

U.S. BANKRUPTCY COURT
Western District of Texas
Judge Ronald B. King, Presiding
01/10/19
San Antonio Courtroom #1
HEARINGS

9:00 AM

“CHAPTER ELEVEN EXPEDITE”

18-50788-rbk The HJH Consulting Group, Inc. and US Tax Recovery Partners, LLC. Chapter: 11

James Samuel Wilkins representing The HJH Consulting Group, Inc. (Debtor)

James Samuel Wilkins representing US Tax Recovery Partners, LLC (Joint Admin Debtor)

James Samuel Wilkins representing B2B Prospecting, LLC (Joint Admin Debtor)

#371 Motion to Quash Subpoena filed by James Samuel Wilkins for Debtor The HJH Consulting Group, Inc.

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

9:30 AM

“CHAPTER THIRTEEN DISMISSAL DOCKET”

10:00 AM

“CHAPTER THIRTEEN CONFIRMATION DOCKET”

1:30 PM

“CHAPTER THIRTEEN SHOW CAUSE DOCKET”

18-52753-rbk Ernest Luna Ybarra Chapter: 13

Joris Robert Vanhemelrijck representing Ernest Luna Ybarra (Debtor)

Mary K. Viegelahn (Trustee)

#9 Order to Joris Robert Vanhemelrijck, Attorney for Debtor and Ernest Luna Ybarra, Debtor to Appear and Show Cause why this case should not be dismissed because of the filing of several cases.

18-52771-rbk Sue Cuellar Chapter: 13

PRO SE Sue Cuellar (Debtor)

Mary K. Viegelahn (Trustee)

#12 Order to Debtor, Sue Cuellar To Appear and Show Cause to determine what assistance was provided to the Debtor by the Roosevelt Law Center and/or Chris Jennings, Homeowner Protection Alliance and what fees were paid by the Debtor to the Roosevelt Law Center and/or Chris Jennings in connection with the preparation and filing of this case.

18-52804-rbk Cynthia Louise Johnson Chapter: 13

PRO SE Cynthia Louise Johnson (Debtor)

Mary K. Viegelahn (Trustee)

#9 Order to Debtor, Cynthia Louise Johnson to Appear and Show Cause why this case should not be dismissed because of the filing of several cases.

18-52805-rbk Daniel Campos Chapter: 13

PRO SE Daniel Campos (Debtor)

Mary K. Viegelahn (Trustee)

#11 Order to Debtor, Daniel Campos To Appear and Show Cause why this case should not be dismissed because of the filing of several cases.

18-52867-rbk Cathy Diane Tovar Chapter: 13

Joris Robert Vanhemelrijck representing Cathy Diane Tovar (Debtor)

Mary K. Viegelahn (Trustee)

#13 Order to Counsel of Record for the Debtor, Joris Robert Vanhemelrijck, to appear and show cause why discharge of the Debtor should not be denied in this case under 11 U.S.C. § 1328(f) for filing Chapter 13 within four years of a prior Chapter 7 discharge.

18-52868-rbk Jessica Cisneros Cruz Chapter: 13

Ricardo Ojeda Jr. representing Jessica Cisneros Cruz (Debtor)

Mary K. Viegelahn (Trustee)

#8 Order to Counsel of Record for the Debtor, Ricardo Ojeda, Jr., to appear and show cause why 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. Case No. 18-52347-cag and why this case should not be dismissed as to Jessica Cisneros Cruz, for failure to pay the remainder of the filing fee in a prior bankruptcy case.

18-52904-rbk Amanda Jean Edmonson Chapter: 13

PRO SE Amanda Jean Edmonson (Debtor)

Mary K Viegelahn (Trustee)

#9 Order to Pro Se Debtor, Amanda Jean Edmonson, to appear and show cause why this case should not be dismissed as to Amanda Jean Edmonson because of the filing of several cases.

“CHAPTER THIRTEEN MISCELLANEOUS DOCKET”

14-50526-rbk Jerry Lee Carpenter and Linda Kay Carpenter Chapter: 13

J. Todd Malaise representing Jerry Lee Carpenter (Debtor)

J. Todd Malaise representing Linda Kay Carpenter (Debtor)

Mary K. Viegelahn (Trustee)

#48 Application for Hardship Discharge Pursuant to 11 U.S.C. §1328(b) filed by J. Todd Malaise for Debtors Jerry Lee Carpenter, Linda Kay Carpenter.

RESET 2/7/2019

14-52077-rbk John Hernandez and Angie Hernandez Chapter: 13

W. Stephen Graves representing John Hernandez (Debtor)

W. Stephen Graves representing Angie Hernandez (Debtor)

Mary K. Viegelahn (Trustee)

#48 Motion to Reinstate Bankruptcy Proceeding filed by W. Stephen Graves for Debtors Angie Hernandez, John Hernandez.

*****CASE PREVIOUSLY DISMISSED ON 11/28/18 FOR FAILURE TO MAKE PLAN PAYMENTS***.**

GRANT

14-52163-rbk Nikolay Petrovich Yushmanov Chapter: 13

J. Todd Malaise representing Nikolay Petrovich Yushmanov (Debtor)
Mary K. Viegelahn (Trustee)

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

*****RESET FROM 12/06/18 – NO FURTHER NOTICE***.**

RESET 3/7/2019

**14-52373-rbk David Saucedo Gonzalez and Guadalupe Fuentes Gonzalez
Chapter: 13**

Ruben E. Vasquez representing David Saucedo Gonzalez (Debtor)
Ruben E. Vasquez representing Guadalupe Fuentes Gonzalez (Debtor)
Mary K. Viegelahn (Trustee)

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

RESET 2/7/2019

15-50285-rbk Josephine Ann Bemrich Chapter: 13

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

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

AGREED ORDER TO COME FROM TRUSTEE

15-52360-rbk Frances Amaya Carmona Chapter: 13

J. Todd Malaise representing Frances Amaya Carmona (Debtor)
Mary K. Viegelahn (Trustee)

#36 Motion to Appoint Special Counsel and Fifth Request for Attorney's Fees filed by J. Todd Malaise for Debtor Frances Amaya Carmona.

GRANT

15-52538-rbk Clemente G. Quintanilla, Jr. Chapter: 13

J. Todd Malaise representing Clemente G. Quintanilla Jr. (Debtor)
Mary K. Viegelahn (Trustee)

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

AGREED ORDER TO COME FROM TRUSTEE

16-50333-rbk Abdias Mata Osio Chapter: 13

Heidi McLeod representing Abdias Mata Osio (Debtor)
Mary K. Viegelahn (Trustee)

#27 Motion to Modify Confirmed Chapter 13 Plan Pursuant To 11 U.S.C. 1329, Or In The Alternative, Dismissal of Chapter 13 Case filed by Trustee Mary K. Viegelahn

MOOT-CASE DISMISSED 12/13/2018

**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)

#75 Application of Langley & Banack, Inc. For Compensation and Reimbursement of Expenses (Fifth Request for Additional Attorney's Fees) filed by William R. Davis Jr. for Attorney Langley & Banack, Inc.

RESET 2/7/2019

17-50286-rbk Jesse Tello, Jr. and Ida Ramos Tello Chapter: 13

Ruben E. Vasquez representing Jesse Tello Jr. (Debtor)

Ruben E. Vasquez representing Ida Ramos Tello (Debtor)

Mary K. Viegelahn (Trustee)

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

AGREED ORDER TO COME FROM TRUSTEE

17-50766-rbk Alberto Hernandez Cordero Chapter: 13

Magdalena Gonzales representing Alberto Hernandez Cordero (Debtor)

Mary K. Viegelahn (Trustee)

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

RESET 2/7/2019

17-51187-rbk LaTara Chaton Carter Chapter: 13

Joris Robert Vanhemelrijck representing LaTara Chaton Carter (Debtor)
Mary K. Viegelahn (Trustee)

#43 Motion to Modify Plan Post-Confirmation and First Request for Additional Attorney's Fees filed by Joris Robert Vanhemelrijck for Debtor LaTara Chaton Carter.

MOOT-CASE DISMISSED

#47 Trustee's Motion to Dismiss Chapter 13 Case.

GRANT

17-51291-rbk Eduardo Rodriguez and Amanda Rodriguez Chapter: 13

Joris Robert Vanhemelrijck representing Eduardo Rodriguez (Debtor)
Joris Robert Vanhemelrijck representing Amanda Rodriguez (Debtor)
Mary K. Viegelahn (Trustee)

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

MOOT-CASE CONVERTED 12/20/2018

17-52642-rbk Allen Ray Gamez and Victoria Barron Gamez Chapter: 13

Heidi McLeod representing Allen Ray Gamez (Debtor)
Heidi McLeod representing Victoria Barron Gamez (Debtor)
Mary K. Viegelahn (Trustee)

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

AGREED ORDER TO COME FROM TRUSTEE

18-50266-rbk Jesse Paul Gonzales Chapter: 13

J. Todd Malaise representing Jesse Paul Gonzales (Debtor)
Mary K. Viegelahn (Trustee)

#27 Objection Filed by J. Todd Malaise04 for Debtor Jesse Paul Gonzales (related document(s): doc Notice of Mortgage Payment Change and Certificate of Service (Claim #3) Filed by Rosemary Allen).

RESET 3/7/2018

18-50296-rbk Xavier T. Morales Chapter: 13

David Bernard Packard representing Xavier T. Morales (Debtor)
Mary K. Viegelahn (Trustee)

#51 Amended Objection to Claim Internal Revenue Service, ct clm #16, \$10,654.13 Filed by Trustee Mary K. Viegelahn (related document(s): **[49]** Objection to Claim Internal Revenue Service, ct clm #16, \$10,654.13 Filed by Trustee Mary K. Viegelahn.

AGREED ORDER TO COME FROM TRUSTEE

#56 Motion to File Claim After Claims Bar Date filed by David Bernard Packard for Debtor Xavier T. Morales.

AGREED ORDER TO COME FROM TRUSTEE

18-50819-rbk Juan I. Amaro Chapter: 13

Magdalena Gonzales representing Juan I. Amaro (Debtor)
Mary K. Viegelahn (Trustee)

#33 Objection to Claim SHANNON STEPHEN TRUSTEE FOR 704 S BROWNLEAF LAND, Court Claim #7 Filed by Trustee Mary K. Viegelahn.

RESET 2/7/2019

18-51253-rbk Elizabeth C. Tijerina Chapter: 13

David Bernard Packard representing Elizabeth C. Tijerina (Debtor)
Mary K. Viegelahn (Trustee)

#18 Objection to Claim of Omar Velasco as Successor in Interest to Pecan Valley Trust, Court Claim #8 filed by Trustee Mary K. Viegelahn.

*****RESET FROM 12/06/18 – NO FURTHER NOTICE***.**

MOOT-CASE DISMISSED 12/12/2018

18-51340-rbk Melissa Ann Villarreal Chapter: 13

Magdalena Gonzales representing Melissa Ann Villarreal (Debtor)
Mary K. Viegelahn (Trustee)

#29 Objection to Claim U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE FOR C-BASS MORTGAGE LOAN ASSET-BACKED CERTIFICATES SERIES 2007-CB4 OCWEN LOAN SERVICING LLC Court Claim #9 Filed by Trustee Mary K. Viegelahn.

RESET 2/7/2019

18-51825-rbk Pamela Pauline Pawly Chapter: 13

David T. Cain representing Pamela Pauline Pawly (Debtor)
Mary K. Viegelahn (Trustee)

#34 Trustee's Motion to Dismiss Case with Prejudice for 180 Days for Failure to Make Plan Payments.

*****RESET FROM 12/06/18 – NO FURTHER NOTICE***.**

NOTICE OF WITHDRAWAL 1/8/2019

18-51873-rbk Joseph Dale Fontenot Chapter: 13

J. Todd Malaise representing Joseph Dale Fontenot (Debtor)
Mary K. Viegelahn (Trustee)

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

RESET 2/7/2019

18-51949-rbk Ascencion R. Ruiz Gomez Chapter: 13

J. Todd Malaise representing Ascencion R. Ruiz Gomez (Debtor)
Mary K. Viegelahn (Trustee)

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

MOOT-CONFIRMATION DENIED AND CASE DISMISSED IN THE AM

18-51990-rbk Raymond Francisco Anguiano Chapter: 13

PRO SE representing Raymond Francisco Anguiano (Debtor)
Mary K. Viegelahn (Trustee)

#25 Motion to Vacate Order filed by Debtor Raymond Francisco Anguiano (Related Document(s): *[22]* Order Denying Confirmation and Dismissal of Chapter 13 Case.

18-52078-rbk Andra L. Griffin and San Juana M. Griffin Chapter: 13

David Bernard Packard representing Andra L. Griffin (Debtor)
David Bernard Packard representing San Juana M. Griffin (Debtor)
Mary K. Viegelahn (Trustee)

#22 Motion to Vacate and/or Reconsider Order Dismissing Case filed by David Bernard Packard for Debtors Andra L. Griffin, San Juana M. Griffin (Related Document(s): *[20]* Order Denying Confirmation of Chapter 13 Plan and Dismissing Case.

18-52127-rbk Rodolfo Rodriguez Chapa Chapter: 13

Magdalena Gonzales representing Rodolfo Rodriguez Chapa (Debtor)
Mary K. Viegelahn (Trustee)

#24 Motion to Reconsider Order filed by Debtor Rodolfo Rodriguez Chapa (Related Document(s): *[22]* Order Regarding (related document(s): *[18]* Application for Compensation Fees: \$2399.35, filed by Magdalena Gonzales for Debtor Rodolfo Rodriguez Chapa.

18-52617-rbk Jose R. Campos-Lopez Chapter: 13

J. Todd Malaise representing Jose R. Campos-Lopez (Debtor)
Mary K. Viegelahn (Trustee)

#19 Motion to Reinstate Case filed by J. Todd Malaise for Debtor Jose R. Campos-Lopez.

14-51163-rbk Albert Villanueva Chapter: 13

Ruben E. Vasquez representing Albert Villanueva (Debtor)
Mary K. Viegelahn (Trustee)

#96 Motion to Reinstate Debtor's Chapter 13 Bankruptcy Case filed by Ruben E. Vasquez for Debtor Albert Villanueva.

NOTICE OF WITHDRAWAL 1/4/2019

17-52157-rbk Carlos Miguel Cruz and Martha M. Portillo De Cruz: 13

Ruben E. Vasquez representing Carlos Miguel Cruz (Debtor)
Ruben E. Vasquez representing Martha M. Portillo De Cruz (Debtor)
Mary K. Viegelahn (Trustee)

AGREED ORDER TO COME FROM TRUSTEE

3:00 PM

“CHAPTER ELEVEN TELEPHONIC HEARING”

16-50557-rbk Buffets, LLC. and Hometown Buffet, Inc. Chapter: 11

David W. Parham representing Buffets, LLC. (Debtor)

David W. Parham representing OCB Restaurant Company, LLC. (JointAdmin Debtor)

David W. Parham representing Fire Mountain Restaurants, LLC. (JointAdmin Debtor)

David W. Parham representing Tahoe Joe's, Inc. (JointAdmin Debtor)

David W. Parham representing OCB Purchasing Co. (JointAdmin Debtor)

David W. Parham representing Ryan's Restaurant Group, LLC. (JointAdmin Debtor)

David W. Parham representing Hometown Buffet, Inc. (JointAdmin Debtor)

Michael J.D. Sweeney representing FLSA Bellwhether Plaintiffs (Plaintiff)

Kara E Casteel representing Buffets Unsecured Creditors' Trust (Trustee)

#4122 EMERGENCY Motion for Relief under Rule 56(d) of the Federal Rules of Civil Procedure or, Alternatively, Motion for Entry of an Order Granting an Extension of Time to Respond to Motion for Summary Judgment filed by David Parham for Debtor Buffets, LLC.

******SET ON EXPEDITED BASIS - MR. PARHAM RESP. FOR NOTICE***.***