

**U.S. BANKRUPTCY COURT  
Western District of Texas  
Judge Craig A. Gargotta, Presiding  
11/18/14  
San Antonio Courtroom #3  
HEARINGS**

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***9:30 AM***

***CHAPTER 13 DISMISSAL DOCKET***

***10:00 AM***

***CHAPTER 13 CONFIRMATION DOCKET***

***1:30 PM***

***CHAPTER 13 MISCELLANEOUS DOCKET***

**09-50526-cag Richard D. Padilla and Betty Ann Padilla Chapter: 13**

Ruben E. Vasquez representing Richard D. Padilla (Debtor)

Ruben E. Vasquez representing Betty Ann Padilla (Debtor)

Mary K Viegelahn (Trustee)

#48 Motion to Determine Post Petition Mortgage Arrears and Request for an Accounting Pursuant to Bankruptcy Rule 3002(h) filed by Ruben E. Vasquez for Debtors Betty Ann Padilla, Richard D. Padilla

**10-50595-cag Roberto Capelo and Grace Garza Capelo Chapter: 13**

Jeffrey Rollins Davis representing Roberto Capelo (Debtor)

Jeffrey Rollins Davis representing Grace Garza Capelo (Debtor)

Mary K. Viegelahn (Trustee)

#47 Motion to Modify Confirmed Chapter 13 Plan and Second Request for Additional Attorney's Fees (Requesting Attorney Fees in the Amount of \$750. filed by Jeffrey Rollins Davis01 for Debtors Grace Garza Capelo, Roberto Capelo

**RESET 12/16/14**

**10-51100-cag Leslie A. Garcia Chapter: 13**

Magdalena Gonzales representing Leslie A. Garcia (Debtor)

Mary K. Viegelahn (Trustee)

#46 Motion to Modify Confirmed Plan filed by Mary K. Viegelahn<sup>13</sup> for Trustee Mary K Viegelahn

**RESET TO 12/16/14**

**10-51638-cag Funmilayo Umude Chapter: 13**

William B. Chenault III representing Funmilayo Umude (Debtor)

Mary K. Viegelahn<sup>17</sup> representing Mary K Viegelahn (Trustee)

#57 Motion to Modify Confirmed Chapter 13 Plan filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

**RESET TO 12/16/14**

**10-51854-cag Lucia Graciela Bustamante Chapter: 13**

Jeffrey Rollins Davis representing Lucia Graciela Bustamante (Debtor)

Mary K. Viegelahn (Trustee)

#41 Motion to Modify Confirmed Plan filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

**RESET TO 12/16/14**

**11-50464-cag Ariel Arrogante and Stephanie Arrogante Chapter: 13**

J. Todd Malaise and J. Todd Malaise02 representing Ariel Arrogante (Debtor)  
J. Todd Malaise and J. Todd Malaise02 representing Stephanie Arrogante (Debtor)  
Mary K. Viegelahn03 representing Mary K Viegelahn (Trustee)

#80 Objection to Claim of U.S. Department of HUD co Deval LLC (\$14757. Court Claim #29-1 (30 Day Objection Language) Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

**11-53073-cag Rebecca H. Alderman Chapter: 13**

J. Todd Malaise representing Rebecca H. Alderman (Debtor)  
Mary K. Viegelahn (Trustee)

#43 Motion to Withdraw Document filed by J. Todd Malaise for Debtor Rebecca H. Alderman

**11-53959-cag Anthony E. Vargas and Virginia Vargas Chapter: 13**

H. Anthony Hervol representing Anthony E. Vargas (Debtor)  
H. Anthony Hervol representing Virginia Vargas (Debtor)  
Mary K. Viegelahn (Trustee)

#66 Certificate of Non-Compliance filed by Gary W. Wright for Creditor Internal Revenue Service. (Related Document(s): 46 Order Regarding (related document(s): 35 Motion to Allow 1305(a) Claim of the Internal Revenue Service, to Modify Plan, and First Application for Additional Attorney's Fees filed by H. Anthony Hervol for Debtors Anthony E. Vargas, Virginia Vargas.

**GRANT MOTION**

**12-50973-cag Hulene Noble Drenner Chapter: 13**

Joris Robert Vanhemelrijck representing Hulene Noble Drenner (Debtor)

Mary K. Viegelahn representing Mary K Viegelahn (Trustee)

#32 Motion for Entry of Hardship Discharge under 11 U.S.C. Section 1328(b) (WITH 21 Day Objection Language) filed by Joris Robert Vanhemelrijck for Debtor Hulene Noble Drenner.

**MOTION W/DRAWN 11/17/14**

**12-52139-cag Aaron McDonald Horton Chapter: 13**

Ruben E. Vasquez representing Aaron McDonald Horton (Debtor)

Mary K. Viegelahn (Trustee)

#42 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees In the Amount Of \$750. filed by Ruben E. Vasquez for Debtor Aaron McDonald Horton

**AGREED ORDER SUBMITTED 11/17/14**

**12-53176-cag Leo H. Klesel, Jr. Chapter: 13**

Callan M. Billingsley representing Leo H. Klesel Jr (Debtor)

Mary K. Viegelahn (Trustee)

#41 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees in the Amount of \$750. filed by Callan M. Billingsley for Debtor Leo H. Klesel Jr

**\*\*\*RESET IN OPEN COURT ON 10/23/14-NFN\*\*\***

**12-53410-cag Virginia Liedecke Villarreal Chapter: 13**

Ricardo Ojeda Jr representing Virginia Liedecke Villarreal (Debtor)  
Mary K. Viegelahn (Trustee)

#47 Objection to Claim of OVATION SERVICES Court claim #12 in the amount of \$1,360.34 (30 Day Objection Language) Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

**OBJ W/DRAWN 11/12/14**

**13-50356-cag Amadeo C. Lopez Chapter: 13**

James Samuel Wilkins and Ruben E. Vasquez representing Amadeo C. Lopez (Debtor)  
Mary K. Viegelahn (Trustee)

#21 Objection to Claim of SAN ANTONIO NATIONAL BANK Court claim #3 in the amount of \$46,269.03 (30 Day Objection Language) Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn.

**RESET 1/22/15**

**13-50733-cag Alfred Castillo and Jennifer Castillo Chapter: 13**

Rick Flume representing Alfred Castillo (Debtor)  
Rick Flume representing Jennifer Castillo (Debtor)  
Mary K. Viegelahn (Trustee)

48 Motion to Allow Late Filed Proof of Claim Of Millennium Loan Fund In The Amount Of \$1,545.47 (WITH 21 Day Objection Language) filed by Rick Flume for Debtors Alfred Castillo, Jennifer Castillo

**RESET 12/16/14**

**13-51103-cag Iyan Ladon Jones Chapter: 13**

Jeffrey Rollins Davis representing Iyan Ladon Jones (Debtor)  
Mary K. Viegelahn (Trustee)

#42 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees In the Amount Of \$750. filed by Jeffrey Rollins Davis01 for Debtor Iyan Ladon Jones

**\*\*\*RESET IN OPEN COURT ON 10/23/14-NFN\*\*\***

**MOTION W/DRAWN 11/17/14**

**13-51358-cag Timothy Jon Stratton and Lisa Ann Stratton Chapter: 13**

J. Todd Malaise representing Timothy Jon Stratton (Debtor)  
J. Todd Malaise representing Lisa Ann Stratton (Debtor)  
Mary K. Viegelahn (Trustee)

#43 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees in the Amount Of \$500. filed by J. Todd Malaise for Debtors Lisa Ann Stratton, Timothy Jon Stratton

**13-51376-cag Andre Matthew Ruiz and Marissa Castillo Ruiz Chapter: 13**

J. Todd Malaise representing Andre Matthew Ruiz (Debtor)  
J. Todd Malaise representing Marissa Castillo Ruiz (Debtor)  
Mary K. Viegelahn (Trustee)

#64 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees in the Amount Of \$500. filed by J. Todd Malaise for Debtors Andre Matthew Ruiz, Marissa Castillo Ruiz

**MOOT – CASE DISMISSED 10/28/14**



**13-51775-cag Christina A. Moreno Chapter: 13**

Magdalena Gonzales representing Christina A. Moreno (Debtor)

Mary K. Viegelahn (Trustee)

#55 Trustee's Motion to Enter Discharge after Completion of Plan Payments. Response to Motion to Enter Discharge.

**OBJ TO MTN W/DRAWN 10/27/14 – GRANT MOTION**

**13-52436-cag Teodoro Reyna and Eleticia Castillo Vara Chapter: 13**

J. Todd Malaise representing Teodoro Reyna (Debtor)

J. Todd Malaise representing Eleticia Castillo Vara (Debtor)

Mary K. Viegelahn (Trustee)

#62 Objection to Claim of Val Verde Regional Medical Center (Court Claim # 25 \$20,899.51 (30 Day Objection Language) Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

**RESET 12/16/14**

**13-52994-cag Kevin Michael Saxon and Michelle Dimando Saxon Chapter: 13**

J. Todd Malaise representing Kevin Michael Saxon (Debtor)

J. Todd Malaise representing Michelle Dimando Saxon (Debtor)

Mary K. Viegelahn (Trustee)

#26 Objection to Claim of TITLEMAX OF TEXAS, INC. D/B/A TITLEMAX Court claim #7 in the amount of \$3,076.53 (30 Day Objection Language) Filed by Mary K. Viegelahn05 for Trustee Mary K Viegelahn.

**RESET 12/16/14**

**13-52996-cag Charles A. Gomez and Lisa A. Gomez Chapter: 13**

David T. Cain representing Charles A. Gomez (Debtor)

David T. Cain representing Lisa A. Gomez (Debtor)

Mary K. Viegelahn (Trustee)

#41 Objection to Claim of Caliber Home Loans filed by David T. Cain for Debtors Charles A. Gomez, Lisa A. Gomez.

**13-53480-cag Santos Valdez, Sr. Chapter: 13**

Joris Robert Vanhemelrijck representing Santos Valdez Sr. (Debtor)

Mary K. Viegelahn (Trustee)

#62 Motion to Dismiss Case filed by Randolph V. Gonzalez for Creditor Child Support Attorney General of Texas

**14-50055-cag Michael Rodriguez Garcia and Brenda Denise Garcia**

**Chapter: 13**

Ruben E. Vasquez representing Michael Rodriguez Garcia (Debtor)

Ruben E. Vasquez representing Brenda Denise Garcia (Debtor)

Mary K. Viegelahn (Trustee)

#52 Motion to Dismiss Case filed by Rachel R Obaldo for Creditor Texas Comptroller of Public Accounts

**\*\*\*NOTICE OF WITHDRAWAL FILED ON 10/28/14\*\*\***

**14-50075-cag Maria Torres Solis Chapter: 13**

J. Todd Malaise representing Maria Torres Solis (Debtor)

Mary K. Viegelahn (Trustee)

#26 Objection to Claim of Westlake Financial Services, Court Claim #1, In The Amount Of \$6,442.34 (WITH 30 Day Objection Language) Filed by Trustee Mary K Viegelahn  
**OBJ W/DRAWN 11/10/14**

**14-51283-cag Nayeli Lisett De Los Santos Chapter: 13**

Joris Robert Vanhemelrijck representing Nayeli Lisett De Los Santos (Debtor)

Mary K. Viegelahn (Trustee)

#21 Objection to Claim of City of Austin DBA Austin Energy (Court Claim # 8 \$323. (30 Day Objection Language) Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn  
**OBJ W/DRAWN 11/10/14**

#24 Objection to Claim of Austin Public Library (Court claim # 9 \$81.65, 30 Day Objection Language) Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn  
**OBJ W/DRAWN 11/10/14**

**14-51495-cag Earl Nathan Pettus, Jr. Chapter: 13**

Johnny W. Thomas representing Earl Nathan Pettus Jr (Debtor)  
Mary K. Viegelahn (Trustee)

#64 Motion to Withdraw as Attorney of Record filed by Johnny W. Thomas for Debtor Earl Nathan Pettus Jr.

**14-51567-cag Guy Keith Scott and Mary Ann Scott Chapter: 13**

David A. Bosworth representing Guy Keith Scott (Debtor)  
David A. Bosworth representing Mary Ann Scott (Debtor)  
Mary K. Viegelahn representing Mary K Viegelahn (Trustee)

#34 Objection to Claim of Security Service Federal Credit Union, Claim #6, \$11,843.64 (30 Day Objection Language) Filed by Mary K. Viegelahn, Trustee.

**OBJ W/DRAWN 11/12/14**

**14-51900-cag Marisa Perez-Luna Chapter: 13**

J. Todd Malaise representing Marisa Perez-Luna (Debtor)  
Mary K. Viegelahn (Trustee)

#15 Motion to Determine Debtor(s) as Ineligible for Discharge Pursuant to 11 U.S.C. §1328(f) filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

**MOTION WITHDRAWN 11/12/14**

**14-52216-cag Rosemary M Elizondo and Michael W Mariscal Chapter: 13**

Ricardo Guerra representing Rosemary M Elizondo (Debtor)

Ricardo Guerra representing Michael W Mariscal (Debtor)

Mary K Viegelahn (Trustee)

#25 Application for Approval of Fixed Fee Agreement and Bankruptcy Rule 2016(b)

Disclosure filed by Ricardo Guerra for Debtors Rosemary M Elizondo, Michael W Mariscal.

**MOTION W/DRAWN 11/13/14**

**14-52583-cag Sandra Hilda Best Chapter: 13**

Joris Robert Vanhemelrijck representing Sandra Hilda Best (Debtor)

Mary K Viegelahn (Trustee)

#7 Motion To Dismiss Case with Prejudice and For Sanctions for Bad Faith Filing filed by Martin Warren Seidler for Creditor Alysse Rueckert.

**\*\*\*RESET FOR A SPECIAL SETTING TO 11/25/14 AT 9:00 AM (2 HOUR TIME ESTIMATE)\*\*\***

**14-52749-cag Michael Troy Mata Chapter: 13**

PRO SE Michael Troy Mata (Debtor)

Mary K Viegelahn (Trustee)

***SHOW CAUSE HEARING:***

#6 Order to Michael Troy Mata to Appear and Show Cause (Why Case Should Not Be Dismissed) and Why He is Filing a Fourth Bankruptcy Case.

**14-52795-cag Richard V. Rodriguez Chapter: 13**

PRO SE Richard V. Rodriguez (Debtor)

Mary K Viegelahn (Trustee)

***SHOW CAUSE HEARING:***

#4 Order to Richard Rodriguez to Appear and Show Cause (Why Case Should Not Be Dismissed) and Why He is Filing a Fourth Bankruptcy Case.

**12-52770-cag Martin Garcia and Judy Stengel Chapter: 13**

Heidi McLeod representing Martin Garcia (Debtor)

Heidi McLeod representing Judy Stengel (Debtor)

Mary K. Viegelahn05 and Mary K. Viegelahn11 and Mary K. Viegelahn24 representing Mary K Viegelahn (Trustee)

#91 Motion to Sell Property under Section 363(b) (21 Day Objection Language) filed by Heidi McLeod for Debtors Martin Garcia, Judy Stengel.

**\*\*\*SET ON EXPEDITED BASIS, HEIDI MCLEOD SHALL GIVE NOTICE OF THE HEARING\*\*\***

**09-54329-cag Harley Donald Tillis, Jr. and Stephanie Kristine Tillis**

**Chapter: 13**

PRO SE Harley Donald Tillis Jr. (Debtor)

Dean William Greer representing Stephanie Kristine Tillis (Debtor)

Mary K. Viegelahn (Trustee)

70 Amended Motion to Sell Property Free and Clear of Liens 11USC,363(f) ( Filing Fee: \$ 176.00 ) filed by Dean William Greer for Debtor Stephanie Kristine Tillis.

**\*\*\*SET ON EXPEDITED BASIS, DEAN GREER SHALL GIVE NOTICE OF THE HEARING\*\*\***

**GRANT AMENDED MODIFICATION**