

U.S. BANKRUPTCY COURT
Western District of Texas
Judge Ronald B. King, Presiding
09/07/17
San Antonio Courtroom #1
HEARINGS

1:30 PM

“MISCELLANEOUS DOCKET”

17-51777-rbk Patricia Ann Triplett Chapter: 13

Patricia Ann Triplett, Pro Se (Debtor)

Mary K. Viegelahn (Trustee)

#4 Order to appear and show cause why this case should not be dismissed because the Debtor has failed to pay the remaining filing fee balance of \$150.00 in Case Number 15-52640 and filing fee balance of \$175.00 in Case Number 16-50017.

17-51780-rbk Martina Lopez Young Chapter: 13

Martina Lopez Young, Pro Se (Debtor)

Mary K. Viegelahn (Trustee)

#5 Order to appear and show cause why this case should not be dismissed for failure to pay the remaining filing fee balance of \$155.00 which is due and owing in connection with Case Number 17-50324.

17-51840-rbk Ruben G. Garcia Chapter: 13

Jose L. Soria representing Ruben G. Garcia (Debtor)

Mary K. Viegelahn (Trustee)

#4 Order To Debtor, Ruben G. Garcia, to appear and show cause why this case should not be dismissed because of the filing of several cases.

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).

*****RESET FROM 08/03/17*****

12-53370-rbk Yuritz Perez Chapter: 13

Gerald C. Moton representing Yuritz Perez (Debtor)

Mary K. Viegelahn (Trustee)

#64 Application for Hardship Discharge and Objection in Response filed by Gerald C. Moton for Debtor Yuritz Perez: Related Document(s): [62] Trustee's Motion to Dismiss Case for Failure to Make Plan Payments.

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 08/03/17*****

RESET 10/5/17

#52 Objection To The Newlands Asset Holding Trust's Notice of Mortgage Payment Change Supplement to Claim #5 Filed on November 2, 2016 Filed by J. Todd Malaise for Debtor Gilbert V. Perez.

RESET 10/5/17

13-50026-rbk Kathleen Lynette Carter-Stiggers Chapter: 13

Joris Robert Vanhemelrijck representing Kathleen Lynette Carter-Stiggers (Debtor)

Mary K. Viegelahn (Trustee)

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

AGREED ORDER

OTC-TRUSTEE

13-52182-rbk Sylvia Juniette 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)(1).

*****RESET FROM 08/03/17*****

RESET 10/5/17

#95 Motion Nunc Pro Tunc to Incur Debt filed by J. Todd Malaise for Debtor Sylvia Juniette Salazar.

RESET 10/5/17

14-50828-rbk Veronica M. Martinez Chapter: 13

Pedro V. Hernandez Jr. representing Veronica M. Martinez (Debtor)

Mary K. Viegelahn (Trustee)

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

14-50924-rbk Jacqueline Ramon Hegmann Chapter: 13

Joris Robert Vanhemelrijck representing Jacqueline Ramon Hegmann (Debtor)

Mary K. Viegelahn (Trustee)

#55 Motion to Incur New Debt and Second Request for Additional Attorney's Fees, Nunc Pro Tunc filed by Joris Robert Vanhemelrijck for Debtor Jacqueline Ramon Hegmann.

14-51031-rbk John Romulo Gonzalez and Chrizonra Renee Gonzalez

Chapter: 13

J. Todd Malaise representing John Romulo Gonzalez (Debtor)

J. Todd Malaise representing Chrizonra Renee Gonzalez (Debtor)

Mary K. Viegelahn (Trustee)

#81 Nunc Pro Tunc Motion to Sell Property Free and Clear of Liens 11USC,363(f) filed by J. Todd Malaise for Debtors Chrizonra Renee Gonzalez, John Romulo Gonzalez.

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 08/03/17*****

14-52349-rbk Ruben Guzman Trevino and Maria Christina Trevino Chapter:

13

J. Todd Malaise representing Ruben Guzman Trevino (Debtor)

J. Todd Malaise representing Maria Christina Trevino (Debtor)

Mary K. Viegelahn (Trustee)

#39 Expedited Motion to Incur Debt and Fourth Request for Attorney's Fees filed by J. Todd Malaise for Debtors Maria Christina Trevino, Ruben Guzman Trevino.

14-52737-rbk David R. Farias and Maria Graciela Farias Chapter: 13

Ricardo Ojeda Jr. representing David R. Farias (Debtor)

Ricardo Ojeda Jr. representing Maria Graciela Farias (Debtor)

Mary K. Viegelahn (Trustee)

#43 Motion To Modify to Add A Post-Petition Debt and Second Request for Additional Compensation filed by Ricardo Ojeda Jr. for Debtors David R. Farias, Maria Graciela Farias.

**14-52802-rbk Selwyn Vernett Vanterpool and Era Sharron Vanterpool
Chapter: 13**

Joris Robert Vanhemelrijck representing Selwyn Vernett Vanterpool (Debtor)

Joris Robert Vanhemelrijck representing Era Sharron Vanterpool (Debtor)

Mary K. Viegelahn (Trustee)

#33 Trustee's Objection to Exemption.

14-52899-rbk Robert Paul Wagener and Hazel Larue Wagener Chapter: 13

Joris Robert Vanhemelrijck representing Robert Paul Wagener (Debtor)

Joris Robert Vanhemelrijck representing Hazel Larue Wagener (Debtor)

Mary K. Viegelahn (Trustee)

#40 Motion to Modify Confirmed Chapter 13 Plan (Requesting Attorney Fees In the Amount Of \$900. 00) filed by Joris Robert Vanhemelrijck for Debtors Hazel Larue Wagener, Robert Paul Wagener.

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 FROM 08/03/17*****

15-50841-rbk Amanda Medina Davis Chapter: 13

Joris Robert Vanhemelrijck representing Amanda Medina Davis (Debtor)

Mary K. Viegelahn (Trustee)

#27 Motion For Order Allowing Debtor To Enter Into And/Or Finalize A Loan Modification With Roundpoint Mortgage Servicing Corporation And Second Request For Attorney's Fees Filed by Joris Robert Vanhemelrijck for Debtor Amanda Medina Davis.

15-50970-rbk Rudy Sanchez and Daisy Hernandez Sanchez Chapter: 13

Heidi McLeod representing Rudy Sanchez (Debtor)

Heidi McLeod representing Daisy Hernandez Sanchez (Debtor)

Mary K. Viegelahn (Trustee)

#63 Objection to Exemption Filed by Trustee. Mary K. Viegelahn.

15-51366-rbk Stacy Erin Pecan Chapter: 13

J. Todd Malaise representing Stacy Erin Pecan (Debtor)

Mary K. Viegelahn (Trustee)

#25 Second Application For Attorney's Fees On Chapter 13 Case filed by J. Todd Malaise for Debtor Stacy Erin Pecan.

RESET 10/5/17

16-50342-rbk Jimmy Perez Chapter: 13

William B. Chenault III representing Jimmy Perez (Debtor)

Mary K. Viegelahn (Trustee)

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

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

16-51089-rbk Ernesto J. Gonzalez Chapter: 13

Sean T. Flynn representing Ernesto J Gonzalez (Debtor)

Mary K. Viegelahn (Trustee)

#49 Motion to Modify Confirmed Chapter 13 Plan filed by Sean T. Flynn for Debtor Ernesto J. Gonzalez.

16-51339-rbk Maria Rosa Sotello Chapter: 13

Joris Robert Vanhemelrijck representing Maria Rosa Sotello (Debtor)

Mary K. Viegelahn (Trustee)

#29 Objection to Exemption Filed by Trustee Mary K. Viegelahn.

#22 Motion to Modify Plan Post-Confirmation and First Request for Additional Attorney's Fees filed by Joris Robert Vanhemelrijck for Debtor Maria Rosa Sotello.

16-51651-rbk Fernando A. Gonzalez Chapter: 13

Chance M. McGhee representing Fernando A. Gonzalez (Debtor)

Mary K. Viegelahn (Trustee)

#27 Motion for Turnover of Sanctions filed by Trustee Mary K. Viegelahn.

16-51754-rbk Jacqueline J. Cruz Chapter: 13

Callan M. Billingsley representing Jacqueline J. Cruz (Debtor)

Mary K. Viegelahn (Trustee)

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

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

NOTICE OF WITHDRAWAL 8/30/2017

16-51945-rbk Jeffrey Jon Hutzler and April Dawn Hutzler Chapter: 13

Joris Robert Vanhemelrijck representing Jeffrey Jon Hutzler (Debtor)

Joris Robert Vanhemelrijck representing April Dawn Hutzler (Debtor)

Mary K. Viegelahn (Trustee)

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

**AGREED ORDER
OTC-GARY WRIGHT**

16-52028-rbk Ruben Rocco Chapter: 13

Johnny W. Thomas representing Ruben Rocco (Debtor)

Mary K. Viegelahn (Trustee)

#28 Motion to Modify Plan filed by Johnny W. Thomas for Debtor Ruben Rocco.

16-52102-rbk Terri Lyn DeLaGarza Chapter: 13

Rick Flume representing Terri Lyn DeLaGarza (Debtor)

Mary K. Viegelahn (Trustee)

#27 Debtor's Motion to Pay Off Chapter 13 Case, Close Case, and Second Request for Additional Compensation filed by Rick Flume for Debtor Terri Lyn DeLaGarza.

16-52299-rbk Trevor Matthew Roney Chapter: 13

J. Todd Malaise representing Trevor Matthew Roney (Debtor)

Mary K. Viegelahn (Trustee)

#34 Second Application For Attorney's Fees On Chapter 13 Case filed by J. Todd Malaise for Debtor Trevor Matthew Roney.

RESET 10/5/17

16-52339-rbk Miguel Gomez, III Chapter: 13

Ruben E. Vasquez representing Miguel Gomez III (Debtor)

Mary K. Viegelahn (Trustee)

#42 Motion to Reinstate Case filed by Ruben E. Vasquez for Debtor Miguel Gomez III.

16-52418-rbk Charlette Dianne Gregory Chapter: 13

J. Todd Malaise representing Charlette Dianne Gregory (Debtor)

Mary K. Viegelahn (Trustee)

#32 Trustee's Objection to Exemption.

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

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

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

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

16-52534-rbk Eruviel De La Rosa Vasquez Chapter: 13

Ruben E. Vasquez representing Eruviel De La Rosa Vasquez (Debtor)

Mary K. Viegelahn (Trustee)

#31 Trustee's Objection to Exemption.

MOOT-CASE DISMISSED 8/7/2017

16-52583-rbk Richard Carl Simmons and Ginger Lynne Simmons Chapter: 13

Chance M. McGhee representing Richard Carl Simmons (Debtor)

Chance M. McGhee representing Ginger Lynne Simmons (Debtor)

Mary K. Viegelahn (Trustee)

#37 Motion to Sell Property Free and Clear of Liens 11USC 363(f) filed by Chance M. McGhee for Debtors Ginger Lynne Simmons, Richard Carl Simmons.

16-52688-rbk Billy John Gamble, Jr. Chapter: 13

J. Todd Malaise representing Billy John Gamble Jr. (Debtor)

Mary K. Viegelahn (Trustee)

#37 Application to Approve Settlement, Approve Special Counsel's Fees and Second Request for Attorney's Fees filed by J. Todd Malaise for Debtor Billy John Gamble Jr.

RESET 10/5/17

16-52936-rbk David Hernandez and Guadalupe Rosalinda Hernandez

Chapter: 13

William R. Davis Jr. representing David Hernandez (Debtor)

William R. Davis Jr. representing Guadalupe Rosalinda Hernandez (Debtor)

Mary K. Viegelahn (Trustee)

#40 Trustee's Notice of Intent to Pay Claims.

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 08/03/17*****

17-50785-rbk Carolyn E. Graham Chapter: 13

David T. Cain representing Carolyn E. Graham (Debtor)

Mary K. Viegelahn (Trustee)

#14 Motion to File Claim after Claims Bar Date filed by Hadi R Seyed-Ali for Creditor The Bank of New York Mellon.

17-50824-rbk Pamela Yvonne Branch Chapter: 13

Joris Robert Vanhemelrijck representing Pamela Yvonne Branch (Debtor)
Mary K. Viegelahn (Trustee)

#13 Objection to Exemptions Filed by Trustee, Mary K. Viegelahn.

**AGREED ORDER
OTC-TRUSTEE**

17-50908-rbk Salvador Jesus Nieto Chapter: 13

J. Todd Malaise representing Salvador Jesus Nieto (Debtor)
Mary K. Viegelahn (Trustee)

#31 Motion To Reconsider Order Sustaining Objection To Proof Of Claim Docket #28 filed by William P. Weaver Jr for Creditor Security Service Federal Credit Union (Related Document(s): [27] Order Regarding Objection to Claims (related document(s): [19] Objection to Claim of Security Service Federal Credit Union Claim #4 Filed by J. Todd Malaise for Debtor Salvador Jesus Nieto.

NOTICE OF WITHDRAWAL 8/24/17

17-51102-rbk Lock John Piatt and Marie Solange Piatt Chapter: 13

J. Todd Malaise representing Lock John Piatt (Debtor)
J. Todd Malaise representing Marie Solange Piatt (Debtor)
Mary K. Viegelahn (Trustee)

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

NOTICE OF WITHDRAWAL 8/24/17

17-51127-rbk James Robert Burrier and Patricia Ann Burrier Chapter: 13

J. Todd Malaise representing James Robert Burrier (Debtor)

J. Todd Malaise representing Patricia Ann Burrier (Debtor)

Mary K. Viegelahn (Trustee)

#26 Trustee's Objection to Exemption.

17-51242-rbk Tracy Charnholm Chapter: 13

Heidi McLeod representing Tracy Charnholm (Debtor)

Mary K. Viegelahn (Trustee)

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

RESET 10/5/2017

15-51599-rbk Joseph Gary Bodnar and Cynthia Kay Bodnar Chapter: 13

Joris Robert Vanhemelrijck representing Joseph Gary Bodnar (Debtor)

Joris Robert Vanhemelrijck representing Cynthia Kay Bodnar (Debtor)

Mary K Viegelahn (Trustee)

#39 Motion to Incur New Debt and Request for Additional Attorney's Fees filed by Joris Robert Vanhemelrijck for Debtors Cynthia Kay Bodnar, Joseph Gary Bodnar.

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