

***U.S. BANKRUPTCY COURT
Western District of Texas
Judge Ronald B. King, Presiding
04/05/18
San Antonio Courtroom #1
HEARINGS***

9:30 AM

“CHAPTER THIRTEEN DISMISSAL DOCKET”

10:00 AM

“CHAPTER THIRTEEN CONFIRMATION DOCKET”

18-50242 Gloria Artesia Penn Chapter: 13

Joris Robert Vanhemelrijck representing Debtor Gloria Artesia Penn (Debtor)
Mary K. Viegelahn (Trustee)

#14 Motion For An Order Allowing Debtor To Retain 2017 Tax Refund And First Request For Additional Attorneys Fees filed by Joris Robert Vanhemelrijck for Debtor Gloria Artesia Penn.

#13 Expedited Trustee's Motion to Dismiss Case for Failure to Make Plan Payments filed by Mary K. Viegelahn, Trustee.

1:30 PM

“CHAPTER THIRTEEN MISCELLANEOUS DOCKET”

“SHOW CAUSE DOCKET”

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

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

Mary K. Viegelahn (Trustee)

#32 Trustee's Motion for Platinum Autoplex, LLC, Diamond Funding, LLC and Raed F. Zayed to Appear and Show Cause Why Creditor Should Not Be Held in Contempt and Be Forced to Perform under the Order Granting Trustee's Motion for Turnover of Sanctions.

NOTICE OF WITHDRAWAL 4/2/2018

18-50267-rbk Priscilla Solis Chapter: 13

Ricardo Ojeda Jr. representing Priscilla Solis (Debtor)

Mary K. Viegelahn (Trustee)

#8 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 - 17-52918.

18-50271-rbk Marivel Olvera Godines Chapter: 13

Joris Robert Vanhemelrijck representing Marivel Olvera Godines (Debtor)
Mary K. Viegelahn (Trustee)

#10 Order To Appear and Show Cause To Debtor or Debtor's attorney to appear and show cause why discharge of the Debtors should not be denied in this case under Section 1328(f) for filing chapter 13 within four years of a prior chapter 7 discharge of the Debtor.

18-50285-rbk Marva Lynette Durden Chapter: 13

PRO SE representing Marva Lynette Durden (Debtor)
Mary K. Viegelahn (Trustee)

#12 Order To Appear and Show Cause Because of the filing of several cases: 13-52304 and 14-51721, it will be necessary for the Court to conduct a show cause hearing to determine whether this case 18-50285 should be dismissed.

18-50287-rbk Javier G. Ortiz Chapter: 13

PRO SE Javier G. Ortiz (Debtor)
Mary K. Viegelahn (Trustee)

#8 Order To Appear and Show Cause it appears to the Court that the Debtor has failed to pay the remainder of the filing fee in the amount of \$155.00, which is due and owing in a prior Chapter 13 bankruptcy case - 17-52135 and because of the filing of several cases.

18-50348-rbk Mariella Y. Gutierrez Chapter: 13

Callan M. Billingsley representing Mariella Y. Gutierrez (Debtor)

Mary K. Viegelahn (Trustee)

#20 Order To Debtor, Mariella Y. Gutierrez and Attorney for Debtor, Callan M. Billingsley to Appear and Show Cause because of the filing of several cases.

18-50404-rbk Agnes Partida Guerra Chapter: 13

Joris Robert Vanhemelrijck representing Agnes Partida Guerra (Debtor)

Mary K. Viegelahn (Trustee)

#13 Order To Debtor and/or Debtor's Attorney to Appear and Show Cause because of the filing of several cases.

18-50428-rbk Victor Paul Stringer and Teresa Fay Stringer

Joris Robert Vanhemelrijck representing Victor Paul Stringer (Debtor)

Joris Robert Vanhemelrijck representing Teresa Fay Stringer (Debtor)

Randolph N. Osherow (Trustee)

#8 Order To Debtor and/or Debtor's Attorney to Appear and Show Cause because of the filing of several cases.

18-50479-rbk Shawna Lynn Rose Chapter: 13

Susan G. Taylor representing Shawna Lynn Rose (Debtor)

Mary K. Viegelahn (Trustee)

#4 Order To Debtor or Debtor's Attorney to Appear and Show Cause why discharge of the Debtor should not be denied in this case under section 1328(f).

18-50520-rbk Adela Ramos Chapter: 13

PRO SE Adela Ramos (Debtor)

Mary K. Viegelahn (Trustee)

#9 Order To Debtor, Adela Ramos to appear and show cause why this case should not be dismissed, the Debtor failed to identify the petition preparer in accordance with 11 U.S.C. §110.

12-53963-rbk Michael Gomez and Dolores F. Gomez Chapter: 13

Joe A. Gamez Jr. representing Michael Gomez (Debtor)

Joe A. Gamez Jr. representing Dolores F. Gomez (Debtor)

Mary K. Viegelahn (Trustee)

#50 Motion to Avoid Judicial Liens Of Arrow Financial Services, LLC and LVNV Funding, LLC filed by Joe A. Gamez Jr. for Debtors Dolores F. Gomez, Michael Gomez.

#56 SUPPLEMENTAL Motion to Avoid Judicial Liens of Arrow Financial Services, LLC and LVNV Funding LLC, filed on 02/23/18

13-51053-rbk Precillia Mae Harris Chapter: 13

Joris Robert Vanhemelrijck representing Precillia Mae Harris (Debtor)

Mary K. Viegelahn (Trustee)

#57 Motion to Modify Confirmed Chapter Plan Pursuant To 11 U.S.C. 1329(a)(1) filed by Mary K Viegelahn.

AGREED ORDER SUBMITTED 3/27/2018

#60 Motion Modify Plan in response to Trustees Motion to Modify Plan and Second request for Additional Attorney's Fees filed by Joris Robert Vanhemelrijck for Debtor Precillia Mae Harris (Related Document(s): [57] Motion to Modify Confirmed Chapter Plan Pursuant To 11 U.S.C. 1329(a)(1) filed by Mary K. Viegelahn.)

TO BE WITHDRAWN

13-51152-rbk Patricia Ann Nordstrom Chapter: 13

Chance M. McGhee representing Patricia Ann Nordstrom (Debtor)

Mary K. Viegelahn (Trustee)

#78 Motion to Modify Confirmed Chapter 13 Plan filed by Trustee, Mary K. Viegelahn.

*****RESET FROM 03/01/18 – NO FURTHER NOTICE***.**

AGREED ORDER TO COME FROM TRUSTEE

#83 Motion For Authorization to Incur Debt to Refinance Real Property and Application For Attorney Compensation filed by Chance M. McGhee for Debtor Patricia Ann Nordstrom.

GRANT

13-51268-rbk Dolly Young Chapter: 13

Gerald C. Moton representing Dolly Young (Debtor)

Mary K. Viegelahn (Trustee)

#46 Application for Hardship Discharge And Objection In Response To Trustee's Motion To Dismiss filed by Gerald C. Moton for Debtor Dolly Young.

*****RESET FROM 03/01/18 – NO FURTHER NOTICE***.**

13-52969-rbk Ricardo Alvarez Alvarado Chapter: 13

Heidi McLeod representing Ricardo Alvarez Alvarado (Debtor)
Mary K. Viegelahn (Trustee)

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

13-53007-rbk John H. Guerrero and Nora H. Guerrero Chapter: 13

Sean T. Flynn representing John H. Guerrero (Debtor)
Sean T. Flynn representing Nora H. Guerrero (Debtor)
Mary K. Viegelahn (Trustee)

#96 Application for Hardship Discharge filed by Sean T. Flynn for Debtors John H. Guerrero, Nora H. Guerrero.

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)

#86 Motion to Modify Confirmed Plan Pursuant to 11 U.S.C. §1329(a)(1), or in the Alternative Dismissal of Chapter 13 Case filed by Trustee Mary K. Viegelahn.

MOOT-CASE CONVERTED TO CHAPTER 7 ON 3/22/2018

14-51645-rbk William Duane McCreary Chapter: 13

David T. Cain representing William Duane McCreary (Debtor)

Mary K. Viegelahn (Trustee)

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

*****RESET FROM 03/01/18 – NO FURTHER NOTICE***.**

#105 Motion to Modify Confirmed Chapter 13 Plan filed by David T. Cain for Debtor William Duane McCreary.

14-52897-rbk Darrell Wade Kelley and Angela Denise Kelley Chapter: 13

Sean T. Flynn representing Darrell Wade Kelley (Debtor)

Sean T. Flynn representing Angela Denise Kelley (Debtor)

Mary K. Viegelahn (Trustee)

#69 Motion to Modify Confirmed Chapter 13 Plan Requesting Attorney Fees in the Amount of \$301.00 filed by Sean T. Flynn for Debtors Angela Denise Kelley, Darrell Wade Kelley.

NOTICE OF WITHDRAWAL 2/23/2018

14-52962-rbk Alfred Mejia, Jr. and Janet M. Mejia Chapter: 13

Ruben E. Vasquez representing Alfred Mejia Jr. (Debtor)

Ruben E. Vasquez representing Janet M. Mejia (Debtor)

Mary K. Viegelahn (Trustee)

#79 Motion to Modify Confirmed Plan Pursuant To 11 U.S.C. 1329(a)(1) filed by Trustee Mary K. Viegelahn.

RESET 5/3/2018

14-52973-rbk Jason R. Crowell and Beatrice G. Guevara Chapter: 13

David Bernard Packard representing Jason R. Crowell (Debtor)

David Bernard Packard representing Beatrice G. Guevara (Debtor)

Mary K. Viegelahn (Trustee)

#35 Motion for Distribution of Auto Insurance Proceeds to Debtors filed by David Bernard Packard for Debtors Jason R. Crowell, Beatrice G. Guevara.

GRANT

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

AGREED ORDER SUBMITTED 2/22/2018

15-50624-rbk Christopher Munie Chapter: 13

Lewis E. Buttles representing Christopher Munie (Debtor)

Mary K. Viegelahn (Trustee)

#64 Trustee's Motion to Compel Turnover of Funds.

*****RESET FROM 03/01/18 – NO FURTHER NOTICE***.**

RESET 5/3/2018

**15-51666-rbk Donald W. Deaton, Jr. and Graciela Elizabeth Deaton Chapter:
13**

Callan M. Billingsley representing Donald W. Deaton Jr. (Debtor)

Callan M. Billingsley representing Graciela Elizabeth Deaton (Debtor)

Mary K. Viegelahn (Trustee)

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

RESET 5/3/2018

#66 Motion to Modify Confirmed Chapter 13 Plan Requesting Attorney Fees in the Amount of \$875.00 filed by Callan M. Billingsley for Debtors Donald W. Deaton Jr., Graciela Elizabeth Deaton.

RESET 5/3/2018

#70 Chapter 13 Confirmation.

*****ALL MATTERS RESET FROM 03/01/18 – NO FURTHER NOTICE***.**

16-51090-rbk Nancy Cantu Chapter: 13

J. Todd Malaise representing Nancy Cantu (Debtor)

Mary K. Viegelahn (Trustee)

#36 Motion To Retain 2017 IRS Tax Refund Proceeds and Fourth Request for Attorney's Fees filed by J. Todd Malaise for Debtor Nancy Cantu.

GRANT

16-51455-rbk Edgar Reyes Garcia Chapter: 13

Heidi McLeod representing Edgar Reyes Garcia (Debtor)

Mary K. Viegelahn (Trustee)

#37 Motion Pursuant to Federal Rule 12(E) for More Definite Statement and Response to Trustee's Motion to Dismiss filed by Heidi McLeod for Debtor Edgar Reyes Garcia (Related Document(s): *[36]* Trustee's Motion to Dismiss Case for Other Reasons.)

#41 Motion to Strike Document filed by Trustee Mary K Viegelahn (Related Document(s): *[37]* Motion Pursuant to Federal Rule 12(E) for More Definite Statement and Response to Trustee's Motion to Dismiss filed by Heidi McLeod for Debtor Edgar Reyes Garcia) (Related Document(s): *[36]* Trustee's Motion to Dismiss Case for Other Reasons.)

16-51518-rbk Thomas J. Bishop and Meghan Bishop Chapter: 13

Morris E. "Trey" White III representing Thomas J. Bishop (Debtor)

Morris E. "Trey" White III representing Meghan Bishop (Debtor)

Mary K. Viegelahn (Trustee)

#37 Amended (Related Document(s): [35] Motion to Modify Plan and Application for Additional Attorney Fees Requesting Attorney Fees in the Amount of \$450.00, filed by Morris E. "Trey" White III for Debtors Meghan Bishop, Thomas J. Bishop.

****RESET FROM 03/01/18 – NO FURTHER NOTICE***.*

DENY

**16-51599-rbk Chuck Lara Hernandez and Laura Michelle Hernandez
Chapter: 13**

J. Todd Malaise representing Chuck Lara Hernandez (Debtor)

J. Todd Malaise representing Laura Michelle Hernandez (Debtor)

Mary K. Viegelahn (Trustee)

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

****RESET FROM 03/01/18 – NO FURTHER NOTICE***.*

RESET 5/3/2018

16-51678-rbk Osvaldo J DePaz and Guadalupe Evelyn DePaz Chapter: 13

J. Todd Malaise representing Osvaldo J DePaz (Debtor)
J. Todd Malaise representing Guadalupe Evelyn DePaz (Debtor)
Mary K. Viegelahn (Trustee)

#32 Trustee's Motion to Modify Confirmed Plan.

*****RESET FROM 03/01/18 – NO FURTHER NOTICE***.**

MOOT-CASE DISMISSED 3/23/2018

16-51792-rbk Carlos Ybarra Gomez and Rita Moreno Gomez Chapter: 13

Joris Robert Vanhemelrijck representing Carlos Ybarra Gomez (Debtor)
Joris Robert Vanhemelrijck representing Rita Moreno Gomez (Debtor)
Mary K. Viegelahn (Trustee)

#31 Motion to Modify Confirmed Chapter 13 Plan Requesting Attorney Fees in the Amount of \$982.80 filed by Joris Robert Vanhemelrijck for Debtors Carlos Ybarra Gomez, Rita Moreno Gomez.

*****RESET FROM 03/01/18 – NO FURTHER NOTICE***.**

RESET 5/3/2018

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

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

#63 Motion to Modify Confirmed Chapter 13 Plan filed by Callan M. Billingsley for Debtor Alfonso Becerra Jr.

RESET 5/3/2018

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)

#55 Objection to Claim of Wells Fargo Bank N.A. d/b/a Wells Fargo Dealer Services
Filed by Trustee Mary K Viegelahn.

*****RESET FROM 03/01/18 – NO FURTHER NOTICE***.**

GRANT

16-52320-rbk Patrick O'Connor Chapter: 13

William R. Davis Jr. representing Patrick O'Connor (Debtor)

Mary K. Viegelahn (Trustee)

#63 Motion to Reinstate Automatic Stay (Bank of America, N.A.) filed by William R. Davis Jr. for Debtor Patrick O'Connor Related document(s) **[30]** Order on Motion for Relief Stay and Against Co-Debtor.

RESET 5/3/2018

16-52863-rbk Eric Scott Williams Chapter: 13

Joris Robert Vanhemelrijck representing Eric Scott Williams (Debtor)

Mary K. Viegelahn (Trustee)

#51 Motion To Modify Plan and Second Request for Additional Attorney's Fees filed by Joris Robert Vanhemelrijck for Debtor Eric Scott Williams.

17-50824-rbk Pamela Yvonne Branch Chapter: 13

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

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

RESET 5/3/2018

**17-50889-rbk Larry Roberto De La Cruz and Belinda Ortiz De La Cruz
Chapter: 13**

J. Todd Malaise representing Larry Roberto De La Cruz (Debtor)
J. Todd Malaise representing Belinda Ortiz De La Cruz (Debtor)
Mary K. Viegelahn (Trustee)

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

RESET 5/3/2018

17-51033-rbk Marcelino Acuna, IV Chapter: 13

Ricardo Ojeda Jr. representing Marcelino Acuna IV (Debtor)
Mary K. Viegelahn (Trustee)

#35 Motion to Modify to Add a Post-Petition Debt and First Request for Additional Compensation filed by Ricardo Ojeda Jr. for Debtor Marcelino Acuna IV.

RESET 5/3/2018

17-51845-rbk Rachel Moreno Chapter: 13

Magdalena Gonzales representing Rachel Moreno (Debtor)
Mary K. Viegelahn (Trustee)

#33 Motion to Vacate Order filed by Thomas W. Howe for Creditor Great State Finance (Related Document(s): **[31]** Order Regarding Motion to Modify Confirmed Chapter 13 Plan) (related document(s): **[24]** Motion to Modify Confirmed Chapter 13 Plan Requesting Attorney Fees in the Amount of \$461.50 filed by Magdalena Gonzales for Debtor Rachel Moreno.)

17-51883-rbk Ismael Castro and Evelyn Gutierrez Castro Chapter: 13

J. Todd Malaise representing Ismael Castro (Debtor)
J. Todd Malaise representing Evelyn Gutierrez Castro (Debtor)
Mary K. Viegelahn (Trustee)

#24 Objection to Claim Security Service FCU \$5125.00.00 Court Claim #15 Filed by Trustee Mary K Viegelahn.

17-52107-rbk Virginia Ann Beltran Chapter: 13

Chance M. McGhee representing Virginia Ann Beltran (Debtor)
Mary K. Viegelahn (Trustee)

#40 Motion For Compensation, Fees \$1987.00,, For Time Period From September 3, 2017 To Time Period Ending March 1, 2018 filed by Chance M. McGhee for Debtor Virginia Ann Beltran.

17-52354-rbk William Lee Pitchford, Jr. and Yong O. Burgess Chapter: 13

Martin Warren Seidler representing William Lee Pitchford, Jr. (Debtor)

Martin Warren Seidler representing Yong O. Burgess (Debtor)

Mary K. Viegelahn (Trustee)

#34 AMENDED Objection to Claim 12, LVNV Funding, LLC filed by Martin Warren Seidler for Debtors Yong O Burgess and William Lee Pitchford, Jr. (related document *[32]* Objection To Claim filed by Debtors William Lee Pitchford, Jr. and Yong O. Burgess.

RESET 5/3/2018

17-52566-rbk Vicki Lynn Reece Chapter: 13

Rogena Jan Atkinson representing Vicki Lynn Reece (Debtor)

Mary K. Viegelahn (Trustee)

#29 Motion to Vacate Order of Dismissal Order filed by Rogena Jan Atkinson for Debtor Vicki Lynn Reece. (Related Document(s): *[26]* Order Denying Confirmation of Chapter 13 Plan and Dismissing Case.

17-52654-rbk Juan Manuel Favila Chapter: 13

Ruben E. Vasquez representing Juan Manuel Favila (Debtor)

Mary K. Viegelahn (Trustee)

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

NOTICE OF WITHDRAWAL 4/4/2018

17-52937-rbk Robert Scott Stanley Chapter: 13

Heidi McLeod representing Robert Scott Stanley (Debtor)
Mary K. Viegelahn (Trustee)

#13 Objection to Claim Wells Fargo Filed by Heidi McLeod for Debtor Robert Scott Stanley.

MOOT-CASE DISMISSED

18-50015-rbk Anastacio Delacruz Chapter: 13

Seth Crosland representing Anastacio Delacruz (Debtor)
Mary K. Viegelahn (Trustee)

#19 Objection to Claim 21st Mortgage Corporation \$69547.95 Court Claim 1 Filed by Trustee Mary K. Viegelahn.

RESET 5/3/2018

18-50253-rbk Benito Juarez Canales and Angelica M. Canales Chapter: 13

Ruben E. Vasquez representing Benito Juarez Canales
Ruben E. Vasquez representing Angelica Canales

#13 Motion to Reinstate Case filed by Ruben E. Vasquez for Debtors Angelica M Canales, Benito Juarez Canales.