

U.S. BANKRUPTCY COURT
Western District of Texas
Judge Ronald B. King, Presiding
5/5/16
San Antonio Courtroom #1
HEARINGS

9:00 AM

88-52409-rbk Charles D. Doege and Claudia R. Doege Chapter: 7

Joseph W. Shulter representing Charles D. Doege (Debtor)

Joseph W. Shulter representing Claudia R. Doege (Debtor)

Michael G. Colvard representing John Patrick Lowe (Trustee)

#40 Motion for Entry of Order Authorizing and Approving the Sale of Certain Property Free and Clear of All Liens, Claims and Encumbrances filed by Michael G. Colvard for Trustee, John Patrick Lowe.

*****SET ON EXPEDITED BASIS – MR. COLVARD RESP. FOR NOTICE*****

1:30 PM

“MISCELLANEOUS DOCKET”

16-50689-rbk Karen Ann Ward Chapter: 13

Sean T. Flynn representing Karen Ann Ward (Debtor)

Mary K Viegelahn (Trustee)

#5 Order To Debtor, Karen Ann Ward, and/or Counsel of Record for the Debtor, Sean T. Flynn, to appear and show cause why discharge of the Debtor should not be denied in this case under § 1328(f).

16-50768-rbk Florence V. Viera Chapter: 13

PRO SE Florence V. Viera (Debtor)

Mary K Viegelahn (Trustee)

#6 Order To Debtor, Florence V. Viera, to appear and show cause why this case should not be dismissed because of the filing of several cases and because the remainder of the filing fee in the amount of \$140.50 is due and owing in Case No. 14-50212.

16-50856-rbk Terry Lewis Drew, Jr. Chapter: 13

Joris Robert Vanhemelrijck representing Terry Lewis Drew Jr. (Debtor)

Mary K Viegelahn (Trustee)

#6 Order To Debtor, Terry Lewis Drew, Jr., and/or Counsel of Record for the Debtor, Joris Robert Vanhemelrijck, to appear and show cause why discharge of the Debtor should not be denied in this case under § 1328(f).

16-50963-rbk John Johnson Chapter: 13

Heidi McLeod representing John Johnson (Debtor)

Mary K Viegelahn (Trustee)

#4 Motion for Extension of Stay Pursuant to 362(c)(3)(B) filed by Heidi McLeod for Debtor John Johnson.

*****SET ON EXPEDITED BASIS – MS. MCLEOD RESP. FOR NOTICE*****

10-51295-rbk Paul James Sharp and Beverly Michelle Sharp Chapter: 13

Rick Flume representing Paul James Sharp (Debtor)

Rick Flume representing Beverly Michelle Sharp (Debtor)

Mary K Viegelahn (Trustee)

#54 Trustee's Motion to Dismiss Case For Other Reasons.

*****RESET FROM 03/03/16*****

AGREED ORDER

OTC-TRUSTEE

10-51577-rbk Matthew Earl Eilers and Laura Marcela Eilers Chapter: 13

J. Todd Malaise representing Matthew Earl Eilers (Debtor)

J. Todd Malaise representing Laura Marcela Eilers (Debtor)

Mary K Viegelahn (Trustee)

#72 Expedited Motion For Entry of Discharge filed by J. Todd Malaise for Debtors Laura Marcela Eilers, Matthew Earl Eilers.

NOTICE OF WITHDRAWAL 4/12/16

10-53908-rbk Evelyn Perkins Chapter: 13

J. Todd Malaise representing Evelyn Perkins (Debtor)

Mary K Viegelahn (Trustee)

#61 Trustee's Motion to Dismiss Case For Other Reasons.

RESET 6/16/16

10-54253-rbk Luis Gregorio Escalante and Elsa Elvira Escalante Chapter: 13

J. Todd Malaise representing Luis Gregorio Escalante (Debtor)

J. Todd Malaise representing Elsa Elvira Escalante (Debtor)

Mary K Viegelahn (Trustee)

#104 Trustee's Motion to Dismiss Case For Other Reasons.

10-54676-rbk Thomas Scott Girhard Chapter: 13

J. Todd Malaise representing Thomas Scott Girhard (Debtor)

Mary K Viegelahn (Trustee)

#86 Motion for Relief from Stay filed by Michael L. Weems for Creditor Ditech Financial LLC f/k/a Green Tree Servicing, LLC.

*****RESET FROM 03/28/16*****

#94 Trustee's Motion to Dismiss Case For Other Reasons.

10-54983-rbk Andres Meraz and Mary Ann Meraz Chapter: 13

J. Todd Malaise representing Andres Meraz (Debtor)

J. Todd Malaise representing Mary Ann Meraz (Debtor)

Mary K Viegelahn (Trustee)

#42 Trustee's Motion to Dismiss Case For Other Reasons.

AGREED ORDER

OTC-TRUSTEE

11-50293-rbk David Michael Futrell and Karen L. Futrell Chapter: 13

J. Todd Malaise representing David Michael Futrell Sr. (Debtor)

J. Todd Malaise representing Karen L. Futrell (Debtor)

Mary K Viegelahn (Trustee)

#49 Trustee's Motion To Modify Confirmed Plan Pursuant To 11 U.S.C. § 1329(A)(1).

GRANT

11-50601-rbk Sonia Rodriguez Chapter: 13

J. Todd Malaise representing Sonia Rodriguez (Debtor)

Mary K Viegelahn (Trustee)

#106 Trustee's Motion to Dismiss Case For Other Reasons.

RESET 6/16/16

11-51617-rbk Marcus Carrizales Chapter: 13

J. Todd Malaise representing Marcus Carrizales (Debtor)
Mary K Viegelahn (Trustee)

#59 Motion to Modify Chapter 13 Plan And Third Request For Post Confirmation Attorney's Fees (Requesting Attorney Fees In the Amount Of \$791.86) filed by J. Todd Malaise for Debtor Marcus Carrizales.

*****RESET FROM 04/07/16*****

11-52865-rbk Daniel Gonzalez, Jr. and Maribel Marin Gonzalez Chapter: 13

J. Todd Malaise representing Daniel Gonzalez Jr. (Debtor)
J. Todd representing Maribel Marin Gonzalez (Debtor)
Mary K Viegelahn (Trustee)

#48 Trustee's Motion to Modify Confirmed Plan Pursuant to 11 U.S.C. §1329(a).

RESET 6/16/2016

11-53489-rbk Betty Jean Heffner Chapter: 13

J. Todd Malaise representing Betty Jean Heffner (Debtor)
Mary K Viegelahn (Trustee)

#59 Trustee's Motion To Modify Confirmed Plan Pursuant To 11 U.S.C. § 1329(A)(1).

*****RESET FROM 04/07/16*****

NOTICE OF WITHDRAWAL 5/4/16

11-53651-rbk Jose Pedro Casarez, Jr. and Debra Martinez Casarez Chapter: 13

J. Todd Malaise representing Jose Pedro Casarez Jr (Debtor)

J. Todd Malaise representing Debra Martinez Casarez (Debtor)

Mary K Viegelahn (Trustee)

#60 Expedited Motion to Sell Property and Second Request for Post Confirmation Attorney's Fees filed by J. Todd Malaise for Debtors Debra Martinez Casarez, Jose Pedro Casarez Jr.

#67 Trustee's Motion to Modify Confirmed Plan Pursuant to 11 U.S.C.1329(a)(1).

12-52616-rbk Olivia Moreno Quintanilla Chapter: 13

J. Todd Malaise representing Olivia Moreno Quintanilla (Debtor)

Mary K Viegelahn (Trustee)

#30 Trustee's Motion to Dismiss Case For Other Reasons.

RESET 6/16/16

#31 Motion to Modify Plan In Response filed by J. Todd Malaise for Debtor Olivia Moreno Quintanilla.

RESET 6/16/16

12-53044-rbk Shari Elaine Wofford Chapter: 13

Rick Flume representing Shari Elaine Wofford (Debtor)
Mary K Viegelahn (Trustee)

#24 Motion To Use 2015 Tax Refund And Second Request For Additional Compensation filed by Rick Flume for Debtor Shari Elaine Wofford.

NOTICE OF WITHDRAWAL 5/4/16

12-53659-rbk Augustus Asbury Janey, Jr. and Brigitte Janey Chapter: 13

J. Todd Malaise representing Augustus Asbury Janey Jr. (Debtor)
J. Todd Malaise representing Brigitte Janey (Debtor)
Mary K Viegelahn (Trustee)

#49 Motion To Modify Chapter 13 Plan And Fifth Request For Post Confirmation Attorney's Fees filed by J. Todd Malaise for Debtors Augustus Asbury Janey Jr, Brigitte Janey.

RESET 6/16/16

13-52754-rbk Antonio Alvarez Chapter: 13

Heidi McLeod representing Antonio Alvarez (Debtor)
Mary K Viegelahn (Trustee)

#89 Motion to Modify Plan and Application for Additional Compensation filed by Heidi McLeod for Debtor Antonio Alvarez.

*****RESET FROM 04/07/16*****

RESET 6/16/16

#97 Motion to File Claim After Claims Bar Date filed by Kyle E Neill for Creditor United SA Federal Credit Union.

RESET 6/16/16

13-53001-rbk Venancio Ireta and Martha Crouch Chapter: 13

Lewis E. Buttles representing Venancio Ireta (Debtor)
Lewis E. Buttles representing Martha Crouch (Debtor)
Mary K Viegelahn (Trustee)

#72 Motion to Dismiss One Debtor In A Joint Debtor Case filed by Randolph V. Gonzalez for Creditor Child Support Attorney General of Texas.

*****RESET FROM 04/07/16*****

NOTICE OF WITHDRAWAL 4/21/16

13-53322-rbk Samuel Leon Matos, Sr. and Donna Detra Matos Chapter: 13

J. Todd Malaise representing Samuel Leon Matos Sr. (Debtor)
J. Todd Malaise representing Donna Detra Matos (Debtor)
Mary K Viegelahn (Trustee)

#42 Motion to Modify Confirmed Chapter 13 Plan filed by J. Todd Malaise for Debtors Donna Detra Matos, Samuel Leon Matos Sr.

GRANT

14-50504-rbk David G. Dominguez and Raquel F. Tooley-Dominguez

Chapter: 7

Joe A. Gamez Jr representing David G. Dominguez (Debtor)
Joe A. Gamez Jr representing Raquel F. Tooley-Dominguez (Debtor)
John Patrick Lowe, Trustee (Trustee)

#63 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees In the Amount Of \$350.00) filed by Joe A. Gamez Jr. for Debtor Raquel F. Tooley-Dominguez.

CASE CONVERTED TO CH. 7 ON 4/13/16

14-50733-rbk Manuel Tarin Chapter: 13

J. Todd Malaise representing Manuel Tarin (Debtor)

Mary K Viegelahn (Trustee)

#22 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees In the Amount Of \$784.59) filed by J. Todd Malaise for Debtor Manuel Tarin.

GRANT

14-51367-rbk Gerardo Zavala and Neredia Zavala Chapter: 13

William R. Davis Jr. representing Gerardo Zavala (Debtor)

William R. Davis Jr. representing Neredia Zavala (Debtor)

Mary K Viegelahn (Trustee)

#53 Motion to Dismiss Case filed by Gary W. Wright for Creditor Internal Revenue Service.

*****RESET FROM 04/07/16*****

RESET 6/16/16

14-51477-rbk Stephen Forrest Newcomb and Ruth Newcomb Chapter: 13

J. Todd Malaise representing Stephen Forrest Newcomb (Debtor)

J. Todd Malaise representing Ruth Newcomb (Debtor)

Mary K Viegelahn (Trustee)

#25 Trustee's Motion to Dismiss Case For Other Reasons.

NOTICE OF WITHDRAWAL 5/4/16

#26 Motion to Modify Plan In Response filed by J. Todd Malaise for Debtors Ruth Newcomb, Stephen Forrest Newcomb (Related Document(s): 25 Trustee's Motion to Dismiss Case For Other Reasons.

GRANT

14-52555-rbk Agustin R. Macias Chapter: 13

Morris Joseph Kirschberg representing Agustin R Macias (Debtor)
Mary K Viegelahn (Trustee)

#36 Trustee's Motion to Dismiss Case for Failure to Make Plan Payments.

NOTICE OF WITHDRAWAL 5/4/16

#39 Motion to Modify Plan in Response to Trustee's Motion to Dismiss and First Request for Post Confirmation Attorney's Fees filed by Morris Joseph Kirschberg for Debtor Agustin R. Macias (Related Document(s): 36 Trustee's Motion to Dismiss Case for Failure to Make Plan Payments.

GRANT

14-52603-rbk Bonard Ellsworth Glaneman and Kristi Jo Sparks Chapter: 13

J. Todd Malaise representing Bonard Ellsworth Glaneman (Debtor)
J. Todd Malaise representing Kristi Jo Sparks (Debtor)
Mary K Viegelahn (Trustee)

#23 Motion to Dismiss Case filed by Gary W. Wright for Creditor Internal Revenue Service.

*****RESET FROM 04/07/16*****

NOTICE OF WITHDRAWAL 5/3/16

14-52963-rbk Adolfo E. Cruz, Sr. and Anna Hernandez Cruz Chapter: 13

J. Todd Malaise representing Adolfo E. Cruz Sr (Debtor)
J. Todd Malaise representing Anna Hernandez Cruz (Debtor)
Mary K Viegelahn (Trustee)

#29 Motion to Incur Debt, Modify Chapter 13 Plan and First Request for Attorney's Fees filed by J. Todd Malaise for Debtors Adolfo E. Cruz Sr, Anna Hernandez Cruz.

GRANT

15-50718-rbk Paul David Chapa and Christina Ann Chapa Chapter: 7

J. Todd Malaise representing Paul David Chapa (Debtor)

J. Todd Malaise representing Christina Ann Chapa (Debtor)

John Patrick Lowe (Trustee)

#28 Objection to Exemption Filed by Mary K. Viegelahn, Trustee.

*****RESET FROM 04/07/16*****

RESET 6/7/2016 @9:30AM

#32 Trustee's Motion to Modify Confirmed Plan.

*****RESET FROM 04/07/16*****

CASE CONVERTED 4/18/16

15-51063-rbk Aaron David Saenz, II Chapter: 13

Ruben E. Vasquez representing Aaron David Saenz II (Debtor)

Mary K Viegelahn (Trustee)

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

CASE PREVIOUSLY DISMISSED 4/19/16

15-51870-rbk Yolanda Reza Arciniega Chapter: 13

Joe A. Gamez Jr. representing Yolanda Reza Arciniega (Debtor)

Mary K Viegelahn (Trustee)

#26 Objection to Claim of Ocwen Loan Servicing LLC as Servicer for U.S. Bank N.A. in its Capacity as Trustee for Morgan Stanley Dean Witter Capital 1 INC. Trust 2001-NC4 Mortgage Pass through Certificates Series 2001-NC4 (\$92,292. Court Claim #4 Filed by Mary K. Viegelahn, Trustee.

*****RESET FROM 04/07/16*****

NOTICE OF WITHDRAWAL 5/4/16

15-51897-rbk Todd Steven Myers Chapter: 13

J. Todd Malaise representing Todd Steven Myers (Debtor)
Mary K Viegelahn (Trustee)

#34 Objection to Claim of Speedy Cash, ct clm #9, \$1,849.00 Filed by Mary K. Viegelahn, Trustee.

SUSTAIN

#35 Objection to Claim of Millennium Loan Fund LLC, ct clm #8, \$2,753.00 Filed by Mary K. Viegelahn, Trustee.

*****RESET FROM 04/07/16*****

SUSTAIN

15-52092-rbk Rodolfo Martinez, III Chapter: 13

Rick Flume representing Rodolfo Martinez III (Debtor)
Mary K Viegelahn (Trustee)

#35 Motion to Modify to Add Post-Petition Mortgage Arrears and Second Request for Additional Compensation filed by Rick Flume for Debtor Rodolfo Martinez III.

DENY

15-52098-rbk Leticia Gonzales Chapter: 13

Joe A. Gamez Jr representing Leticia Gonzales (Debtor)
Mary K Viegelahn (Trustee)

#35 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees In the Amount Of \$500.00) filed by Joe A. Gamez Jr. for Debtor Leticia Gonzales.

MOOT-MOTION WAS AMENDED

15-52253-rbk Ronald Floyd Fields and Polly Renee Fields Chapter: 13

Joris Robert Vanhemelrijck representing Ronald Floyd Fields (Debtor)

Joris Robert Vanhemelrijck representing Polly Renee Fields (Debtor)

Mary K Viegelahn (Trustee)

#24 Objection to Claim of Toyota Motor Credit Corporation, ct clm #8, \$38,873.48 Filed by Mary K. Viegelahn, Trustee.

NOTICE OF WITHDRAWAL 3/29/16

15-52265-rbk Anthony Albert Ruiz and Dionne Lashette Ruiz Chapter: 13

Joris Robert Vanhemelrijck representing Anthony Albert Ruiz (Debtor)

Joris Robert Vanhemelrijck representing Dionne Lashette Ruiz (Debtor)

Mary K Viegelahn (Trustee)

#33 Motion To Modify Chapter 13 Plan To Add 1305(A) Debt And First Request For Additional Attorney's Fees filed by Joris Robert Vanhemelrijck for Debtors Anthony Albert Ruiz, Dionne Lashette Ruiz.

*****RESET FROM 04/07/16*****

CASE CONVERTED TO CH. 7 ON 4/29/16

15-52315-rbk Peggy Jane Ytuarte Chapter: 13

W. Stephen Graves representing Peggy Jane Ytuarte (Debtor)

Mary K Viegelahn (Trustee)

#7 Motion to Modify Chapter 13 Plan filed by W. Stephen Graves for Debtor Peggy Jane Ytuarte.

DENY

15-52416-rbk Elida Aurora Ruiz Chapter: 13

Ruben E. Vasquez representing Elida Aurora Ruiz (Debtor)

Mary K Viegelahn (Trustee)

#29 Motion to Reinstate Case filed by Ruben E. Vasquez for Debtor Elida Aurora Ruiz.

15-52579-rbk Lizabeth G. Sexton Chapter: 13

W. Stephen Graves representing Lizabeth G. Sexton (Debtor)

Mary K Viegelahn (Trustee)

#24 Objection to Claim of Capital One Auto Finance, ct clm #1, \$12,796.69 Filed by Mary K. Viegelahn, Trustee.

*****RESET FROM 04/07/16*****

15-52886-rbk Paul Daniel Garcia and Amanda Elizabeth Garcia Chapter: 13

J. Todd Malaise representing Paul Daniel Garcia (Debtor)

J. Todd Malaise representing Amanda Elizabeth Garcia (Debtor)

Mary K Viegelahn (Trustee)

#15 Objection to Claim of Preferred Credit Inc., ct clm #8, \$6,391.30 Filed by Mary K. Viegelahn, Trustee.

CASE PREVIOUSLY DISMISSED 4/18/16

16-50030-rbk Maria Magdalena Quezada Chapter: 13

Magdalena Gonzales representing Maria Magdalena Quezada (Debtor)
Mary K Viegelahn (Trustee)

#8 Expedited Trustee's Motion to Dismiss Case For Other Reasons.

*****RESET FROM 04/07/16*****

16-50053-rbk Jennifer Rodriguez Chapter: 13

Magdalena Gonzales representing Jennifer Rodriguez (Debtor)
Mary K Viegelahn (Trustee)

#14 Objection to Claim of Maria Netardus, Claim #2 Filed by Magdalena Gonzales for Debtor Jennifer Rodriguez.

MOOT- OBJECTION HAS BEEN AMENDED

#19 Amended Objection to Claim of Maria Netardus, Claim #2 Filed by Magdalena Gonzales for Debtor Jennifer Rodriguez (Related document(s) 14 Objection to Claim filed by Debtor Jennifer Rodriguez.

AGREED ORDER

OTC-MAGDALENA GONZALES

16-50324-rbk Amie Jo Elias Chapter: 13

J. Todd Malaise representing Amie Jo Elias (Debtor)
Mary K Viegelahn (Trustee)

#10 Objection to Claim of Great State Finance, ct clm #3, \$17,561.94 Filed by Mary K. Viegelahn, Trustee.

NOTICE OF WITHDRAWAL FILED 3/29/16

16-50342-rbk Jimmy Perez Chapter: 13

William B. Chenault III representing Jimmy Perez (Debtor)

Mary K Viegelahn (Trustee)

#18 Expedited Trustee's Motion to Dismiss Case for Failure to Make Plan Payments.

16-50462-rbk Ignacio Garcia Chapter: 13

PRO SE Ignacio Garcia (Debtor)

Mary K Viegelahn (Trustee)

#18 Motion to Reinstate Case filed by Debtor Ignacio Garcia.

16-50633-rbk Mark Allen Snider Chapter: 13

Heidi McLeod representing Mark Allen Snider (Debtor)

Mary K Viegelahn (Trustee)

#11 Motion to Dismiss Case filed by Gary W. Wright for Creditor Internal Revenue Service.

NOTICE OF WITHDRAWAL 5/3/16

12-52535-rbk Erik J Klatt and Nina Lovell Chapter: 13

Lawrence B. Shallcross representing Erik J Klatt (Debtor)

Lawrence B. Shallcross representing Nina Lovell (Debtor)

Mary K Viegelahn (Trustee)

#54 Trustee's Motion to Modify Confirmed Plan Pursuant to 11 U.S.C. §1329(a)(1).

*****RESET FROM 04/25/16*****

MOOT-CASE CONVERTED TO CH. 7 ON 4/27/16

3:00 PM

13-51152-rbk Patricia Ann Nordstrom Chapter: 13

Chance M. McGhee representing Patricia Ann Nordstrom (Debtor)
Mary K Viegelahn (Trustee)

STATUS HEARING RE:

#46 Motion to Dismiss Chapter 13 Case filed by James Samuel Wilkins for Creditor Lesa Larsan and Greogory K. Baenziger.

*****RESET FROM 03/24/16*****

10-52964-rbk Ernest W. Vidal Chapter: 13

J. Todd Malaise representing Ernest W. Vidal III (Debtor)
Mary K Viegelahn (Trustee)

#41 Motion for Determination of Final Cure filed by J. Todd Malaise for Debtor Ernest W. Vidal III.

#44 Trustee's Motion to Dismiss Case For Other Reasons.

*****RESET FROM 04/21/16*****