

***U.S. BANKRUPTCY COURT  
Western District of Texas  
Judge Ronald B. King, Presiding  
10/04/18  
San Antonio Courtroom #1  
HEARINGS***

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***9:30 AM***

***“CHAPTER THIRTEEN DISMISSAL DOCKET”***

***10:00 AM***

***“CHAPTER THIRTEEN CONFIRMATION DOCKET”***

**1:30 PM**

***“CHAPTER THIRTEEN SHOW CAUSE HEARINGS”***

**18-52060-rbk Charles Jason Jones Chapter: 13**

PRO SE representing Charles Jason Jones (Debtor)

Mary K. Viegelahn (Trustee)

**#9** Order to Debtor, Charles Jason Jones to Appear and Show Cause as to why discharge of the Debtor should not be denied in this case under 11 U.S.C. Section 1328(f) for filing Chapter 13 within four years of a prior Chapter 7 discharge.

**18-52064-rbk Sonia Renee Blythe Chapter: 13**

Joris Robert Vanhemelrijck representing Sonia Renee Blythe (Debtor)

Mary K. Viegelahn (Trustee)

**#7** Order to Debtor's Attorney, Joris Robert Vanhemelrijck and Debtor, Sonia Renee Blythe To Appear And Show Cause why Debtor has failed to pay the remainder of the filing fee in the amount fo \$155.00, which is due and owing in a prior Chapter 13 Bankruptcy Case 18-51350.

**FEE HAS BEEN PAID IN FULL**

**18-52116-rbk Danny Contreras Chapter: 13**

Oscar L. Cantu Jr. representing Danny Contreras (Debtor)

Mary K. Viegelahn (Trustee)

*#5* Order to Attorney for Debtor, Oscar L. Cantu, Jr. and Debtor, Danny Contreras to Appear and Show Cause why this case should not be dismissed because of the filing of several cases.

***“CHAPTER THIRTEEN MISCELLANEOUS DOCKET”***

**13-51152-rbk Patricia Ann Nordstrom Chapter: 13**

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

**#89** Motion to Vacate Order filed by for Trustee Mary K Viegelahn (Related Document(s): **88** Agreed Order Regarding (related document(s): **78** Motion to Modify Confirmed Chapter 13 Plan Pursuant to 11 U.S.C. Sec. 1329(a) Or in the Alternative Convert to Chapter 7 Pursuant to 11 U.S.C. Sec. 1307(c) filed by Trustee Mary K. Viegelahn.

**\*\*\*RESET FROM 09/06/18 – NO FURTHER NOTICE\*\*\*.**

**WITHDRAWN 9/20/2018**

**14-50971-rbk Marshall Scott Mitchell, Sr. and Teresa Olivia Mitchell  
Chapter: 13**

J. Todd Malaise representing Marshall Scott Mitchell Sr. (Debtor)  
J. Todd Malaise representing Teresa Olivia Mitchell (Debtor)  
Mary K. Viegelahn (Trustee)

**#69** Motion to Modify Confirmed Chapter 13 Plan filed by Trustee Mary K. Viegelahn.  
**\*\*\*RESET FROM 09/06/18 – NO FURTHER NOTICE\*\*\*.**

**RESET 11/1/2018**

**14-51806-rbk Otha L. Wooley, Jr. and Marquita Jennings Wooley Chapter: 13**

Jose L. Soria representing Otha L. Wooley Jr. (Debtor)  
Jose L. Soria representing Marquita Jennings Wooley (Debtor)  
Mary K. Viegelahn (Trustee)

*#96* Motion to Vacate Dismissal Order filed by Jose L. Soria for Debtors Marquita Jennings Wooley, Otha L. Wooley Jr. (Related Document(s): *93* Order Granting (related document(s): *87* Trustee's Motion to Dismiss Case for Failure to Make Plan Payments.

**GRANT**

**14-52067-rbk Biviana Martinez Reyna Chapter: 13**

Ruben E. Vasquez representing Biviana Martinez Reyna (Debtor)  
Mary K. Viegelahn (Trustee)

*#54* Motion to Reinstate Case filed by Ruben E. Vasquez for Debtor Biviana Martinez Reyna.

**AGREED ORDER TO COME FROM TRUSTEE**

**14-53070-rbk Stephen Trent Wright Chapter: 13**

Heidi McLeod representing Stephen Trent Wright (Debtor)  
Mary K. Viegelahn (Trustee)

*#93* Motion to Modify Confirmed Chapter 13 Plan filed by Trustee Mary K Viegelahn.  
**\*\*\*RESET FROM 08/02/18 – NO FURTHER NOTICE\*\*\*.**

**RESET 11/1/2018**

**15-51365-rbk Kristie Annette Moreno Chapter: 13**

Joe A. Gamez Jr. representing Kristie Annette Moreno (Debtor)  
Mary K. Viegelahn (Trustee)

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

**AGREED ORDER TO COME FROM TRUSTEE**

**15-52082-rbk Joshua Basilio Serrano Chapter: 13**

Joris Robert Vanhemelrijck representing Joshua Basilio Serrano (Debtor)  
Mary K. Viegelahn (Trustee)

#43 Motion to Reconsider And/Or Vacate Order filed by Joris Robert Vanhemelrijck for Debtor Joshua Basilio Serrano (Related Document(s): [42] Order Granting (related document(s): [37] Trustee's Motion to Dismiss Case for Failure to Make Plan Payments.

**16-51411-rbk Phillip P. Isom Chapter: 13**

Heidi McLeod representing Phillip .P Isom (Debtor)  
Mary K. Viegelahn (Trustee)

#49 Motion to Modify Plan filed by Heidi McLeod for Debtor Phillip P. Isom.  
**\*\*\*RESET FROM 09/06/18 – NO FURTHER NOTICE\*\*\*.**

#55 Motion to Determine 2017 Tax Refund Is Not Additional Disposable Income filed by Heidi McLeod for Debtor Phillip P. Isom.

**16-52082-rbk Russell Edward Harrod Chapter: 13**

L. David Levinson representing Russell Edward Harrod (Debtor)  
Mary K. Viegelahn (Trustee)

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

**GRANT**

*#130* Application of Debtor to Employ SSBWW filed by L. David Levinson for Debtor Russell Edward Harrod.

**MOOT-CASE DISMISSED**

*#135* Motion to Terminate Order Granting Adequate Protection filed by L. David Levinson for Debtor Russell Edward Harrod (Related Document(s): *[20]* Order Regarding (related document(s): *[12]* Motion For Adequate Protection filed by William P. Weaver Jr. for Creditor Security Service Federal Credit Union)

**MOOT-CASE DISMISSED**

*#137* Motion to Modify Agreed Order on Caterpillar Adequate Protection filed by L. David Levinson for Debtor Russell Edward Harrod (Related Document(s): *[30]* Order Regarding (related document(s): *[25]* Motion For Adequate Protection As To One 320E Hydraulic Excavator, Serial Number WBK00919: One 324EL Hydraulic Excavator, Serial Number PNW00190: One D6XL Track Type Tractor, Serial Number 5LN03124: And One D6RIII XL Track Type Tractor, Serial Number GJB00685 filed by Stephanie M. Gonzalez for Creditor Caterpillar Financial Services Corporation.

**MOOT-CASE DISMISSED**

**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)

*#45* Trustee's Motion to Dismiss Chapter 12 Proceeding.  
**\*\*\*RESET FROM 09/06/18 – NO FURTHER NOTICE\*\*\*.**

**RESET 10/15/2018 AT 1:30 PM**



**17-50504-rbk Jennifer Marie Cox Chapter: 13**

Ricardo Ojeda Jr. representing Jennifer Marie Cox (Debtor)  
Mary K. Viegelahn (Trustee)

**#36** Motion to Modify to Add a Post-Petition Debt and First Request for Additional Compensation filed by Ricardo Ojeda Jr. for Debtor Jennifer Marie Cox.

**\*\*\*RESET FROM 09/06/18 – NO FURTHER NOTICE\*\*\*.**

**DENY**

**17-50998-rbk Robert Ybarra Gutierrez, Jr. Chapter: 13**

Joris Robert Vanhemelrijck representing Robert Ybarra Gutierrez Jr. (Debtor)  
Mary K. Viegelahn (Trustee)

**#27** Motion to Request to Retain 2017 Tax Refund and First Request for Additional Attorney's Fees filed by Joris Robert Vanhemelrijck for Debtor Robert Ybarra Gutierrez Jr.

**\*\*\*RESET FROM 09/06/18 – NO FURTHER NOTICE\*\*\*.**

**17-51002-rbk Daniel R. Santos and Merri Destiny Santos Chapter: 13**

Ruben E. Vasquez representing Daniel R. Santos (Debtor)  
Ruben E. Vasquez representing Merri Destiny Santos (Debtor)  
Mary K. Viegelahn (Trustee)

**#45** Motion to Reinstate Case filed by Ruben E. Vasquez for Debtors Daniel R. Santos, Merri Destiny Santos.

**AGREED ORDER TO COME FROM TRUSTEE**

**17-52358-rbk Shirley E. Allen Chapter: 13**

J. Todd Malaise representing Shirley E. Allen (Debtor)  
Mary K. Viegelahn (Trustee)

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

**RESET 11/1/2018**

**17-52481-rbk Howard King, Jr. and Robin A. Godley-King Chapter: 13**

Monica C. Morales representing Howard King Jr. (Debtor)  
Monica C. Morales representing Robin A. Godley-King (Debtor)  
Mary K. Viegelahn (Trustee)

#59 Motion To Disburse Proceeds of State Farm Insurance Settlement for Debtor's Personal Injury Claims filed by Monica C. Morales for Debtors Robin A. Godley-King, Howard King Jr.

**\*\*\*RESET FROM 09/06/18 – NO FURTHER NOTICE\*\*\*.**

**RESET 11/1/2018**

**17-52671-rbk Kellie Michelle Mossbarger Chapter: 13**

Rick Flume representing Kellie Michelle Mossbarger (Debtor)  
Mary K. Viegelahn (Trustee)

#11 Objection to Claim USAA Federal Savings Bank, Court Claim #6 In The Amount of \$59,647.96 Filed by Trustee Mary K. Viegelahn.

**\*\*\*RESET FROM 09/06/18 – NO FURTHER NOTICE\*\*\*.**

**RESET 11/1/2018**

**17-52771-rbk MaryAlice M. Alvarez Chapter: 13**

J. Todd Malaise representing MaryAlice M. Alvarez (Debtor)  
Mary K. Viegelahn (Trustee)

**#49** Objection to Claim FGMS Holdings LLC c/o Ovation Services LLC Court Claim #7  
In The Amount Of \$14,974.00 Filed by Trustee Mary K. Viegelahn.

**RESET 11/1/2018**

**#51** Amended Motion to File Claim After Claims Bar Date filed by Eddie Cantu for  
Creditor Ovation Services, LLC (related document(s): **[50]** Motion to File Claim After  
Claims Bar Date.

**RESET 11/1/2018**

**17-52845-rbk Theresa G. Romer Chapter: 13**

Heidi McLeod representing Theresa G. Romer (Debtor)  
Mary K. Viegelahn (Trustee)

**#10** Motion for Sanctions for Violation of Title 11 U.S.C. § 362 Automatic Stay filed by  
Heidi McLeod for Debtor Theresa G. Romer.

**\*\*\*RESET FROM 09/06/18 – NO FURTHER NOTICE\*\*\*.**

**#29** Motion to Allow Omitted Creditors filed by Heidi McLeod for Debtor Theresa G.  
Romer.

**GRANT**

**#30** Motion to Modify Confirmed Chapter 13 Plan filed by Heidi McLeod for Debtor  
Theresa G. Romer.

**GRANT**

**17-52914-rbk Fernando Santos and Norma Garcia Santos Chapter: 13**

J. Todd Malaise representing Fernando Santos (Debtor)  
J. Todd Malaise representing Norma Garcia Santos (Debtor)  
Mary K. Viegelahn (Trustee)

**#24** Objection to Claim of James R. Bass, Amended Claim #10 filed by J. Todd Malaise for Debtors Fernando Santos, Norma Garcia Santos.

**18-50447-rbk Eric V. Luna and Maria Esmeralda Luna Chapter: 13**

J. Todd Malaise representing Eric V. Luna (Debtor)  
J. Todd Malaise representing Maria Esmeralda Luna (Debtor)  
Mary K. Viegelahn (Trustee)

**#26** Objection to Claim Simm Associates Inc. Court Claim #14 In The Amount Of \$21560.00 Filed by Trustee Mary K. Viegelahn.

**NOTICE OF WITHDRAWAL 9/19/2018**

**18-50469-rbk Isadore C. Hernandez Chapter: 13**

Ricardo Ojeda Jr. representing Isadore C. Hernandez (Debtor)  
Mary K. Viegelahn (Trustee)

**#41** Application for Compensation for Fees in the Amount of \$3300.00 filed by Ricardo Ojeda Jr. for Debtor Isadore C. Hernandez.

**AGREED ORDER TO COME FROM TRUSTEE**

**18-50856-rbk Adolfo Aldrete-Gutierrez Chapter: 13**

Heidi McLeod representing Adolfo Aldrete-Gutierrez (Debtor)  
Mary K. Viegelahn (Trustee)

*#21* Application for Payment of Administrative Expense filed by Heidi McLeod for Debtor Adolfo Aldrete-Gutierrez.

**AGREED ORDER TO COME FROM TRUSTEE**

**18-50995-rbk Richard Theodore Flynn, III and Barbara Loutit Flynn  
Chapter: 13**

Joseph W. Shulter representing Richard Theodore Flynn III (Debtor)  
Joseph W. Shulter representing Barbara Loutit Flynn (Debtor)  
Mary K. Viegelahn (Trustee)

*#14* Objection to Claim #1 of WELLS FARGO BANK, N.A. Filed by Joseph W. Shulter for Debtors Barbara Loutit Flynn, Richard Theodore Flynn III.  
**\*\*\*RESET FROM 09/06/18 – NO FURTHER NOTICE\*\*\*.**

**RESET 11/1/2018**

**18-51005-rbk Charles Jason Jones Chapter: 13**

J. Todd Malaise representing Charles Jason Jones (Debtor)  
Mary K. Viegelahn (Trustee)

*#24* Application For Attorney's Fees On Chapter 13 Case filed by J. Todd Malaise for Debtor Charles Jason Jones.

**AGREED ORDER TO COME FROM TRUSTEE**

**18-51006-rbk Ronaldo Deanda Rodriguez and Adela Martinez Rodriguez  
Chapter: 13**

J. Todd Malaise representing Ronaldo Deanda Rodriguez (Debtor)

J. Todd Malaise representing Adela Martinez Rodriguez (Debtor)

Mary K. Viegelahn (Trustee)

**#33** Objection to Exemption Filed by Trustee Mary K .Viegelahn.

**AGREED ORDER TO COME FROM TRUSTEE**

**18-51286-rbk Gilbert Jevon Williams Chapter: 13**

Magdalena Gonzales representing Gilbert Jevon Williams (Debtor)

Mary K. Viegelahn (Trustee)

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

**\*\*\*RESET FROM 09/06/18 – NO FURTHER NOTICE\*\*\*.**

**MOOT-CONFIRMATION DENIED AND CASE DISMISSED IN THE AM**

**18-51315-rbk Bertha Alicia Ostiguin Chapter: 13**

Monica C. Morales representing Bertha Alicia Ostiguin (Debtor)

Mary K. Viegelahn (Trustee)

**#13** Objection to Exemption Filed by Trustee Mary K. Viegelahn.

**AGREED ORDER TO COME FROM TRUSTEE**

**18-51320-rbk Andrew M. Contreras, III Chapter: 13**

Joris Robert Vanhemelrijck representing Andrew M. Contreras III (Debtor)  
Mary K. Viegelahn (Trustee)

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

**\*\*\*RESET FROM 09/06/18 – NO FURTHER NOTICE\*\*\*.**

**18-51358-rbk Christopher Aarron Williams Chapter: 13**

J. Todd Malaise representing Christopher Aarron Williams (Debtor)  
Mary K. Viegelahn (Trustee)

*#10* Objection to Exemption Filed by Tustee Mary K. Viegelahn.

**18-51564-rbk Vincent Nejo Chapter: 13**

David T. Cain representing Vincent Nejo (Debtor)  
Mary K. Viegelahn (Trustee)

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

**WITHDRAWN 9/21/2018**

**18-51602-rbk Andrew Contreras, Jr. Chapter: 13**

Joris Robert Vanhemelrijck representing Andrew Contreras Jr. (Debtor)  
Mary K. Viegelahn (Trustee)

*#16* Amended Motion to Substitute Attorney filed by Morris E. "Trey" White III for Debtor Andrew Contreras Jr. Related document(s) *[15]* Motion to Attorney filed by Morris E. "Trey" White III for Debtor Andrew Contreras Jr.

**18-51620-rbk Andres Hernandez, Sr. Chapter: 13**

Rogena Jan Atkinson representing Andres Hernandez Sr. (Debtor)  
Mary K. Viegelahn (Trustee)

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

**WITHDRAWN 9/20/2018**

**18-51676-rbk Robin Wayne Carter and Crystal Shantel Carter Chapter: 7**

Heidi McLeod representing Robin Wayne Carter (Debtor)  
Heidi McLeod representing Crystal Shantel Carter (Debtor)  
Randolph N. Osherow

*#9* Objection to Claim Carvana LLC, Court Claim #2, In The Amount Of \$21,015.37  
Filed by Trustee Mary K. Viegelahn.

**MOOT-AMENDED PROOF OF CLAIM FILED**



**18-51556-rbk Henry R. Ellis and Anita L. Ellis Chapter 13**

David Bernard Packard representing Henry R. Ellis (Debtor)

David Bernard Packard representing Anita L. Ellis (Debtor)

Mary K. Viegelahn (Trustee)

**#36** Motion to Sell Real Property filed by David Bernard Packard for Debtors Anita L. Ellis, Henry R. Ellis. **\*\*\*SET ON EXPEDITED BASIS - MS. HOWARD RESPONSIBLE FOR NOTICE\*\*\*.**

**MOOT-GRANT AMENDED MOTION TO SELL WITH REVISED ORDER**

**2:00 PM**

**16-52082-rbk Russell Edward Harrod Chapter: 13**

L. David Levinson representing Russell Edward Harrod (Debtor)  
Mary K. Viegelahn (Trustee)

Confirmation Hearing.

**\*\*\*RESET FROM 09/06/18 – NO FURTHER NOTICE\*\*\*.**