

U.S. Bankruptcy Court Northern District of Texas

The Honorable Robert L. Jones, Presiding

Lubbock Judge Jones Ctrm

09/24/2014 Wednesday

09:00 AM Lubbock Ch 13 Docket - Wilson

1. **09-50132-13**

James Dale Smith AND Sandra Jean Smith

Amended Trustee's motion *For An Order Declaring 1322(b)(5) Claim Current and Defaults Cured* (62)

Elizabeth S. Huffman representing Debtor
Elizabeth S. Huffman representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

2. **09-50157-13**

Bobby Garcia Tovar AND Jennifer Molina Tovar

Trustee's motion *For An Order Declaring 1322(b)(5) Claim Current and Defaults Cured* (45)

Elizabeth S. Huffman representing Debtor
Elizabeth S. Huffman representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

3. **09-50209-13**

Benito Barela, Jr. AND Debbie Tobias Barela

Trustee's motion *For An Order Declaring 1322(b)(5) Claim Current and Defaults Cured* (70)

Sammy Clay Gregory representing Debtor
Sammy Clay Gregory representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

4. **09-50271-13**

William Lucian Clemmer, Jr. AND Alisha Elaine Clemmer

Trustee's motion *For An Order Declaring 1322(b)(5) Claim Current and Defaults Cured* (76)

William Bruce Magness representing Debtor
William Bruce Magness representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

Debtor s and joint Debtor's certification and motion for entry of Chapter 13 discharge pursuant to 11 U.S.C. section 1328(a). Filed by Debtors (78 & 80)

William Bruce Magness representing Debtor
William Bruce Magness representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)

5. 09-50317-13

Edward Watkins AND Linda Yvonne Watkins

Joint Debtor 's certification and motion for entry of Chapter 13 discharge pursuant to 11 U.S.C. section 1328(a). Filed by Joint Debtor Linda Yvonne Watkins (35)

Sammy Clay Gregory representing Debtor
Sammy Clay Gregory representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

6. 09-50320-13

Thomas Dale Rodriquez AND Elizabeth Rodriquez

Trustee's motion *For An Order Declaring 1322(b)(5) Claim Current and Defaults Cured* (45)

William Bruce Magness representing Debtor
William Bruce Magness representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

Debtor s and joint Debtor's certification and motion for entry of Chapter 13 discharge pursuant to 11 U.S.C. section 1328(a). Filed by Debtors (50 & 48)

William Bruce Magness representing Debtor
William Bruce Magness representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

7. 09-50323-13

Christela Hernandez Rivas

Trustee's motion *For An Order Declaring 1322(b)(5) Claim Current and Defaults Cured* (57)

Elizabeth S. Huffman representing Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)
Robert B. -Lubbock Wilson (Attorney)

8. 09-50337-13

Bryan Anthony Wilkerson AND Jannie Marie Wilkerson

Trustee's motion *For An Order Declaring 1322(b)(5) Claim Current and Defaults Cured* (40)

Sammy Clay Gregory representing Debtor
Sammy Clay Gregory representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

Debtor s and joint Debtor's certification and motion for entry of Chapter 13 discharge pursuant to 11 U.S.C. section 1328(a). Filed by Debtors (43 &44)

Sammy Clay Gregory representing Debtor
Sammy Clay Gregory representing Joint Debtor

9. **09-50380-13**

Calvin Ray Harris AND Christina Hernandez Harris

Debtor s and joint Debtor's certification and motion for entry of Chapter 13 discharge pursuant to 11 U.S.C. section 1328(a). Filed by Debtors (67 & 68)

Sammy Clay Gregory representing Debtor
Sammy Clay Gregory representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

Trustee's motion *For An Order Declaring 1322(b)(5) Claim Current and Defaults Cured* (63)

Sammy Clay Gregory representing Debtor
Sammy Clay Gregory representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

10. **09-50471-13**

Joe Angel DeLeon, Jr. AND Minerva Martinez DeLeon

Debtor s and joint Debtor's certification and motion for entry of Chapter 13 discharge pursuant to 11 U.S.C. section 1328(a). Filed by Debtors (47 &48)

Sammy Clay Gregory representing Debtor
Sammy Clay Gregory representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
Robert B. -Lubbock Wilson (Attorney)
United States Trustee (U.S. Trustee)

11. **10-50212-13**

Brady J. Anderson

Trustee's motion *For An Order Declaring 1322(b)(5) Claim Current and Defaults Cured* (44)

Clinton W. Cook representing Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)
Robert B. -Lubbock Wilson (Attorney)

12. **10-50271-13**

Scott Blaine Warren AND Kelly Lynn Warren

Trustee's motion *For An Order Declaring 1322(b)(5) Claim Current and Defaults Cured* (53)

William Bruce Magness representing Debtor
William Bruce Magness representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

13. 10-50415-13

Federico Rodriguez, Jr. AND Melissa Lynn Rodriguez

Trustee's motion *For An Order Declaring 1322(b)(5) Claim Current and Defaults Cured* (46)

William Bruce Magness representing Debtor
William Bruce Magness representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)
Robert B. -Lubbock Wilson (Attorney)

Debtor s and joint Debtor's certification and motion for entry of Chapter 13 discharge pursuant to 11 U.S.C. section 1328(a). Filed by Debtors (50 &52)

William Bruce Magness representing Debtor
William Bruce Magness representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)
Robert B. -Lubbock Wilson (Attorney)

14. 11-50272-13

Thomas Douglas Nelson AND Natasha Michelle Nelson

Debtor s and joint Debtor's certification and motion for entry of Chapter 13 discharge pursuant to 11 U.S.C. section 1328(a). Filed by Debtors (59 & 60)

Sammy Clay Gregory representing Debtor
Sammy Clay Gregory representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)
Robert B. -Lubbock Wilson (Attorney)

15. 11-50464-13

Cathy L Reid

Chapter 13 plan modified after confirmation dated 8/7/2014. -filed by Debtor (33)

Clinton W. Cook representing Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)
Robert B. -Lubbock Wilson (Attorney)

16. 12-50350-13

Ana Pricelda Leonardo

Chapter 13 plan modified after confirmation dated August 26, 2014. -filed by Debtor (39)

Van W. Northern representing Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

17. 13-50161-13

Bobby Randall Burris AND Wendy Lynn Burris

Chapter 13 plan modified after confirmation dated August 26, 2014. - filed by Debtors (45)

Van W. Northern representing Debtor
Van W. Northern representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

18. **13-50216-13**

Loretta Williams Sheppard

Chapter 13 plan modified after confirmation dated August 20, 2014. -filed by Debtor (69)

William Bruce Magness representing Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

19. **14-50063-13**

Benancio H. Alcorta, Sr. AND Maria M. Alcorta

Motion for relief from stay - Filed by Creditor Santander Consumer USA Inc. dba Chrysler Capital (32)

Elizabeth S. Huffman representing Debtor
Elizabeth S. Huffman representing Joint Debtor
James R. Gravley representing Santander Consumer USA Inc. dba Chrysler Capital
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

Motion for relief from stay - co-debtor -Filed by Creditor Santander Consumer USA Inc. dba Chrysler Capital (33)

Elizabeth S. Huffman representing Debtor
Elizabeth S. Huffman representing Joint Debtor
James R. Gravley representing Santander Consumer USA Inc. dba Chrysler Capital
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

20. **14-50074-13**

Kenneth Ray Martinez AND Jodie Ann Martinez

Objection to claim(s) 8 of Creditor(s) Resurgent Capital Services.. Filed by Debtors (34)

Clinton W. Cook representing Debtor
Clinton W. Cook representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

Objection to claim(s) 10 of Creditor(s) resurgent capital services.. Filed by Debtors (40)

Clinton W. Cook representing Debtor
Clinton W. Cook representing Joint Debtor

Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

Objection to claim(s) 7 of Creditor(s) Resurgent Capital Services.. Filed by Debtors (36)

Clinton W. Cook representing Debtor
Clinton W. Cook representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

Objection to claim(s) 12 of Creditor(s) asset acceptance.. Filed by Debtors (42)

Objection to claim(s) 9 of Creditor(s) resurgent capital services.. Filed by Debtors (38)

Clinton W. Cook representing Debtor
Clinton W. Cook representing Joint Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

21. **14-50138-13**

Francois Jean-Pierre Burger

Objection to debtor's claim of exemptions . -Filed by Trustee (27)

Clinton W. Cook representing Debtor
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)
Robert B. -Lubbock Wilson (Attorney)

22. **14-50154-13**

Danielle Smith Conley

Motion to confirm termination or absence of stay -Filed by Creditor WESTSTAR MORTGAGE CORPORATION (24)

Sammy Clay Gregory representing Debtor
Michael J. Schroeder representing WESTSTAR MORTGAGE CORPORATION
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)

~~Motion to sell property under Section 363(b) - i Motion for Approval of Sale Of Real Property Pursuant to 11 U.S.C. 363(b) /i Filed by Debtor Danielle Smith Conley Objections due by 9/9/2014. (Gregory, Sammy) (28)~~

~~Sammy Clay Gregory representing Debtor
Robert B. -Lubbock Wilson (Trustee)
-United States Trustee (U.S. Trustee)~~

23. **14-50169-13** **Christopher Wade Sinclair AND Shyla Rae Sinclair**
Motion for relief from stay - Filed by Creditor Transport Funding, L.L.C. (21)

William Bruce Magness representing Debtor
William Bruce Magness representing Joint Debtor
24. **14-50183-13** **Francisco Cavazos, Jr. AND Josie R. Cavazos**
Motion for relief from stay - Filed by Creditor TD Auto Finance LLC (13)

Elizabeth S. Huffman representing Debtor
Elizabeth S. Huffman representing Joint Debtor
Stephen Wilcox representing TD Auto Finance LLC (Creditor)
Robert B. -Lubbock Wilson (Trustee)
United States Trustee (U.S. Trustee)
25. **14-50194-13** **Robert Lawrence Bacon**
Show Cause hearing (13)

Robert Lawrence Bacon (Debtor)
Robert B. -Lubbock Wilson (Trustee)
Robert B. -Lubbock Wilson (Attorney)
United States Trustee (U.S. Trustee)
26. **14-50201-13** **Martha Alicia Marquez**
Motion to extend automatic stay- Filed by Debtor (2)

Sammy Clay Gregory representing Debtor
Robert B. -Lubbock Wilson (Trustee)
27. **12-50096-13** **Sofia Espinoza**
Chapter 13 plan modified after confirmation dated 08/07/2014. - filed by Debtor (28)
28. **14-50049-rlj13** **Ronald NMN Stephenson and Emmaline NMN Stephenson**
Objection to claim(s) 11 of Creditor(s) Bank of America, N.A -Filed by Debtors(46)
Response opposed to -filed by Creditor Bank of America, N.A.. (49)

1. 03-50004-7 **San Angelo Electric Service Co.**

Status conference regarding status and progress of the remediation process regarding the Property. (RE: related document(s)[196](#) Notice of intent to sell).

Robert B. Wilson representing Debtor
Harvey Leon Morton (Trustee)
United States Trustee (U.S. Trustee)
Harvey Leon Morton (Attorney)

2. 11-50162-7 **Levelland-Hockley County Ethanol, LLC**

Trustee's Objection to claim(s) 41 of Creditor(s) Farmers Energy Levelland, LLC.. -Filed by Trustee Max R Tarbox.. (351)

Response opposed to - filed by Creditor Farmers Energy Levelland, LLC. (384)

I. Richard Levy representing Debtor
Max Ralph Tarbox representing Adams & Polunsky Ad Valorem Tax Advisors Inc.
Max R Tarbox (Trustee)
United States Trustee (U.S. Trustee)
Max R Tarbox (Attorney)
Max R Tarbox (Attorney)
Max R Tarbox (Attorney)

Trustee's Objection to claim(s) 40 of Creditor(s) West Texas & Lubbock Railway, Inc. - Filed by Trustee Max R Tarbox. (350)

Response opposed to - filed by Creditor West Texas & Lubbock Railway, Inc.. (387)

I. Richard Levy representing Debtor
Max Ralph Tarbox representing Adams & Polunsky Ad Valorem Tax Advisors Inc.
Max R Tarbox (Trustee)
Max R Tarbox (Attorney)
United States Trustee (U.S. Trustee)
Max R Tarbox (Attorney)
Max R Tarbox (Attorney)

3. 11-50396-7 **Rodney Wayne Wilson AND Donna Lynn Wilson**

Status Conference -Filed by Creditor Custom Food Group, LP (277)

Tarbox Law, P.C. representing Debtor
Tarbox Law, P.C. representing Joint Debtor
A. Lee Hogewood representing Custom Food Group, LP (Creditor)
Myrtle Davis McDonald (Trustee)
United States Trustee (U.S. Trustee)
Myrtle Davis McDonald (Attorney)

4. **12-5009** **Barnes VS McFadden**
12-50013 Brandon Jay McFadden
Trial on the Complaint by Larita Barnes against Brandon Jay McFadden.
Nature(s) of suit: 68 (Dischargeability - 523(a)(6), willful and malicious injury).
(1)

John Thomas Richer representing Larita Barnes (Plaintiff)
5. **14-5005** **Davis VS Muniz**
13-50301 Roxwell Performance Drilling, LLC
Motion for default judgment *against Defendant Roger Muniz* -filed by Plaintiff
Harrel L. Davis (17)

Todd Jeffrey Johnston representing Harrel L. Davis (Plaintiff)

Motion for default judgment *against Defendant Trident Global Enterprises, LLC*
-filed by Plaintiff Harrel L. Davis (19)

Todd Jeffrey Johnston representing Harrel L. Davis (Plaintiff)
6. **14-5006** **Hendren VS Bain**
14-50007 Hugh Mac Bain
Trial on the Complaint by Ray Hendren against Hugh Mac Bain, Peggy Williams
Bain. - Nature(s) of suit: 62 (Dischargeability - 523(a)(2), false pretenses, false
representation, actual fraud). 67 (Dischargeability - 523(a)(4), fraud as fiduciary,
embezzlement, larceny). (1)

Robert B. Wilson representing Ray Hendren (Plaintiff)
7. **14-5008** **Jordan VS Radoff**
14-50076 Michael Berry Jordan
Motion to transfer case to the Southern District of Texas, Houston Division. -
filed by Defendant Henry V. Radoff ((9)

Response opposed to -filed by Plaintiffs Alissa Mary Jordan, Michael Berry
Jordan. (22)

Sammy Clay Gregory representing Alissa Mary Jordan (Plaintiff)
Sammy Clay Gregory representing Michael Berry Jordan (Plaintiff)
Stephen W. Sather representing CACV of Colorado, LLC (Defendant)
Stephen R. Bailey representing Henry V. Radoff (Defendant)

Motion for Judgment on the Pleadings by Henry V. Radoff . (8)

Response opposed to -filed by Plaintiffs Alissa Mary Jordan, Michael Berry Jordan. (22)

Sammy Clay Gregory representing Alissa Mary Jordan (Plaintiff)
Sammy Clay Gregory representing Michael Berry Jordan (Plaintiff)
Stephen W. Sather representing CACV of Colorado, LLC (Defendant)
Stephen R. Bailey representing Henry V. Radoff (Defendant)

Motion to dismiss Henry Radoff -filed by Defendant Henry V. Radoff (7)

Response opposed to -filed by Plaintiffs Alissa Mary Jordan, Michael Berry Jordan. (22)

Sammy Clay Gregory representing Alissa Mary Jordan (Plaintiff)
Sammy Clay Gregory representing Michael Berry Jordan (Plaintiff)
Stephen R. Bailey representing Henry V. Radoff (Defendant)
Stephen W. Sather representing CACV of Colorado, LLC (Defendant)

8. **14-5011**
14-50056

Scopia Windmill Fund, LP VS West Texas Guar, Inc.

West Texas Guar, Inc.

Status Conference

Certain Guar Growers' And Landlords' Motion To Dismiss And Brief In Support Thereof (21)

Response opposed to - filed by Plaintiff (48)

Motion to dismiss adversary proceeding- filed by Defendants Bryce Britsch, Clark & Clark Farms Inc., Gilleland Enterprises, LLC, Lloyd Hays, Hess & McWhorter, K & S Partnership, Steve Kane, Uno Mas, John Uptergrove (35)

Response opposed to - filed by Plaintiff (51)

Motion to dismiss adversary proceeding *Pursuant to Rule 12 and Brief in Support Thereof* -filed by Defendants Wade Cowan, Klint Forbes (37)

9. 14-50001-11

Jordan 2 Properties, LLC

First Amended Combined chapter 11 plan and Disclosure Statement filed by Debtor Jordan 2 Properties, LLC (52)

Objection to confirmation of plan - filed by Creditor P & S Investment Properties, LLC. (76)

Max Ralph Tarbox representing Debtor
United States Trustee (U.S. Trustee)

Motion to Reconsider (related documents [70](#) Order regarding objection) -Filed by Creditor Bobby Plunkett (73)

Max Ralph Tarbox representing Debtor
Bobby Plunkett (Creditor)
United States Trustee (U.S. Trustee)

10. 14-50056-11

West Texas Guar, Inc.

Motion to compel The Debtor to Accept or Reject Executory Contract With Garcia Grain Trading Corporation. (*EMERGENCY*) -Filed by Creditor Garcia Grain Trading Corporation (70)

Motion to compel Performance Under Pre-Petition Contract and Enforce the Automatic Stay. -Filed by Debtor West Texas Guar, Inc. (114)

Response opposed to -filed by Creditor Klint Forbes. (140)

Disclosure statement -filed by Debtor West Texas Guar, Inc.. (174)

Motion to assume executory contract or unexpired lease -Filed by Wade Cowan, Klint Forbes (181)

11. 14-50075-11

Pedro s Tamales, Inc.

Amended chapter 11 small business plan -filed by Debtor Pedro's Tamales, Inc. (44)

Objection to confirmation of plan *and disclosure statement* -filed by Creditor First Bank & Trust Co.. (62)

Tarbox Law, P.C. representing Debtor
Max Ralph Tarbox representing Michael Hale (Creditor)
Max Ralph Tarbox representing Max R. Tarbox (Attorney)
United States Trustee (U.S. Trustee)

12. 14-50132-7

Kenneth Joe Morphis AND Lacrechia Charlyn Morphis

Motion for relief from stay - Filed by Creditor Kress National Bank Objections due by 8/5/2014. (18)

Trustee's Response opposed to (24)

R. Byrn Bass representing Debtor
R. Byrn Bass representing Joint Debtor
Kent D. Hale representing Kress National Bank (Creditor)
Max R Tarbox (Trustee)
Max R Tarbox (Attorney)
United States Trustee (U.S. Trustee)

13. 14-50166-7

Joane Carol Falk

Reaffirmation agreement between debtor and Santander Consumer USA Inc
Filed by Creditor Santander Consumer USA Inc.. (19)

Todd Jeffrey Johnston representing Debtor
Santander Consumer USA Inc. (Creditor)
Myrtle Davis McDonald (Trustee)
United States Trustee (U.S. Trustee)

14. 14-50174-7

Cassidy Cade Carroll

Motion for relief from stay *and to waive notice of thirty day hearing requirement*
-Filed by Creditor TD Auto Finance LLC (10)

William Bruce Magness representing Debtor
Stephen Wilcox representing TD Auto Finance LLC (Creditor)
Max R Tarbox (Trustee)
United States Trustee (U.S. Trustee)

15. 14-50138-rlj7

Francois Jean-Pierre Burger

Motion for relief from stay - Filed by Creditor Total Growth Investment (21)