

U.S. BANKRUPTCY COURT
Western District of Texas
Judge Craig A. Gargotta, Presiding
8/23/16
San Antonio Courtroom #3
HEARINGS
AMENDED 8/22/16

9:30 AM

CHAPTER 13 DISMISSAL DOCKET

10:00 AM

CHAPTER 13 CONFIRMATION DOCKET

1:30 PM

CHAPTER 13 MISCELLANEOUS DOCKET

11-50973-cag Richard D. Betancourt and Maria Esther E. Betancourt

Chapter: 13

Jose C. Rodriguez representing Richard D. Betancourt (Debtor)

Jose C. Rodriguez representing Maria Esther E. Betancourt (Debtor)

Mary K Viegelahn (Trustee)

#83 Debtor's Notice of Payment of Post-Petition Mortgage Amounts Claimed Due and Request for Hearing Pursuant Bankruptcy Rule 3002.1(h) Filed by Jose C. Rodriguez for Debtors Maria Esther E. Betancourt, Richard D. Betancourt (related document(s): 80 Trustee's Notice of Final Cure Mortgage Payment re: Rule 3002.1.)

*****RESET IN OPEN COURT ON 7/28/16-NFN*****

11-53823-cag David Allen Cardwell Chapter: 13

David T. Cain representing David Allen Cardwell (Debtor)

Mary K. Viegelahn (Trustee)

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

*****RESET IN OPEN COURT ON 7/28/16-NFN*****

*****NOTICE OF WITHDRAWAL FILED ON 8/19/16*****

12-51860-cag Joseph Brian Pamplin and Sandra Marie Pamplin Chapter: 13

Joseph W. Shulter representing Joseph Brian Pamplin (Debtor)

Joseph W. Shulter representing Sandra Marie Pamplin (Debtor)

Mary K. Viegelahn (Trustee)

#85 Debtor's Motion to Retain 2014 Income Tax Refund filed by Joseph W. Shulter for Debtors Joseph Brian Pamplin, Sandra Marie Pamplin.

12-53082-cag Monty Ray Montgomery and Susan Marie Montgomery Chapter: 13

Heidi McLeod representing Monty Ray Montgomery (Debtor)

Heidi McLeod representing Susan Marie Montgomery (Debtor)

Mary K. Viegelahn (Trustee)

#60 Motion to Modify Plan and First Application for Additional Compensation filed by Heidi McLeod for Debtors Monty Ray Montgomery, Susan Marie Montgomery.

OBJ W/DRAWN – GRANT REVISED ORDER UPLOADED 8/22/16

13-50785-cag Sarah L. Evans-Politte Chapter: 13

Patrick Alan Swindell representing Sarah L. Evans-Politte (Debtor)

Mary K Viegelahn (Trustee)

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

AGREED ORDER TO COME FROM MARY VIEGELAHN

13-50974-cag Ernest N. Cruz and Cynthia Ann Cruz Chapter: 13

J. Todd Malaise representing Ernest N. Cruz (Debtor)

J. Todd Malaise representing Cynthia Ann Cruz (Debtor)

Mary K. Viegelahn (Trustee)

#31 Motion To Sell Property and Second Request for Post Confirmation Attorney Fees filed by J. Todd Malaise for Debtors Cynthia Ann Cruz, Ernest N. Cruz.

13-51208-cag Michelle Martinez Chapter: 13

Magdalena Gonzales representing Michelle Martinez (Debtor)

Mary K. Viegelahn (Trustee)

#60 Fifth Application for Additional Compensation After Confirmation, Fees \$ 802.50 filed by Magdalena Gonzales for Debtor Michelle Martinez

#68 Fourth Application for Compensation, Fees \$ 728.33 filed by Magdalena Gonzales for Debtor Michelle Martinez.

13-52550-cag Delfina Talamantes Chapter: 13

J. Todd Malaise representing Delfina Talamantes (Debtor)
Mary K Viegelahn (Trustee)

#33 Trustee's Motion to Modify Confirmed Plan Pursuant To 11 U.S.C. § 1329(A)
AGREED ORDER TO COME MARY VIEGELAHN

13-52669-cag Rolando Martin Palomo and Blanca Daisy Palomo Chapter: 13

Ruben E. Vasquez representing Rolando Martin Palomo (Debtor)
Ruben E. Vasquez representing Blanca Daisy Palomo (Debtor)
Mary K. Viegelahn (Trustee)

#65 Expedited Motion To Incur Debt and Second Request For Additional Attorney's Fees
filed by Ruben E. Vasquez for Debtors Blanca Daisy Palomo, Rolando Martin Palomo.
WITHDRAWN 8/22/16

13-53343-cag Josephine Levine Chapter: 13

Heidi McLeod representing Josephine Levine (Debtor)
Mary K. Viegelahn (Trustee)

#71 Objection to Exemption filed by Mary K. Viegelahn for Trustee Mary K Viegelahn.
WITHDRAWN 8/22/16

13-53355-cag James Edward Morrison, Jr Chapter: 13

Heidi McLeod representing James Edward Morrison Jr (Debtor)
Mary K. Viegelahn (Trustee)

#66 Motion to Require Distribution of Insurance Proceeds filed by Heidi McLeod for Debtor James Edward Morrison Jr.

*****RESET IN OPEN COURT ON 7/28/16-NFN*****

14-50203-cag Mary Tanawanga Porche-Johnson Chapter: 13

J. Todd Malaise representing Mary Tanawanga Porche-Johnson (Debtor)
Mary K. Viegelahn (Trustee)

#46 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees In the Amount Of \$813. filed by J. Todd Malaise for Debtor Mary Tanawanga Porche-Johnson

*****RESET IN OPEN COURT ON 7/28/16-NFN*****

14-50500-cag Donny Montoya and Terah E. Kuykendall-Montoya Chapter: 13

Heidi McLeod representing Donny Montoya (Debtor)
Heidi McLeod representing Terah E. Kuykendall-Montoya (Debtor)
Mary K. Viegelahn (Trustee)

#27 Motion to Modify to Allow 1305 Claim Filed by Internal Revenue Service and First Request for Additional Attorney's Fees filed by Heidi McLeod for Debtors Terah E. Kuykendall-Montoya, Donny Montoya.

*****RESET IN OPEN COURT ON 7/28/16-NFN*****

14-51005-cag Ebony Nicole Middleton Chapter: 13

Joris Robert Vanhemelrijck representing Ebony Nicole Middleton (Debtor)
Mary K. Viegelahn (Trustee)

#41 Motion to Modify Plan to Surrender Property and First Request for Additional Attorney's Fees filed by Joris Robert Vanhemelrijck for Debtor Ebony Nicole Middleton.
OBJECTION W/DRAWN – GRANT W/REVISED ORDER UPLOADED 8/22/16

14-51076-cag Daniel Carey Burris Chapter: 13

William R. Davis Jr representing Daniel Carey Burris (Debtor)
Mary K. Viegelahn (Trustee)

#38 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees In the Amount Of \$514. filed by William R. Davis Jr for Debtor Daniel Carey Burris
RESET 9/22/16

14-51301-cag Paul J Alviar and Maria T Alviar Chapter: 13

Sean T. Flynn representing Paul J Alviar (Debtor)
Sean T. Flynn representing Maria T Alviar (Debtor)
Mary K. Viegelahn (Trustee)

#78 Motion For Moratorium of Plan Payments filed by Sean T. Flynn for Debtors Maria T Alviar, Paul J Alviar
WITHDRAWN 8/22/16

14-52004-cag Oscar Alonzo Salas Chapter: 13

J. Todd Malaise representing Oscar Alonzo Salas (Debtor)

Mary K. Viegelahn (Trustee)

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

14-52150-cag Laird Thomas and Juanita Thomas Chapter: 13

Magdalena Gonzales representing Laird Thomas (Debtor)

Magdalena Gonzales representing Juanita Thomas (Debtor)

Mary K. Viegelahn (Trustee)

#41 Amended Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees In the Amount Of \$ filed by Magdalena Gonzales for Debtors Juanita Thomas, Laird Thomas.

DENY AMENDED MODIFICATION

14-52385-cag Elisco A. Edgers, Sr. Chapter: 13

Heidi McLeod representing Elisco A. Edgers Sr (Debtor)

Mary K. Viegelahn (Trustee)

#59 Motion to Modify Plan and Third Application for Additional Compensation filed by Heidi McLeod for Debtor Elisco A. Edgers Sr

14-52861-cag Janeen R. Harris-Dears Chapter: 13

Heidi McLeod representing Janeen R. Harris-Dears (Debtor)

Mary K. Viegelahn (Trustee)

#46 Motion to Modify Plan and Application for Additional Compensation filed by Heidi McLeod for Debtor Janeen R. Harris-Dears

*****RESET IN OPEN COURT ON 7/28/16-NFN*****

15-50234-cag Julio Suarez Alonso and Maria Isabel Alonso Chapter: 13

Ruben E. Vasquez representing Julio Suarez Alonso (Debtor)

Ruben E. Vasquez representing Maria Isabel Alonso (Debtor)

Mary K. Viegelahn (Trustee)

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

RESET 10/27/16

15-50527-cag Nona Singletary and Maurice Singletary Chapter: 13

Johnny W. Thomas representing Nona Singletary (Debtor)

Johnny W. Thomas representing Maurice Singletary (Debtor)

Mary K. Viegelahn (Trustee)

#45 Motion to Approve and Distribute Settlement Proceeds for Amended Plan filed by Johnny W. Thomas for Debtors Maurice Singletary, Nona Singletary

15-50556-cag Craig Douglas Tallant and Lisa Loos Tallant Chapter: 13

J. Todd Malaise representing Craig Douglas Tallant (Debtor)

J. Todd Malaise representing Lisa Loos Tallant (Debtor)

Mary K. Viegelahn (Trustee)

#32 Expedited Motion to Incur Debt and Second Request for Attorney's Fees filed by J. Todd Malaise for Debtors Craig Douglas Tallant, Lisa Loos Tallant.

OBJ W/DRAWN – GRANT MOTION

15-50984-cag Norma Jean Villafuerte Chapter: 13

Heidi McLeod representing Norma Jean Villafuerte (Debtor)

Mary K. Viegelahn (Trustee)

#20 Motion to Modify Plan and First Application for Additional Compensation filed by Heidi McLeod for Debtor Norma Jean Villafuerte.

OBJ W/DRAWN – GRANT MOTION

15-51095-cag Armando Ramirez and Diann Guerrero Ramirez Chapter: 13

J. Todd Malaise representing Armando Ramirez (Debtor)

J. Todd Malaise representing Diann Guerrero Ramirez (Debtor)

Mary K Viegelahn (Trustee)

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

RESET 10/27/16

15-51704-cag Lorraine Marie Vargas Chapter: 13

Joris Robert Vanhemelrijck representing Lorraine Marie Vargas (Debtor)

Mary K. Viegelahn (Trustee)

#35 Motion To Modify Plan to Surrender Property and First Request for Additional Attorney's Fees filed by Joris Robert Vanhemelrijck for Debtor Lorraine Marie Vargas

15-51708-cag Norma Patricia Balderas Chapter: 13

Ruben E. Vasquez representing Norma Patricia Balderas (Debtor)

Mary K. Viegelahn (Trustee)

#14 Objection to Exemption filed by Mary K. Viegelahn for Trustee Mary K Viegelahn
RESET 10/27/16

#17 Objection to Exemption of Property (WITH 21 Day Objection Language) Filed by David S. Gragg for Creditor Jesus Nuncio Sr.

RESET 10/27/16

15-51899-cag Jeanette Sanchez Chapter: 13

Joris Robert Vanhemelrijck representing Jeanette Sanchez (Debtor)
Mary K. Viegelahn (Trustee)

#27 Motion To Modify Plan to Add Post-Petition Mortgage Arrears and First Request for Additional Attorney's Fees filed by Joris Robert Vanhemelrijck for Debtor Jeanette Sanchez.

OBJ W/DRAWN – GRANT MOTION

15-51980-cag Jason Charles Campbell and Gina Sarah Campbell Chapter: 13

Joseph W. Shulter representing Jason Charles Campbell (Debtor)
Joseph W. Shulter representing Gina Sarah Campbell (Debtor)
Mary K. Viegelahn (Trustee)

#74 Application to Employ Special Counsel, Joe R. Hinojosa filed by Joseph W. Shulter for Debtors Gina Sarah Campbell, Jason Charles Campbell

15-52086-cag Julian Frank Montes, Jr and Claudia Maldonado Chapter: 13

Heidi McLeod representing Julian Frank Montes Jr (Debtor)
Heidi McLeod representing Claudia Maldonado (Debtor)
Mary K Viegelahn (Trustee)

#30 Objection to Notice of Payment Change Filed by Heidi McLeod for Debtors Claudia Maldonado, Julian Frank Montes Jr.

RESET 9/22/16

15-52317-cag Danny L. Ortiz and Cynthia Ann Ortiz Chapter: 13

J. Todd Malaise representing Danny L. Ortiz (Debtor)

J. Todd Malaise representing Cynthia Ann Ortiz (Debtor)

Mary K Viegelahn (Trustee)

#24 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees In the Amount Of \$561. filed by J. Todd Malaise04 for Debtors Cynthia Ann Ortiz, Danny L. Ortiz.

15-52522-cag Crystal Adeniki Foster Chapter: 13

Sean T. Flynn representing Crystal Adeniki Foster (Debtor)

Mary K. Viegelahn (Trustee)

#27 Motion For Moratorium of Plan Payments filed by Sean T. Flynn for Debtor Crystal Adeniki Foster

WITHDRAWN 8/22/16

15-52578-cag Charles William Phythian Chapter: 13

Ruben E. Vasquez representing Charles William Phythian (Debtor)

Mary K. Viegelahn (Trustee)

#33 Objection to Claim of Farmers State Bank, ct clm #1, \$9,850.94 (30 Day Objection Language) Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn.

MOOT – CASE DISMISSED

15-52635-cag Vinessa Jaramillo Chapter: 13

Sean T. Flynn representing Vinessa Jaramillo (Debtor)
Mary K. Viegelahn (Trustee)

#36 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees In the Amount Of \$500. filed by Sean T. Flynn for Debtor Vinessa Jaramillo.

MOOT – CASE DISMISSED

15-52679-cag Jerod Vermar Jerry and Teresa Nelson Jerry Chapter: 13

J. Todd Malaise and J. Todd Malaise05 representing Jerod Vermar Jerry (Debtor)
J. Todd Malaise and J. Todd Malaise05 representing Teresa Nelson Jerry (Debtor)
Mary K Viegelahn (Trustee)

#35 Response in Opposition Filed by Michael G. Colvard for Creditor Monterey Financial Service (related document(s): 33 Trustee's Claims Recommendation (30 Day Objection Language).

RESET 9/22/16

15-52742-cag Suzanna Lee Guiles Chapter: 13

J. Todd Malaise representing Suzanna Lee Guiles (Debtor)
Mary K. Viegelahn (Trustee)

#14 Objection to Claim of Randolph Brooks Federal Credit Union, ct clm #2, \$14,569.35 (30 Day Objection Language) Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

*****RESET IN OPEN COURT ON 5/26/16-NFN*****

15-52785-cag Amelia Rivera Chapter: 13

Rick Flume representing Amelia Rivera (Debtor)

Mary K. Viegelahn (Trustee)

#19 Objection to Claim of U.S. Bank NA as Trustee for LSF9 Master Participation Trust Caliber Home Loans Inc. (\$67787. Court Claim #6 (30 Day Objection Language) Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn.

WITHDRAWN 8/22/16

15-52794-cag Debra Armelin Carey Chapter: 13

Joris Robert Vanhemelrijck representing Debra Armelin Carey (Debtor)

Mary K. Viegelahn (Trustee)

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

MOOT – CASE DISMISSED

15-52873-cag Vincent Paul Cooper Chapter: 13

Ricardo Ojeda Jr representing Vincent Paul Cooper (Debtor)

Mary K. Viegelahn (Trustee)

#25 Expedited Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees In the Amount Of \$500. filed by Ricardo Ojeda Jr for Debtor Vincent Paul Cooper

OBJ W/DRAWN – GRANT MOTION

15-53088-cag Ruben Hernandez, Jr. and Nina Delao Hernandez Chapter: 13

Joseph W. Shulter representing Ruben Hernandez Jr. (Debtor)

Joseph W. Shulter representing Nina Delao Hernandez (Debtor)

Mary K. Viegelahn (Trustee)

#30 Motion To Permanently Modify Debtor's Chapter 13 Plan and Third Request For Additional Attorney's Fees (Requesting Attorney Fees In the Amount Of \$500. filed by Joseph W. Shulter for Debtors Nina Delao Hernandez, Ruben Hernandez Jr.

RESET 10/27/16

16-50122-cag Samuel Hugh Russell and Carol Mae Russell Chapter: 13

J. Todd Malaise representing Samuel Hugh Russell (Debtor)

J. Todd Malaise representing Carol Mae Russell (Debtor)

Mary K. Viegelahn (Trustee)

#20 Objection to Claim of Lincoln Automotive Financial Services, Court Claim #7, In The Amount Of \$46,887.98 (WITH 30 Day Objection Language) Filed by Trustee Mary K Viegelahn

RESET 9/22/16

16-50232-cag Jessica Reyna Chapter: 13

Cynthia Zuniga Puig representing Jessica Reyna (Debtor)

Mary K Viegelahn (Trustee)

#14 Objection to Claim of The Internal Revenue Service filed by Cynthia Zuniga Puig for Debtor Jessica Reyna

*****ORDER WITHDRAWING OBJECTION EOD 6/17/16*****

16-50588-cag Mario A. Barron and Maria A. Barron Chapter: 13

Chance M. McGhee representing Mario A. Barron (Debtor)

Chance M. McGhee representing Maria A. Barron (Debtor)

Mary K. Viegelahn (Trustee)

#14 Objection to Claim of Quantum3 Group LLC, ct clm #7, \$12,339.10 (30 Day Objection Language) Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn

MOOT – CASE DISMISSED

16-50852-cag Gerardo A. Gutierrez and Denise R. Cecchini Chapter: 13

Heidi McLeod representing Gerardo A. Gutierrez (Debtor)

Heidi McLeod representing Denise R. Cecchini (Debtor)

Mary K. Viegelahn (Trustee)

#19 Objection to Exemption Filed by Mary K. Viegelahn for Trustee Mary K Viegelahn.

*****NOTICE OF WITHDRAWAL FILED ON 8/19/16*****

16-50930-cag Aaron David Saenz, II Chapter: 13

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

Mary K Viegelahn (Trustee)

#20 Trustee's Motion to Reconsider Order Granting Motion to Sell Property of the Estate (related document(s): 18 Order Regarding (related document(s): 8 Motion to Sell Property Free and Clear of Liens 11USC, 363(f) filed by Ruben E. Vasquez for Debtor Aaron David Saenz II.

15-50656-cag Gene Longoria, Jr. and Angie Ann Longoria Chapter: 13

Joris Robert Vanhemelrijck representing Gene Longoria Jr. (Debtor)

Joris Robert Vanhemelrijck representing Angie Ann Longoria (Debtor)

Mary K. Viegelahn (Trustee)

#31 Motion For Order Allowing Debtor To Enter Into And/Or Finalize A Loan Modification With Citimortgage, Inc. and First Request for Additional Attorney's Fees filed by Joris Robert Vanhemelrijck for Debtors Angie Ann Longoria, Gene Longoria Jr.

*****SET ON EXPEDITED BASIS, ROBERT VANHEMELRICJK SHALL GIVE NOTICE OF THE HEARING*****

16-51732-cag Pedro David Rivas Chapter: 13

Magdalena Gonzales representing Pedro David Rivas (Debtor)

Mary K Viegelahn (Trustee)

#11 Expedited Motion to Reinstate Case (14 Day Objection Language) filed by Magdalena Gonzales for Debtor Pedro David Rivas

*****SET ON EXPEDITED BASIS, MAGDALENA GONZALES SHALL GIVE NOTICE OF THE HEARING*****

16-51513-cag Robert M. Narvaez Chapter: 13

Callan M. Billingsley representing Robert M. Narvaez (Debtor)

Mary K Viegelahn (Trustee)

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

*****SET ON EXPEDITED BASIS, GARY WRIGHT SHALL GIVE NOTICE OF THE HEARING*****

3:00 PM

16-51834-cag Olmos Equipment Inc. Chapter: 11

William B. Kingman representing Olmos Equipment Inc. (Debtor)

#11 Emergency Motion For Interim and Final Order Authorizing Olmos Equipment Inc. to Use Cash Collateral, If Any, Pursuant To 11 U.S.C. 363 filed by William B. Kingman for Debtor Olmos Equipment Inc.

*****SET ON EXPEDITED BASIS, WILLIAM KINGMAN SHALL GIVE NOTICE OF THE HEARING*****

#12 Expedited Motion to Establish Notice Procedures and To Limit Notice filed by William B. Kingman for Debtor Olmos Equipment Inc.

*****SET ON EXPEDITED BASIS, WILLIAM KINGMAN SHALL GIVE NOTICE OF THE HEARING*****

#13 Emergency Motion to Approve Payment of Certain Claims to Employees Under \$12,850.00 and to Allow Debtor to Honor Accrued Vacation; and Request for Expedited Hearing Thereon filed by William B. Kingman for Debtor Olmos Equipment Inc.

*****SET ON EXPEDITED BASIS, WILLIAM KINGMAN SHALL GIVE NOTICE OF THE HEARING*****

#14 Expedited Motion for Order Under 11 U.S.C. 105(a) and 366 (I) Prohibiting Utility Companies From Altering Or Discontinuing Service On Account Of Prepetition Invoices, (II) Approving Deposit As Adequate Assurance Of Payment, (III) Establishing Procedures For Resolving Requests By Utility Companies For Additional Assurance Of Payment, And (IV) Scheduling A Hearing To Consider Additional Adequate Assurance Of Payment Requests filed by William B. Kingman for Debtor Olmos Equipment Inc.
*****SET ON EXPEDITED BASIS, WILLIAM KINGMAN SHALL GIVE NOTICE OF THE HEARING*****