

JUDGE DAVID JONES
Yvonne V. Valdez, Trustee
June 2, 2022 2:30 pm

Next 3 Panels:
07/07/2022
08/04/2022
09/01/2022

Attorney <i>Pet Filed</i> Month/Term	Case # Debtor(s) <i>AMI/BMI-ESF/PPR</i>	Matters Notes	Arrears <i>Last Rcpt</i> Plan Pmt <i>Pmt Method</i>	Trustee Recommendation
BARTO	22-50002	Confirmation	Current	Trustee does not recommend confirmation and recommends dismissal.
<i>01/31/22</i> <i>4/60</i>	DIANA PEREZ <i>BMI</i>	Dismissal	<i>05/23/22</i> \$1,370.00 <i>Wage</i> <i>Order</i>	
<p>Plan #44 filed 05/10/22.</p> <ol style="list-style-type: none"> 1. Plan does not reflect it is "Amended." 2. Plan does not provide treatment for the 2022 taxes that are contractually due as of January 01, 2022 in paragraph 10 pursuant to the Agreed Order filed 5/12/22 at #47. 3. Plan fails to fully provide for IRS claim #4. 4. Agreed Adequate Protection Order at #43 states "Movant has incurred \$650.00 in attorney's fees in connection with this motion. Movant shall file a notice of post-petition fees and costs which shall be paid to BSI through the Chapter 13 trustee's office." Plan allows for this debt, but the notice has not been filed. <p>Payments: 1 (Feb 2022)- 4 (May 2022) \$1,370.00. 5 (Jun 2022)- 60 (Jan 2027) \$1,615.00.</p> <p>Trustee's amended Motion to Dismiss at #20 filed 03/07/22. No response filed by Debtor.</p> <hr/> <p>Objection to Confirmation filed 3/30/2022 by Wilmington Savings Fund Society FSB was withdrawn 4/28/2022.</p>				

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BARTO 02/15/22 3/36	22-50007 RAFAEL D HINOJOSA <i>BMI</i>	Confirmation Plan #2 filed 2/15/22 does not provide for all priority and secured claims. 1. Plan does not reflect the correct trustee percentage. 2. Plan fails to allow for the full amount of the IRS claim #5. 3. IRS claim #5 filed 3/28/22 reflects that the 2021 tax return has not been filed. Trustee has received an unsigned, self-prepared copy. 4. Debtor understates the income received from Toyon ISD, as debtor's pay stubs average is \$6311.44. 5. Debtor has failed to provide proof of his and the non-filing spouse's pension/retirement income. 6. Debtor has failed to include his and the non-filing spouse's pension/retirement income on Debtor's Official Form 122C. 7. Plan fails to fully provide for the claim of M & T Bank claim #4. Payments: 1 (March 2022)- 36 (Feb 2025) \$1,725.00.	\$2,949.00 or 1.00 mth <i>04/20/22</i> \$2,949.00 <i>Money Order</i>	Trustee does not recommend confirmation.

BARTO 02/15/22 3/60	22-50008 MARCO A SANTOS <i>AMI-</i>	Confirmation Plan #2 filed 2/15/22 does not provide for all priority and secured claims. 1. Plan does not address IRS claim #10. 2. IRS claim #10 reflects that the 2018 tax return has not been filed. Trustee has received an unsigned, self-prepared return.	Current <i>05/24/22</i> \$2,570.32 <i>Cashiers Check</i>	Trustee does not recommend confirmation.
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3. Paragraph 10 of the Plan is incomplete as the Date Last Payment is Due and Contract Rate have not been provided on the Capital One Auto claims, Montana Commercial Credit, Inc. and Vandyk Mortgage Corporation claims.

4. Debtor has failed to substantiate the direct debts paid to Montana Commercial Credit, Inc. and Vandyk Mortgage Corporation.

5. Debtor has failed to provide December 2021 and January 2022 bank statements.

6. Debtor has failed to provide September 2021 through January 2022 Monthly Operating Reports.

7. Debtor has failed to provide the Declaration of Electronic Filing Page.

8. Debtor has failed to file an EFT order.

9. Plan does not include dates along with the beginning month and ending month.

10. Plan does not address Kazen Meurer and Perez LLP for Laredo College court claims #13 and #14 filed as secured.

11. Debtor is proposing to keep two personal vehicles (2007 Chevy Corvette and 2015 Toyota Tacoma) at the expense of general unsecured creditors which are not necessary for the reorganization of his debts and fails to disclose a 2015 Buick Enclave driven by the non-filing spouse.

Payments:

1 (Mar 2022)- 60 (Jan 2027) \$2,570.32.

BARTO	22-50018	Confirmation	\$985.00 or 1.00 mth	Trustee does not recommend confirmation.
	CARLOS M HERNANDEZ	Obj Conf Nationstar Mortgage LLC	05/02/22	
03/23/22 2/60	CLAUDIA T HERNANDEZ		\$985.00	
	AMI-		<i>Money Order</i>	

Plan#2 filed 3/23/22.

1. Trustee alleges Debtor's Official Form 122C is incorrect, thus the plan fails to meet the requirements of 1325(b).

2. Plan proposes set monthly payments for the 2016 Chevy Tahoe that appear to be less than the adequate protection payment of \$556.41 per the NADA documents provided by the attorney's office.

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3. Paragraph 10 of the Plan is incomplete as the Date Last Payment is Due has not been provided on the Mr. Cooper claim.

4. Wage order does not match the plan payment of \$985.00.

5. Debtors have failed to disclose a savings account that is partially non-exempt and is not included in the Best Interest of Creditors on the Plan Summary.

Payments:

1 (Apr 2022)- 60 (March 2027) \$985.00.

Objection to Confirmation filed 4/15/2022 by Nationstar Mortgage LLC. at #24 alleges plan fails to provide treatment of the pre-petition arrears.

BARTO	22-50022	Confirmation	Current	Trustee does not recommend confirmation.
	ROBERTO D CANTU		<i>05/16/22</i>	
<i>04/08/22</i>			\$1,725.00	
<i>1/60</i>			<i>ePay</i>	
	<i>AMI-</i>			

341 meeting set on 5/17/22 has been continued to 6/14/22 to receive and review the 2020 and 2021 tax returns.

Plan #2 filed 04/08/22 fails Debtor's Official Form 122C-1 requirement of \$1561.42 x 60= \$93,685.20 or 100%.

1. IRS claim #5 filed 5/10/22 reflects the 2020 and 2021 tax returns are not filed.

2. Debtor has failed to provide the 2020 and 2021 tax returns to Trustee.

3. Debtor has failed to file an EFT Order.

4. Debtor has failed to provide a copy of his lease.

5. Schedule G does not disclose the lease agreement.

6. Debtor has failed to amend Schedules I and J to lower the vehicle insurance expense from \$400 to \$200 pursuant to his 341 testimony and provide additional disposable income to the unsecured creditors.

Payments:

1 (May 2022)- 60 (Apr 2027) \$1,725.00.

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VASQUEZ LAW FIRM <i>04/05/22</i> 1/60	22-50021 SENOBIO TORRES <i>BMI</i>	<p style="text-align: center;">Confirmation</p> <p>5/17/2022 341 meeting continued to 6/14/22.</p> <p>Plan #15 filed 05/03/22.</p> <ol style="list-style-type: none"> 1. Debtor has failed to file an EFT Order. 2. Debtor has failed to provide proof of income for the family contributions and monthly operating reports for both businesses for the months of October 2021 through March 2022. 3. Debtor has failed to provide a copy of the contracts for equipment rental for the business income. 4. Debtor has failed to disclose the non-filing spouse's assets on Schedules B and C. 5. Debtor has failed to substantiate the debt for International Bank of Commerce for Machinery and Equipment. 6. Statement of Financial Affairs does not disclose the personal loan debtor paid to a friend in the months prior to his bankruptcy filing pursuant to his 341 testimony. 7. Statement of Financial Affairs does not reflect all of debtor's income. 8. Documentation provided to substantiate the IBC debt for the mortgage does not coincide with the proposed plan. <p>Payments: 1 (May 2022)- 60 (Apr 2027) \$6,495.00.</p>	\$3,495.00 or 0.54 mth <i>05/24/22</i> \$6,495.00 <i>Cashiers</i> <i>Check</i>	<p>Trustee does not recommend confirmation.</p>
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WAJDA & ASSOCIATES P C 04/04/22 1/60	22-50020 HECTOR M AYALA JENNIFER N AYALA <i>BMI</i>	Confirmation Obj Conf Gateway Mortgage Obj Conf Conn Appliances	Current 05/12/22 \$2,130.00 ePay	Trustee does not recommend confirmation.
<p>Plan #15 filed 04/18/22 does not provide for all secured and priority claims.</p> <ol style="list-style-type: none"> 1. Plan fails to fully provide for the claim of Gateway Mortgage claim #6. 2. Plan fails to provide for the second lien for Gateway Mortgage claim #9. 3. Plan fails to provide for the US Department of HUD claim #1. 4. Plan fails to provide for Conn's secured claim #7. 5. Debtors have failed to file a Schedule C-1. 6. American First Finance filed unsecured claim #10 as a lease to own, but Schedule G and plan do not address the lease. 7. Plan does not include dates along with the beginning month and ending month. <p>Payments: 1 (May 2022)- 60 (Apr 2027) \$2,130.00</p> <p>Objection to Confirmation filed 04/29/22 by Gateway Mortgage.at #25.</p> <p>Objection to Confirmation filed 05/12/22 by Conn Appliances. at #26.</p>				