the IRS.		
8/11/21	\$675.00	11/8/21	21st Century Mortgage filed claim #5 on August 25, 2021 on a manufactured home for \$98,993.29 at 9.75% with a maturity date of December 2037. Additionally, 21st Century Mortgage filed Objection #35 on 11/1/2021 stating the Collateral is no longer part of the bankruptcy estate as Movant has foreclosed its lien and has been awarded possession of the Collateral on June 18, 2021. Plan provides treatment as total debt for \$98,993.29 at 4.25%.		
3 of 60	EFT	\$650.00			

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10:00 am					
20-80120 0 Resets 4/7/20 19 of 60	STACY MICHELLE MCCAULEY \$275.00 EFT	\$700.00 2.55 Mos 11/1/21 \$150.00	<u>TRUSTEE'S MOTION TO DISMISS FOR NON-PAYMENT</u> <u>DOC #56 FILED 9/22/2021</u> No response filed. Debtor pays via TFS. Last payment posted on 11/1/2021 for \$150.	HARDWICK, MICHAEL L	Trustee Recommends Dismissal.
17-80352 1 Reset 12/4/17 47 of 60	GARY IRVIN OBRIEN, JR \$5,400.00 EFT	\$10,799.50 2.00 Mos 10/18/21 \$500.50	<u>UNIFORM MODIFICATION #108 FILED 8/27/2021</u> <u>AMENDED TRUSTEE'S OBJECTION TO MOD FILED 10/19/2021, DOC #111</u> Modification was filed to cure delinquency and add post-petition mortgage payments. Debtor's forbearance agreement with Caliber Home Loans was extended until September 2021. Mod proposes to move ongoing mortgage payments that have already been disbursed to post-petition arrears. Mod fails to provide for the correct ongoing monthly mortgage payment to Caliber Home Loans (Correct Amount: \$2,102.30; Plan: \$2,161.28). Debtor proposes to avoid a lien under paragraph 8C of the plan, which had been avoided under a previously confirmed plan. Schedule J does not show disposable income sufficient to fund the step-up in the plan payment effective 10/2021. Debtor failed to file an amended wage order or electronic payment mechanism consistent with the proposed modification in compliance with BLR 3015-1(c)(1). Mod payment is \$5,400. Per the Mod, Debtor is delinquent \$10,799.50 (1.9 months). If the Mod is not approved, Debtor will be delinquent \$21,336.05.	KEELING, KENNETH A	Trustee Recommends Mod #108 be Denied.

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10:00 am					
19-80297	RAHEEN D and THERESA L HALL	(\$4,250.00)	<u>UNIFORM MODIFICATION #70 FILED 10/6/2021</u>	PAYNE, KYLE KENNETH	Trustee Recommends Mod #70 be Denied.
0 Resets	\$4,250.00	-1.00 Mos	<u>TRUSTEE'S OBJECTION TO MOD FILED 10/26/2021, DOC #71</u>		
9/10/19	EFT	11/8/21	Modification was filed to surrender the 2012 Tractor Cascadia to Mercedes-Benz Financial Services.		
26 of 60		\$4,250.00	Plan Summary fails to reflect the correct amount of pre-modification deposits into the HOA Reserve (Correct Amount: \$805; Plan: \$245).		
			Debtors failed to file amended Schedules I and J in compliance with BLR 3015-1(c) (3).		
			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).		
			Mod payment is \$4,250. Debtor is current per the Mod. If the Mod is not approved, Debtor will be paid ahead by \$3,102.78 thru October.		
21-80140	BOBBI JO and RAYE MARIS	\$1,148.76	<u>CONFIRMATION HEARING AND TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS #31 FILED 9/29/2021</u>	PEREZ, GABE	Trustee does not recommend confirmation.
0 Resets	\$1,784.00	0.64 Mos	Response to Trustee's Motion to Dismiss filed 10/11/2021 at #38.		
8/10/21	WO	10/26/21	Debtor is delinquent .64 payments totaling \$1,148.76, with next payment due on November 9, 2021.		
3 of 60		\$784.62	Plan #36 filed 10/11/2021 provides for Wells Fargo's claim as total debt at the expense of the general unsecured creditors. The mortgage matures in 2041.		
			Trustee alleges Plan #36 fails to provide all of Debtor's disposable income into the plan per Debtors OF122-C.		
19-80383	JASON GAULEY KELLEY	\$10,870.45	<u>TRUSTEE'S MOTION TO DISMISS FOR NON-PAYMENT DOC #87 FILED 9/22/2021.</u>	RASHID, AZWAR-RADI M	Trustee Recommends Dismissal.
0 Resets	\$3,613.31	3.01 Mos	Response filed on 9/23/2021 at #88.		
11/18/19	No Pmt info	8/24/21	Employer stopped paying in August 2021. Last payment posted on 8/24/2021 via		
24 of 60		\$2,000.00			

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10:00 am					
ePay for \$2000. Order granting sale of property was signed on 10/29/2021.					
Motion to Modify was filed on 11/5/2021 at #93. Hearing is set for 12/17/2021 @ 9:30.					
19-80350 0 Resets 10/23/19 25 of 84	ANGEL LUIS MILLAN and ROSALVA VARGAS \$3,448.69 EFT	\$10,330.00 3.00 Mos 10/4/21 \$800.00	<u>TRUSTEE'S MOTION TO DISMISS FOR NON-PAYMENT</u> <u>DOC #69 FILED 9/22/2021</u> Response filed on 10/8/2021 at #71. Debtors make partial payments via TFS. Last payment posted on 10/4/2021 for \$800.	SMITH, JOHN E	Trustee Recommends Dismissal.
19-80091 1 Reset 3/30/19 32 of 60	TERRY D. SOWELLS \$4,881.65 WO	\$13,742.23 2.82 Mos 9/22/21 \$9,000.00	<u>TRUSTEE'S MOTION TO DISMISS FOR NON-PAYMENT</u> <u>DOC #95 FILED 7/28/2021</u> Debtor filed response on 7/29/2021 at #96. Case is on a full wage order. Employer is not paying. Debtor pays via TFS. Last payment posted on 9/22/2021 for \$9000.	WEBB, TIMOTHY	Trustee Recommends Dismissal.