

U.S. BANKRUPTCY COURT
Western District of Texas
Judge Ronald B. King, Presiding
08/03/17
San Antonio Courtroom #1
HEARINGS

1:30 PM

“MISCELLANEOUS DOCKET”

17-51447-rbk Pete Saucedo, Jr. and Deborah Candia Saucedo Chapter: 13

Heidi McLeod representing Pete Saucedo Jr. (Debtor)

Heidi McLeod representing Deborah Candia Saucedo (Debtor)

Mary K. Viegelahn (Trustee)

#13 Order To Appear and Show Cause why this case should not be dismissed because of the filing of several cases.

17-51509-rbk Dawn Karanza Stallworth Chapter: 13

PRO SE Dawn Karanza Stallworth (Debtor)

Mary K. Viegelahn (Trustee)

#10 Order To Debtor, Dawn Karanza Stallworth, to appear and show cause why this case should not be dismissed for failure to pay the remainder of the filing fee in a prior bankruptcy case in the amount of \$155.00.

17-51513-rbk Emma Jeannelle Hunter Chapter: 13

PRO SE Emma Jeannelle Hunter (Debtor)

Mary K. Viegelahn (Trustee)

#6 Order To Appear And Show Cause why this case should not be dismissed because of the filing of several cases.

17-51569-rbk Jose Benjamin Chagolla Chapter: 13

PRO SE Jose Benjamin Chagolla (Debtor)

Mary K. Viegelahn (Trustee)

#5 Order To Appear And Show Cause why this Case should not be dismissed for Failure to Pay the Remainder of the Filing Fee in a prior bankruptcy case.

17-51586-rbk Annette Schiurring Muecke Chapter: 13

PRO SE Annette Schiurring Muecke (Debtor)

Mary K. Viegelahn (Trustee)

#7 Order To Appear And Show Cause why this case should not be dismissed for failure to pay the remaining filing fee balance of \$224.00, which is due and owing in connection with the filing of a prior bankruptcy case .

10-54287-rbk Raul Patlan and Avelina E. Patlan Chapter: 13

J. Todd Malaise representing Raul Patlan (Debtor)

J. Todd Malaise representing Avelina E. Patlan (Debtor)

Mary K. Viegelahn (Trustee)

#59 Motion to Reopen Chapter 13 Case filed by J. Todd Malaise for Debtors Avelina E. Patlan, Raul Patlan.

12-50391-rbk Lucia M. Martinez Chapter: 13

Magdalena Gonzales representing Lucia M. Martinez (Debtor)

Mary K. Viegelahn (Trustee)

#72 Trustee's Motion to Dismiss Case for Other Reasons.

12-51619-rbk Lorenzo Urdiales, III and Alicia Cantu Urdiales Chapter: 13

J. Todd Malaise representing Lorenzo Urdiales III (Debtor)

J. Todd Malaise representing Alicia Cantu Urdiales (Debtor)

Mary K. Viegelahn (Trustee)

#53 Fourth Application For Attorney's Fees filed by J. Todd Malaise for Debtors Alicia Cantu Urdiales, Lorenzo Urdiales III.

DENY

12-52059-rbk Simon Martinez, Jr. and Raquel Denise Rodriguez Chapter: 13

J. Todd Malaise representing Simon Martinez Jr. (Debtor)

J. Todd Malaise representing Raquel Denise Rodriguez (Debtor)

Mary K. Viegelahn (Trustee)

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

AGREED ORDER

OTC-TRUSTEE

12-52505-rbk Henry Otis Spaulding, Jr. Chapter: 13

Callan M. Billingsley representing Henry Otis Spaulding Jr. (Debtor)

Mary K. Viegelahn (Trustee)

#56 Motion For Reconsideration Or, Alternatively, To Set Aside, Alter, Or Amend Order filed by Callan M. Billingsley for Debtor Henry Otis Spaulding Jr. (Related Document(s): *55* Order Regarding (related document(s): 45 Trustee's Motion to Modify Confirmed Plan Pursuant to 11 U.S.C. §1329(a).

12-52634-rbk Miriam Martinez-Jusino Chapter: 13

J. Todd Malaise representing Miriam Martinez-Jusino (Debtor)

Mary K. Viegelahn (Trustee)

#52 Fourth Application for Attorney's Fees (Annual Tax Refund) filed by J. Todd Malaise for Debtor Miriam Martinez-Jusino.

GRANT

12-53438-rbk Gilbert V. Perez Chapter: 13

J. Todd Malaise representing Gilbert V. Perez (Debtor)

Mary K. Viegelahn (Trustee)

#44 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees in the Amount Of \$589. 00 filed by J. Todd Malaise for Debtor Gilbert V. Perez.

*****RESET FROM 7/11/17*****

RESET 9/7/17

12-53816-rbk Luis Garza Mendoza and Kimberly Anna Mendoza Chapter: 13

Rick Flume representing Luis Garza Mendoza (Debtor)

Rick Flume representing Kimberly Anna Mendoza (Debtor)

Mary K. Viegelahn (Trustee)

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

*****RESET FROM 7/11/17*****

NOTICE OF WITHDRAWAL 8/2/17

13-50024-rbk Florence Rowe Clepper Chapter: 13

Heidi McLeod representing Florence Rowe Clepper (Debtor)

Mary K. Viegelahn (Trustee)

#46 Objection to Notice of Mortgage Payment Change Filed by Heidi McLeod for Debtor Florence Rowe Clepper (related document(s): doc Notice of Mortgage Payment Change and Certificate of Service filed by Paul K. Kim for Creditor Planet Home Lending, LLC.

*****RESET FROM 7/11/17*****

MOOT

13-50566-rbk Aletha D. Carter Chapter: 13

Ricardo Ojeda Jr. representing Aletha D. Carter (Debtor)

Mary K. Viegelahn (Trustee)

#63 Motion to Modify to Add a Post-Petition Debt and Second Request for Additional Compensation filed by Ricardo Ojeda Jr. for Debtor Aletha D. Carter.

GRANT

13-51089-rbk John Walter Huff, Jr. and Ruth Reyes Huff Chapter: 13

J. Todd Malaise representing John Walter Huff Jr. (Debtor)

J. Todd Malaise representing Ruth Reyes Huff (Debtor)

Mary K. Viegelahn (Trustee)

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

AGREED ORDER SUBMITTED 7/19/17

13-52028-rbk Joseph Kevin Chapa and Tricia Kay Chapa Chapter: 13

Raymond J. Vale Jr. representing Joseph Kevin Chapa (Debtor)

Raymond J. Vale Jr. representing Tricia Kay Chapa (Debtor)

Mary K. Viegelahn (Trustee)

#77 Motion to Retain All or Part of the 2016 Income Tax Refund filed by Raymond J. Vale Jr. for Debtors Joseph Kevin Chapa, Tricia Kay Chapa.

MOOT

13-52182-rbk Sylvia Juniette Salazar Chapter: 13

J. Todd Malaise representing Sylvia Juniette Salazar (Debtor)

Mary K. Viegelahn (Trustee)

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

*****RESET FROM 7/11/17*****

RESET 9/7/17

13-52635-rbk Eloy M. Andrade and Dulce Jackeline Andrade Chapter: 13

J. Todd Malaise representing Eloy M. Andrade (Debtor)

J. Todd Malaise representing Dulce Jackeline Andrade (Debtor)

Mary K. Viegelahn (Trustee)

#69 Second Application for Attorney's Fees filed by J. Todd Malaise for Debtors Dulce Jackeline Andrade, Eloy M. Andrade.

MOOT-GRANT AMENDED APPLICATION

13-53196-rbk Antonio Rodriguez Paredes and Eva Munoz Paredes Chapter: 13

Rick Flume representing Antonio Rodriguez Paredes (Debtor)

Rick Flume representing Eva Munoz Paredes (Debtor)

Mary K. Viegelahn (Trustee)

#77 Debtors Sixth Application for Additional Compensation filed by Rick Flume for Debtors Antonio Rodriguez Paredes, Eva Munoz Paredes.

MOOT-ORDER ENTERED ON AMENDED APPLICATION 7/31/17

13-53402-rbk Yolanda Moreno Alvarez Chapter: 13

Joris Robert Vanhemelrijck representing Yolanda Moreno Alvarez (Debtor)

Mary K. Viegelahn (Trustee)

#90 Motion to Sell Property Free and Clear of Liens 11USC 363(f) filed by Joris Robert Vanhemelrijck for Debtor Yolanda Moreno Alvarez.

AGREED ORDER ENTERED 6/30/17

14-50197-rbk Renee Farias Juarez and Melissa Anne Goss Chapter: 13

J. Todd Malaise representing Renee Farias Juarez (Debtor)

J. Todd Malaise representing Melissa Anne Goss (Debtor)

Mary K. Viegelahn (Trustee)

#61 Motion to Modify Chapter 13 Plan (Requesting Attorney Fees in the Amount Of \$447.00 filed by J. Todd Malaise for Debtors Melissa Anne Goss, Renee Farias Juarez.

GRANT

#62 Motion to Approve Property Settlement and Sixth Request for Attorney's Fees filed by J. Todd Malaise for Debtors Melissa Anne Goss, Renee Farias Juarez.

GRANT

14-50368-rbk John Peter Fratoni and Vicki Moody Fratoni Chapter: 13

Edward L. Bravenec representing John Peter Fratoni (Debtor)

Edward L. Bravenec representing Vicki Moody Fratoni (Debtor)

Mary K. Viegelahn (Trustee)

#77 Amended Motion to Modify filed by Edward L Bravenec for Debtors John Peter Fratoni, Vicki Moody Fratoni.

14-50745-rbk Albert Aguirre, Jr. and Gina Marie Aguirre Chapter: 13

J. Todd Malaise representing Albert Aguirre Jr. (Debtor)

J. Todd Malaise representing Gina Marie Aguirre (Debtor)

Mary K. Viegelahn (Trustee)

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

NOTICE OF WITHDRAWAL 8/2/17

14-50942-rbk Santos Castillo Palomo and Mary Louise Palomo Chapter: 13

Heidi McLeod representing Santos Castillo Palomo (Debtor)

Heidi McLeod representing Mary Louise Palomo (Debtor)

Mary K. Viegelahn (Trustee)

#67 Second Application for Approval of Attorney's Fees filed by Heidi McLeod for Debtors Mary Louise Palomo, Santos Castillo Palomo.

DENY

14-52163-rbk Nikolay Petrovich Yushmanov Chapter: 13

J. Todd Malaise representing Nikolay Petrovich Yushmanov (Debtor)

Mary K. Viegelahn (Trustee)

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

*****RESET FROM 7/11/17*****

RESET 9/7/17

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)

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

AGREED ORDER

OTC-TRUSTEE

15-50548-rbk Aracelis Diaz Rios Chapter: 13

J. Todd Malaise representing Aracelis Diaz Rios (Debtor)

Mary K. Viegelahn (Trustee)

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

RESET 9/7/17

15-51160-rbk Virginia Chavez Vasquez Chapter: 13

J. Todd Malaise representing Virginia Chavez Vasquez (Debtor)
Mary K. Viegelahn (Trustee)

#34 Application For Compensation Related To Filing Amended Schedules I And J (Doc#33) (Third Fee Request) filed by J. Todd Malaise for Debtor Virginia Chavez Vasquez.

GRANT

15-51208-rbk Azelea Andrea Mendoza Chapter: 13

Rick Flume representing Azelea Andrea Mendoza (Debtor)
Mary K. Viegelahn (Trustee)

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

NOTICE OF WITHDRAWAL 8/1/17

16-50435-rbk Emilio Ortiz, Jr. and Sylvia Saucedo Ortiz Chapter: 13

J. Todd Malaise representing Emilio Ortiz Jr (Debtor)
J. Todd Malaise representing Sylvia Saucedo Ortiz (Debtor)
Mary K. Viegelahn (Trustee)

#32 Motion to Incur Debt Nunc Pro Tunc and THIRD Request For Attorney's Fees filed by J. Todd Malaise for Debtors Emilio Ortiz Jr, Sylvia Saucedo Ortiz.

GRANT

#33 Motion to Modify Chapter 13 Plan And SECOND Request for Attorney's Fees filed by J. Todd Malaise04 for Debtors Emilio Ortiz Jr., Sylvia Saucedo Ortiz

GRANT

16-50444-rbk Don Morlan Hepworth and Dawn Miller Hepworth Chapter: 13

J. Todd Malaise representing Don Morlan Hepworth (Debtor)

J. Todd Malaise representing Dawn Miller Hepworth (Debtor)

Mary K. Viegelahn (Trustee)

#32 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees in the Amount Of \$639. 00 filed by J. Todd Malaise for Debtors Dawn Miller Hepworth, Don Morlan Hepworth.

*****RESET FROM 7/11/17*****

MOOT-GRANT AMENDED MODIFICATION

16-50987-rbk Jessica Murrieta Gascon Chapter: 13

J. Todd Malaise representing Jessica Murrieta Gascon (Debtor)

Mary K. Viegelahn (Trustee)

#21 Application for Compensation Related to Filing Amended Schedules I & J (First Fee Request) filed by J. Todd Malaise for Debtor Jessica Murrieta Gascon.

GRANT

16-51360-rbk Luciana Sanchez Anaya Chapter: 13

Magdalena Gonzales representing Luciana Sanchez Anaya (Debtor)

Mary K. Viegelahn (Trustee)

#48 Objection to Claim of Compass Bank in the amount of \$23,937.00 for Court Claim
#9 Filed by Trustee, Mary K. Viegelahn.

*****RESET FROM 6/08/17*****

MOOT-CASE DISMISSED 5/10/17

16-52066-rbk Alexander Franklin and Essie Pearl Franklin Chapter: 13

J. Todd Malaise representing Alexander Franklin (Debtor)

J. Todd Malaise representing Essie Pearl Franklin (Debtor)

Mary K. Viegelahn (Trustee)

#26 First Application for Attorney's Fees (Annual Tax Return) filed by J. Todd Malaise for Debtors Alexander Franklin, Essie Pearl Franklin.

GRANT

16-52117-rbk Richard G. Jenkins and Karen W. Jenkins Chapter: 13

Albert William Van Cleave III representing Richard G. Jenkins (Debtor)

Albert William Van Cleave III representing Karen W. Jenkins (Debtor)

Mary K. Viegelahn (Trustee)

#54 Application for Compensation filed by Albert William Van Cleave III for Debtors Karen W. Jenkins, Richard G. Jenkins.

16-52142-rbk John D. Rothwell Chapter: 13

J. Todd Malaise representing John D. Rothwell (Debtor)

Mary K. Viegelahn (Trustee)

#33 Application for Attorney's fees related to the Resolution of The Motion for Relief from Stay filed by Wells Fargo (Second Fee Request) filed by J. Todd Malaise for Debtor John D. Rothwell.

GRANT

16-52363-rbk Agapito Jalomos, Jr. and Maria Lourdes Jalomos Chapter: 13

Lewis E. Buttles representing Agapito Jalomos Jr. (Debtor)

Lewis E. Buttles representing Maria Lourdes Jalomos (Debtor)

Mary K. Viegelahn (Trustee)

#26 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees In the Amount Of \$250.00 filed by Lewis E. Buttles for Debtors Agapito Jalomos Jr., Maria Lourdes Jalomos.

*****RESET FROM 7/11/17*****

16-52406-rbk Nakia Montrel Givens and Tinekatamu Battiest Givens

Chapter: 13

Chance M. McGhee representing Nakia Montrel Givens (Debtor)

Chance M. McGhee representing Tinekatamu Battiest Givens (Debtor)

Mary K Viegelahn (Trustee)

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

*****RESET FROM 7/11/17*****

TO CONVERT W/IN 14 DAYS OR CASE DISMISSED

16-52418-rbk Charlette Dianne Gregory Chapter: 13

J. Todd Malaise representing Charlette Dianne Gregory (Debtor)

Mary K. Viegelahn (Trustee)

#20 Application to Approve Settlement and Approve Special Counsel's Fees and Expenses filed by Jessica S. Taylor for Debtor Charlette Dianne Gregory, Interested Party Jessica Taylor, PLLC.

RESET 8/17/17 @ 10am

16-52457-rbk Agustin G Gutierrez, Jr. and Christine Garcia Gutierrez

Chapter: 13

Joris Robert Vanhemelrijck representing Agustin G Gutierrez Jr. (Debtor)

Joris Robert Vanhemelrijck representing Christine Garcia Gutierrez (Debtor)

Mary K. Viegelahn (Trustee)

#28 Motion for An Order Granting Permission to Retain Full Net Bonus, to Retain Full 2016 Tax Refund, to Retain Full VA back pay, and Request for Additional Attorney's Fees filed by Joris Robert Vanhemelrijck for Debtors Agustin G Gutierrez Jr., Christine Garcia Gutierrez.

GRANT

#29 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees in the Amount Of \$426.00 filed by Joris Robert Vanhemelrijck for Debtors Agustin G Gutierrez Jr., Christine Garcia Gutierrez.

GRANT

16-52989-rbk Edward Luis Ryan and Sylvia Ann Ryan Chapter: 13

J. Todd Malaise representing Edward Luis Ryan (Debtor)

J. Todd Malaise representing Sylvia Ann Ryan (Debtor)

Mary K. Viegelahn (Trustee)

#24 Objection to Claim of Security Service Federal Credit Union Claim #5 Filed by J. Todd Malaise for Debtors Edward Luis Ryan, Sylvia Ann Ryan.

*****RESET FROM 7/11/17*****

17-50275-rbk Gene Ray Cloer Chapter: 13

J. Todd Malaise representing Gene Ray Cloer (Debtor)

Mary K. Viegelahn (Trustee)

#15 Expedited Trustee's Motion to Dismiss Case for Other Reasons.

*****RESET FROM 7/11/17*****

NOTICE OF WITHDRAWAL 7/31/17

17-50469-rbk Charles W. Herber, III and Karen D. Herber Chapter: 12

Morris E. "Trey" White III representing Charles W. Herber III (Debtor)

Morris E. "Trey" White III representing Karen D. Herber (Debtor)

Mary K. Viegelahn (Trustee)

#18 Chapter 12 Plan filed by Morris E. "Trey" White III for Debtors Charles W. Herber III, Karen D. Herber.

*****RESET FROM 7/11/17*****

17-50763-rbk Kent Blair Thompson Chapter: 13

Joris Robert Vanhemelrijck representing Kent Blair Thompson (Debtor)

Mary K. Viegelahn (Trustee)

#16 Trustee's Motion to Dismiss Case for Other Reasons.

NOTICE OF WITHDRAWAL 7/31/17

17-50793-rbk Janet Aline Staha Chapter: 13

Magdalena Gonzales representing Janet Aline Staha (Debtor)

Mary K. Viegelahn (Trustee)

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

NOTICE OF WITHDRAWAL 7/25/17

17-51040-rbk Valerie Morales Chapter: 13

Ricardo Ojeda Jr. representing Valerie Morales (Debtor)

Mary K. Viegelahn (Trustee)

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

AGREED ORDER

OTC-TRUSTEE

**17-51044-rbk Augustine R. Perales and Guadalupe Garcia Perales Chapter:
13**

Ricardo Ojeda Jr. representing Augustine R. Perales (Debtor)

Ricardo Ojeda Jr. representing Guadalupe Garcia Perales (Debtor)

Mary K. Viegelahn (Trustee)

#14 Trustee's Motion to Dismiss Case for Other Reasons.

NOTICE OF WITHDRAWAL 7/31/17

15-50932-rbk Sylvia Ida Solis Chapter: 13

Joris Robert Vanhemelrijck representing Sylvia Ida Solis (Debtor)
Mary K. Viegelahn (Trustee)

#22 Motion to Incur New Debt and Request for Additional Attorney's Fees by Joris Robert Vanhemelrijck for Debtor Sylvia Ida Solis

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

GRANT

17-51046-rbk Belkiss Rodriguez Chapter: 13

Ricardo Ojeda Jr. representing Belkiss Rodriguez (Debtor)
Mary K Viegelahn (Trustee)

#28 Expedited Motion to Reinstate Case filed by Ricardo Ojeda Jr. for Debtor Belkiss Rodriguez.

*****RESET FROM 07/31/17*****

GRANT

16-51800-rbk Alfonso Becerra, Jr. Chapter: 13

Callan M. Billingsley representing Alfonso Becerra Jr. (Debtor)
Mary K Viegelahn (Trustee)

#23 Motion to Sell Property of the Debtor (And First Application for Additional Attorney's Fees) filed by Callan M. Billingsley for Debtor Alfonso Becerra Jr.

*****RESET FROM 07/31/17*****