

JUDGE DAVID JONES  
Yvonne V. Valdez, Trustee  
**August 4, 2022 2:30 pm**

Next 3 Panels:  
09/01/2022  
10/06/2022  
11/03/2022

| Attorney<br><i>Pet Filed</i><br>Bar Date<br><i>Month/Term</i>   | Case #<br>Debtor(s)<br><i>AMI/BMI-<br/>ESF/PPR</i>       | Matters<br>Notes | Arrears<br><i>Last Rcpt</i><br>Plan Pmt<br><i>Pmt Method</i> | Trustee<br>Recommendation                               |
|---|--|------------------|--|---|
| *PRO SE<br>DEBTOR<br><br>05/03/22<br>07/12/22<br>2/0  | 22-50026<br>ANGEL ROCHA<br><br>NANCY E ROCHA<br><br>BMI- | Confirmation     | no pymts<br>received<br>01/01/00<br>\$0.00                   | <b>Trustee does not<br/>recommend<br/>confirmation.</b> |
| Debtors appeared at the 06/21/22 341 meeting of creditors, but meeting reset to 08/09/22 as there are no schedules/plan filed. Also, a Certificate of Credit Counseling has not been filed. |  |                  |  |   |

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| BARTO<br><br>02/10/22<br>04/21/22<br>5/60   | 22-50005<br>MARCIEL A CASANOVA<br><br>BERTHA A CASANOVA<br><br>BMI-PPR | Confirmation<br><br>Dismissal | Current<br><br>07/26/22<br>\$2,600.00<br>Wage<br>Order | <b>Trustee does not<br/>recommend<br/>confirmation and<br/>recommends<br/>dismissal.</b> |
| Plan #65 filed 07/27/22.  |  |                               |  |  |
| 1. Debtor has failed to provide Trustee with proof of business income and expenses for the six months prior to filing as well as proof of current income. |  |                               |  |  |
| Payments:<br>1 (Mar 2022)- 5 (Jul 2022) \$2,600.00.<br>6 (Aug 2022)- 60 (Feb 2027) \$3,335.00.  |  |                               |  |  |
| Trustee's amended Motion to Dismiss #23 filed 03/07/22.<br>No response filed by Debtor.   |  |                               |  |  |
| Objection to Confirmation filed 04/06/2022 by Quantum3 Group, LLC at #43 was withdrawn 04/06/22.  |  |                               |  |  |

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|--|--|---------------------|--|--|
| <b>BARTO</b>   | <b>22-50007</b>                                | <b>Confirmation</b> | Current  | <b>Trustee does not recommend confirmation and recommends dismissal.</b> |
| <i>02/15/22</i><br><i>04/26/22</i><br><i>5/36</i>  | <b>RAFAEL D HINOJOSA</b><br><br><i>AMI-ESF</i> | <b>Dismissal</b>    | <i>07/25/22</i><br>\$2,949.00<br><i>Wage Order</i>           |  |
| <p>Plan #45 filed 07/26/22 works at 100%. Plan must remain 100% per Debtor's Official Form 122C requirement of \$35,255.88.</p> <p>1. Plan does not fully provide for IRS claim #5 filed 06/15/22.</p> <p>2. Plan Summary General unsecured claims is incorrect. Bar date passed 04/26/22 and the amount is not updated.</p> <p>Payments<br/>1 (Mar 2022)- 36 (Feb 2025) \$2,949.00.<br/>37 (Mar 2025)- 60 (Feb 2027) \$2,949.00.</p> <p>Trustee's Amended Motion to Dismiss filed 06/29/22 at #36.<br/>No response filed by debtor.</p> |  |                     |  |  |

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| <b>BARTO</b>   | <b>22-50008</b>                          | <b>Confirmation</b> | \$3,029.68 or<br>1.04 mth                              | <b>Trustee does not recommend confirmation.</b> |
| <i>02/15/22</i><br><i>04/26/22</i><br><i>5/60</i>  | <b>MARCO A SANTOS</b><br><br><i>AMI-</i> | <b>Obj Conf IRS</b> | <i>06/27/22</i><br>\$2,900.00<br><i>Cashiers Check</i> |   |
| <p>1. Plan #36 filed 06/01/22 fails to provide for all priority and secured claims.</p> <p>2. Plan fails to provide for IRS claim #10 filed 05/11/22.</p> <p>3. IRS claim #10 reflects that the debtor has not filed the tax return for the year 2018. Trustee has a signed but undated copy of this return. Debtor has not objected to this claim.</p> <p>4. Paragraph #10 of the Plan is incorrect as the contract interest rate for Capital One Auto is understated per attachments to proof of claim 7 filed 03/10/22.</p> |  |                     |  |   |

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|---|--|------------------|--|---------------------------|
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5. Debtor is proposing to keep two personal vehicles (2007 Chevy Corvette and 2015 Toyota Tacoma) at the expense of general unsecured creditors which are unnecessary for the reorganization of his debts and fails to disclose a 2015 Buick Enclave driven by the non-filing spouse.

6. Debtor has failed to provide December and January bank statements.

7. Debtor has failed to provide six months of Monthly Operating Reports prior to filing.

8. Kazen Meurer and Perez LLP claim 14 filed 05/18/22 appears to be a duplicate of claim 13 for court costs. Debtor has not objected to the claim.

9. Plan does not agree with the Fixed Fee Agreement.

Payments:

1 (Mar 2022)- 3 (May 2022) \$2,570.32.  
4 (Jun 2022)- 60 (Feb 2027) \$2,900.00.

Trustee's Amended Motion to Dismiss filed 06/29/22 at #39.  
No response filed by debtor.

Objection to Confirmation filed 05/26/22 by the IRS at #34.

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| <b>BARTO</b>                                      | <b>22-50022</b>                           | <b>Confirmation</b> | \$1,723.96 or<br>1.00 mth<br><i>07/14/22</i><br>\$1,725.32<br><i>ePay</i> | <b>Trustee does not<br/>recommend<br/>confirmation.</b> |
| <i>04/08/22</i><br><i>06/17/22</i><br><i>3/60</i> | <b>ROBERTO D CANTU</b><br><br><i>AMI-</i> |                     |   |   |

Plan #36 filed 7/06/22 works at 100% per the requirement of Debtor's Official Form 122C-1.

Amended IRS claim 5 filed 06/15/22 reflects the 2021 tax return has not been filed. Trustee has a signed copy dated 5/31/22 that reflects a refund of \$1,400.00. Debtor has not objected to this claim.

Payments:

1 (May 2022)- 60 (Apr 2027) \$1,725.32.

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| Attorney<br><i>Pet Filed</i><br>Bar Date<br><i>Month/Term</i> | Case #<br>Debtor(s)<br><i>AMI/BMI-ESF/PPR</i> | Matters<br>Notes | Arrears<br><i>Last Rcpt</i><br>Plan Pmt<br><i>Pmt Method</i> | Trustee<br>Recommendation |
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Trustee's Amended Motion to Dismiss filed 06/29/22 at #35.  
No response filed by debtor.

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| <b>BARTO</b>                                      | <b>22-50024</b><br><b>MARIA L RUBIO</b> | <b>Confirmation</b><br><br><b>Dismissal</b> | no pymts<br>received<br><i>01/01/00</i><br>\$1,900.00 | <b>Trustee does not<br/>recommend<br/>confirmation and<br/>recommends<br/>dismissal.</b> |
| <i>05/02/22</i><br><i>07/11/22</i><br><i>2/60</i> | <i>BMI-</i>                             |   |   |  |

1. Plan #2 filed 05/02/22 does not provide for Texas Comptroller claim #4 filed 06/20/22.
2. Plan does not fully provide for The Bank of New York Mellon mortgage claim #6 filed 07/11/2022.
3. No income listed on the Means Test contrary to Debtor's 341 testimony that her son contributes and pays some household expenses.
4. Debtor has failed to provide affidavits from family members for their contributions.
5. Debtor has failed to provide an affidavit regarding the 2018 and 2019 federal taxes.
6. Plan does not disclose the specific beginning and ending months in paragraph #4.
7. Debtor has failed to make a plan payment.
8. Debtor has failed to file an EFT order.

Payments:  
1 (May 2022)- 60 (April 2027) \$1,900.00.

Amended Trustee's Motion to Dismiss filed 07/27/22 at #22.  
No response filed by debtor.

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| Attorney<br><i>Pet Filed</i><br>Bar Date<br><i>Month/Term</i> | Case #<br>Debtor(s)<br><i>AMI/BMI-<br/>ESF/PPR</i> | Matters<br>Notes    | Arrears<br><i>Last Rcpt</i><br>Plan Pmt<br><i>Pmt Method</i> | Trustee<br>Recommendation  |
|---|--|---------------------|--|--|
| <b>BARTO</b>  | <b>22-50027</b>                                    | <b>Confirmation</b> | \$247.15 or<br>0.08 mth                                      | <b>Trustee does not<br/>recommend<br/>confirmation and<br/>recommends<br/>dismissal.</b> |
| <i>05/19/22</i><br><i>07/28/22</i><br><i>2/60</i>             | <b>ROGELIO HERNANDEZ</b><br><br><i>AMI-</i>        | <b>Dismissal</b>    | <i>07/25/22</i><br>\$3,215.00<br><i>ePay</i>                 |  |

1. Plan #2 filed 05/19/22 does not provide for all secured and priority claims.
2. IRS claim #2 reflects that debtor has not filed the 2020 tax return. The copy provided to the trustee is not dated or signed and reflects a liability of \$217.00 that is not addressed in the plan.
3. Debtor has failed to provide documentation of the rental income.
4. Trustee alleges that Schedule C is incorrect as it reflects the 2nd vehicle (2012 Ford F150) as surrendered, but there is no lien on this vehicle per debtor's 341 testimony. Plan Summary fails to disclose the equity in this vehicle for the Best Interest of Creditors Test.
5. Debtor's budget does not appear feasible. Debtor has failed to provide information to support necessity of the second vehicle.
6. Plan proposes set monthly payments for Wells Fargo but the claim amount was not updated per claim #1 filed 06/06/22 and debtor has not objected to this claim.
7. Plan fails to reflect the specific beginning and ending months under paragraph #4.

Payments:  
1 (June 2022)- 60 (May 2027).

Trustee's Motion to Dismiss filed 06/30/22 at #24.  
No response filed by debtor.

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| Attorney<br><i>Pet Filed</i><br>Bar Date<br><i>Month/Term</i>   | Case #<br>Debtor(s)<br><i>AMI/BMI-<br/>ESF/PPR</i>                   | Matters<br>Notes    | Arrears<br><i>Last Rcpt</i><br>Plan Pmt<br><i>Pmt Method</i>  | Trustee<br>Recommendation                               |
|---|--|---------------------|---|---|
| <b>BARTO</b>  | <b>22-50033</b>  | <b>Confirmation</b> | Current   | <b>Trustee does not<br/>recommend<br/>confirmation.</b> |
| <i>06/06/22</i><br><i>08/15/22</i><br><i>1/60</i>   | <b>JUAN V GARCIA</b><br><br><b>MARIA H GARCIA</b><br><br><i>BMI-</i> |                     | <i>07/25/22</i><br>\$1,085.00<br><i>Money</i><br><i>Order</i> |   |
| <p>1. Plan #2 filed 06/06/22 fails to provide for IRS claim #6 filed 06/27/22.</p> <p>2. Mortgage statement provided to substantiate the Freedom Mortgage debt does not agree with the plan and a claim has not been filed.</p> <p>3. Plan does not reflect the actual beginning and ending months under paragraph #4.</p> <p>Payments:<br/>1 (July 2022) - 60 (June 2027).</p> <p>Trustee's Motion to Dismiss filed 07/28/22 at #28.</p> |  |                     |   |   |

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| <b>MEURER</b>   | <b>22-50034</b>                                | <b>Confirmation</b>                      | no pymts<br>received          | <b>Trustee does not<br/>recommend<br/>confirmation.</b> |
| <i>06/06/22</i><br><i>08/15/22</i><br><i>1/60</i>   | <b>JESUS G VELA-CUELLAR</b><br><br><i>AMI-</i> | <b>Obj Specialized Loan Servicing LL</b> | <i>01/01/00</i><br>\$2,800.00 |   |
| <p>1. Plan #27 filed 07/11/22 understates the correct posted trustee fee.</p> <p>2. Plan does not fully provide for IRS claim #1 filed 07/20/22.</p> <p>4. Plan does not fully provide for Specialized Loan Servicing LLC claim #2 filed 06/30/22.</p> <p>5. Schedule C is inaccurate as it does not agree with the amended Schedule B filed 07/11/22 at #26 to add Debtor's bank accounts.</p> <p>6. Schedule A/B is inaccurate as it does not disclose values for two of the properties listed.</p> |  |  |                               |   |

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|---|---|------------------|--|---------------------------|
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Payments:  
 1 (Jul 2022)- 12 (Jun 2023) \$2,800.00.  
 13 (Jul 2023)- 60 (Jun 2027) \$4,375.00.

Trustee's Motion to Dismiss filed 07/28/22 at #36.

Objection to Confirmation filed 07/08/2022 by Specialized Loan Servicing LLC at #25.

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| <b>OLIVA PC (L)</b><br><br><i>05/26/22</i><br><i>08/04/22</i><br><i>2/60</i> | <b>22-50029</b><br><br><b>ALBERTO GONZALEZ</b><br><br><i>AMI-</i> | <b>Confirmation</b><br><br><b>Dismissal</b><br><br><b>Obj Conf Tricolor Auto Group LLC</b> | \$1,480.75 or<br>0.85 mth<br><i>07/22/22</i><br>\$1,750.00<br><i>Wage</i><br><i>Order</i> | <b>Trustee does not<br/>       recommend<br/>       confirmation and<br/>       recommends<br/>       dismissal.</b> |
|--|---|--|---|--|

Plan #26 filed 06/13/2022 works @ 100% as required by Debtor's Official Form 122-C.

1. Schedule H reflects that debtor has not lived in a community property state in the last 8 years contrary to 341 testimony.
2. Debtor has failed to provide verification of the rental expense on Schedule J.

Payments:  
 1 (Jun/2022)- 60 (May/2027) \$1,750.00.

Objection to Confirmation filed 06/23/22 by Tricolor Auto Group, LLC. at #30.  
 Trustee's Motion to Dismiss filed 06/30/22 at #34.

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|---|---|---------------------|--|---|
| OLIVA PC (L)<br><br>05/31/22<br>08/09/22<br>2/36  | 22-50031<br><br><b>GLORIA Q RENDON</b><br><br><i>BMI-</i> | <b>Confirmation</b> | \$225.00 or<br>1.00 mth<br>07/01/22<br>\$225.00<br><i>ePay</i> | <b>Trustee does not<br/>recommend<br/>confirmation.</b> |
| <p>1. Plan #2 filed 05/31/22 does not provide for the direct mortgage claim.</p> <p>2. Debtor has failed to provide verification of the direct mortgage payment.</p> <p>3. It does not appear the mobile home/lien has been properly transferred to the Debtor. CAD documents only reflect the ex-spouse's name and Schedule H has an incomplete address for him.</p> <p>4. Trustee is requesting clarification of the taxes for the mobile home and the property at 407 W Ash Street.</p> <p>Payments:<br/>1 (Jun/2022) 36 (May/2025) \$225.00</p> <p>Trustee's Motion to Dismiss filed 07/28/22 at #30.</p> |   |                     |  |   |

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| VASQUEZ<br>LAW FIRM<br><br>05/03/22<br>07/12/22<br>2/60   | 22-50025<br><br><b>NOE VILCHEZ</b><br><br><i>BMI-ESF</i> | <b>Confirmation</b><br><br><b>Dismissal</b> | Current<br><br>07/25/22<br>\$2,290.00<br><i>ePay</i> | <b>Trustee does not<br/>recommend<br/>confirmation and<br/>recommends<br/>dismissal.</b> |
| <p>1. Plan #9 filed 05/17/22 does not fully provide for HSBC Bank USA National Association mortgage claim #2 filed 07/08/22.</p> <p>2. Statement of Financial Affairs does not disclose \$5000.00 debt paid to friends pursuant to debtor 341 testimony.</p> <p>3. Debtor has failed to provide a copy of the 2020 tax return.</p> <p>4. Debtor has failed to provide bank statements for April and May 2022.</p> |  |   |  |  |



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|---|---|------------------|--|---------------------------|
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5. Debtor has failed to provide an affidavit for the family contributions.

6. Schedule I is inaccurate as it reflects \$600.00 contribution from son contrary to debtor's testimony that he contributes \$1200.00.

7. Trustee alleges Schedule I is inaccurate as the income on the Means Test and the pay stubs do not support the significantly higher income disclosed on Schedule I.

8. Debtor's net income per the pay stubs provided, does not support the current wage order and there have been no receipts from the wage order.

Payments:

1 (Jun 2022)- 60 (May 2027) \$2,290.00.

Amended Trustee's Motion to Dismiss filed 07/27/22 at #26.  
No response filed by debtor.

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| <b>WAJDA &amp;<br/>ASSOCIATES<br/>P C</b><br>04/04/22<br>06/13/22<br>3/60 | <b>22-50020</b><br><b>HECTOR M AYALA</b><br><br><b>JENNIFER N AYALA</b><br><br><i>BMI-</i> | <b>Confirmation</b><br><br><b>Dismissal</b> | \$2,127.00 or<br>1.00 mth<br>06/15/22<br>\$2,127.00<br>ePay | <b>Trustee does not<br/>recommend<br/>confirmation and<br/>recommends<br/>dismissal.</b> |
|---|--|---|---|--|

1. Plan #48 filed 07/07/22 does not provide for all secured and priority creditors.

2. Plan Summary page 1 is incomplete as it does not reflect the trustee fee and net available to creditors.

3. Plan Summary page 1 and paragraph #8 reflect mortgage treated as a total debt and as on-going with an arrears portion.

4. Plan Summary page 2 total claim amount to be paid out for Conns is inaccurate as it does not include any interest.

5. Plan Summary total payments to secured creditors is inaccurate as it does not include the amount for Conn's.

6. Plan Summary page 3 is inaccurate as it reflects .05 total reserve funds, but no reserve table included.

Payments:

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|---|--|-------------------------|--|---------------------------|
|---|--|-------------------------|--|---------------------------|

1 (May 2022)- 2 (June 2022) 2,130.00.  
 3 (July 2022)- 60 (April 2027) 2,180.00.

Trustee's Amended Motion to Dismiss filed 06/29/22 at #46.  
 Debtor's Opposition to Trustee's Motion to Dismiss filed 06/17/22 at #45.

Objection to Confirmation filed 04/29/22 by Gateway Mortgage at #25 was withdrawn on 06/02/22.  
 Objection to Confirmation filed 05/12/22 by Conn Appliances at #26 was withdrawn on 06/01/22.