

JUDGE DAVID JONES
Yvonne V. Valdez, Trustee
August 3, 2023 2:30 pm

Next 3 Panels:
09/07/2023
10/05/2023
11/02/2023

Attorney <i>Pet Filed</i> Bar Date <i>Month/Term</i>	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	22-50007 RAFAEL D HINOJOSA	Modification	\$3,034.28 or 1.13 mth 07/24/23 \$2,675.00 <i>Wage Order</i>	Trustee does not recommend approval.
02/15/22 04/26/22 17/36 Tracey	AMI-ESF	<p>Modification #60 filed 06/01/23 to cure delinquency and extend the plan term from 36 to 60 months. The modification cannot be recommended because:</p> <ol style="list-style-type: none"> 1. The amount of the wage order does not correspond with the current plan payment. 2. The Debtor failed to provide the Trustee with the status of the 2022 tax liability in the amount of \$4,836.00. There is no federal income tax reserve in the proposed Plan or Schedule J. 3. Debtor failed to provide verification of his current household income. 4. The remaining claim for M&T Bank in paragraph 8 of the Plan appears to be incorrect. 5. Under paragraph 8 of the Plan, Debtor states that the interest rate for M&T Bank varies, but does not provide a detailed explanation of this notation. 6. The monthly payment to M&T Bank in paragraph 8 states "Pro Rata" with a fixed escrow of \$615.03. The principal and interest portion of the payments needs to be clarified. 7. The post-confirmation claim of M&T Bank under paragraph 8 provides an amount of \$4,271.79, but does not specify which months it includes in the calculation. <p>Mod forgives: \$13,292.46.</p> <p>Plan Payments: 16 (Jun 2023) - 60 (Feb 2027): \$2,675.00.</p> <p>Post-Conf. Trustee's Motion to Dismiss filed 03/29/23 at #56 for non-payment. No response filed by Debtor. There are several months where no payment was made at all.</p>		

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BARTO 07/01/22 09/09/22 12/60 Tracey	22-50041 YADIRA ROQUE BMI-PPR	Dismissal Post-Confirmation Trustee's Motion to Dismiss filed 06/12/23 at #98 for non-payment. No response filed by Debtor. There are several months where only a partial payment was made.	\$3,154.96 or 1.75 mth 07/24/23 \$1,804.96 Money Order	Trustee recommends dismissal.
BARTO 10/31/22 01/09/23 9/60 Tracey	22-50079 AMPARO M RAMIREZ BMI-	Dismissal Post-Conf. Trustee's Motion to Dismiss filed 03/29/23 at #40 for non-payment. Response filed on 06/29/23 at #45. There are a few months where only a partial payment was made and some where no payment was made at all.	\$3,713.00 or 3.04 mth 07/10/23 \$1,220.00 ePay	Trustee recommends dismissal.
BARTO 11/22/22 01/31/23 8/60 Bridget1	22-50084 MARTIN TORRES MARYANN TORRES BMI-	Confirmation Dismissal Plan #64 filed 07/05/23 works paying 13% dividend to general unsecured creditors, but cannot be recommended because: 1. Debtor failed to propose a reserve in the proposed Plan for future Federal Income Taxes.	\$2,600.00 or 1.00 mth 06/20/23 \$2,600.00 Money Order	Trustee does not recommend confirmation and recommends dismissal.

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Payments:
1 (Dec 2022)- 7 (Jun 2023) \$1,725.00.
8 (Jul 2023)- 60 (Nov 2027) \$2,600.00.

Trustee's Motion to Dismiss #30 filed 01/12/23 was withdrawn 07/06/23 at #66.
No response filed by Debtor.

BARTO	22-50088	Confirmation	\$10,200.00 or	Trustee does not recommend confirmation and recommends dismissal.
	JESUS A BLANCO	Dismissal	2.83 mth	
<i>12/08/22</i> <i>02/16/23</i> <i>7/60</i> Bridget1	ASHLEY M RAMIREZ <i>AMI-</i>		<i>07/18/23</i> \$3,600.00 <i>ePay</i>	
<p>1. Plan #40 filed 02/28/23 fails to provide for the Notices of Post-petition Mortgage Fees, Expenses and Charges #52 filed 04/14/23 and #62 filed 06/26/23.</p> <p>2. Debtor has failed to provide verification of income.</p> <p>3. Debtors are delinquent 3 payments through June totaling \$10,200.00.</p> <p>Payments: 1 (Jan 2023) - 60 (Dec 2027) \$3,600.00.</p> <p>Objection to Confirmation filed 12/27/22 by Nationstar Mortgage LLC at #20 was withdrawn 02/01/23 at #35.</p> <p>Trustee's Amended Motion to Dismiss #64 filed 07/24/23 . No response filed by Debtor.</p>				

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BARTO	23-50007	Confirmation	\$3,600.00 or	Trustee does not recommend confirmation and recommends dismissal.
	RODRIGO J GARZA	Dismissal	2.00 mth	
01/31/23	KARLA G GARZA		07/07/23	
04/11/23			\$1,800.00	
6/60	BMI-		Money Order	
Leanne1	<p>Plan #31 filed 04/04/23 works, paying 57% to general unsecured creditors, but cannot be recommended because the Trustee has not received any wage deductions pursuant to the wage order (#14) signed 02/02/2023 for Tejas Carriers.</p> <p>Debtors are delinquent 2 payments through June, totaling \$3,600.00, with the next payment due on the 07/28/23.</p> <p>Plan payments: 1 (Feb 2023) - 60 (Jan 2028) \$1,800.00.</p> <p>Trustee's Motion to Dismiss filed 03/17/23 at #29. No response filed by Debtor.</p>			
BARTO	23-50029	Confirmation	\$3,529.66 or	Trustee does not recommend confirmation and recommends dismissal.
	GREGORIO SANTOS JR	Dismissal	1.16 mth	
04/25/23	GLORIA A SANTOS		07/10/23	
07/04/23			\$3,030.00	
3/60	BMI-		Cashiers Check	
Leanne1	<p>Plan #33 filed 07/13/23 works, paying 11.80% to the general unsecured creditors, but cannot be recommended because the Debtors owe delinquent taxes to the Internal Revenue Service for 2020, 2021 and 2022, but have not proposed a reserve for federal income taxes in the plan.</p> <p>Plan payments: 1 (May 2023) - 2 (Jun 2023) \$2,500.00 3 (Jul 2023) - 60 (Apr 2028) \$3,030.00</p> <p>Trustee's Motion to Dismiss filed 07/05/23 at #29. No response filed by Debtor.</p>			

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Printed 7/26/23 2:47 pm

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Payments: 1 (Jun 2023)- 36 (May 2026) \$675.00.

Trustee's Motion to Dismiss #24 filed 07/03/23.
No response filed by Debtor.

BARTO	23-50053	Confirmation	no pymts received <i>01/01/00</i> \$3,000.00	Trustee does not recommend confirmation.
<i>06/05/23</i> <i>08/14/23</i> <i>1/60</i> Leanne1	HEBERARDO J LEAL <i>BMI-</i>	<p>1. Debtor did not appear at the 07/18/23 341 Meeting of Creditors; however, the meeting has been reset for 8/1/23.</p> <p>2. Trustee alleges that Plan #2 filed 06/05/23 is not feasible as Debtors have demonstrated an inability to fund the plan.</p> <p>3. Debtor failed to provide proof to substantiate the amounts to be paid to Guidance Res/US Bank Home Mortgage through the Plan. Creditor has not filed a claim and Trustee must disburse according to plan.</p> <p>4. Based on NADA value of \$25,220.00 as required by Order #13, the Plan does not provide sufficient adequate protection of \$315.25 to Harley Davidson Credit Corp.</p> <p>5. Based on NADA value of \$24,275.00 as required by Order #13, the Plan does not provide sufficient adequate protection of \$303.44 to Laredo Federal Credit Union.</p> <p>6. Debtor has not provided proof to substantiate the debt to be paid to Laredo Federal Credit Union through the Plan. The bar date has not passed, and the creditor has not filed a claim.</p> <p>7. Debtor failed to provide Trustee with the necessary Domestic Support Obligation documentation to comply with 1302(d)(1).</p> <p>8. Trustee alleges Schedule B is inaccurate as it fails to disclose Debtor's Cash App account and the current value of the Laredo Federal Credit Union account.</p> <p>9. Debtor has failed to provide Trustee with proof of income to substantiate the income amounts listed on Schedule I and Debtor's Official Form 122C.</p>		

10. Debtor is delinquent 1 payment through July totaling \$3,000.00. There have been no payments received in this case.

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Plan payments:
1 (Jul 2023) - 60 (Jun 2028) \$3,000.00

Trustee's Motion to Dismiss filed 07/24/23 at #24 set for 09/07/23.
No response filed by Debtor.

LEE	23-50030	Confirmation	Current	Trustee does not recommend confirmation and recommends dismissal.
04/27/23 07/06/23 3/60 Krystle	LEOPOLDO GONZALEZ JR <i>BMI-ESF</i>	Dismissal	06/28/23 \$2,336.00 <i>ePay</i>	
<p>1. Plan #41 filed 7/10/23 fails to fully provide for Claim #6 filed by Westlake Financial Services.</p> <p>2. Debtor has failed to provide proof to substantiate the direct monthly payment of \$500 listed on Schedule J for non-filling spouse's vehicle.</p> <p>3. Trustee alleges Schedule I is inaccurate as the Debtor has failed to disclose all income pursuant to testimony at the 341 Meeting of Creditors.</p> <p>Plan Payments: 1 (May 2023) - 60 (Apr 2028) \$2,336.00</p> <p>Trustee's Motion to Dismiss #40 filed 6/30/23. Response filed 7/13/23 at #44.</p>				

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MEURER	22-50037	Dismissal	\$800.00 or	Trustee does not recommend approval and recommends dismissal.
	MANUEL RENTERIA	Modification	1.00 mth	
06/17/22	MARGARITA RENTERIA		05/10/23	
08/26/22			\$800.00	
13/60	BMI-ESF		ePay	
Tracey	<p>Modification #65 filed 6/29/23 was filed to cure delinquency and to surrender the 2017 Ford F150 to Security Service Federal Credit Union. The Mod works at 1.65% to the general unsecured creditors, but cannot be recommended because:</p> <ol style="list-style-type: none"> Debtors are not current on the payments proposed in the Modified Plan. The last payment received was on May 10, 2023. Debtors have failed to submit sufficient proof of their current income as the amounts on the proof of income submitted do not correspond to the amounts listed on Schedule I. Debtors failed to file an amended EFT Order consistent with the proposed modification in compliance with BLR 3015-1(c)(1). The Plan is not feasible with only \$294.00 available to the general unsecured creditors. <p>Mod forgives: \$2,424.00</p> <p>Payments: 13 (Jul 2023) - 60 (Jun 2027): \$800.00.</p> <p>Post-Conf. Trustee's Motion to Dismiss filed 06/29/23 at #64 for non-payment. No Response filed by Debtors.</p>			

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OLIVA PC (L)	22-50072	Dismissal	\$1,875.00 or	Trustee does not recommend approval and recommends dismissal.
	ARTURO V VAZQUEZ	Modification	1.00 mth	
10/17/22			04/05/23	
12/26/22			\$1,875.00	
9/60	AMI-ESF		ePay	
Tracey	<p>Modification #72 filed 7/5/23 was filed to cure a post-petition payment default, to surrender the 2016 Intl Prostar truck to Transport Funding, to update his income and employment, as well as to deviate from the requirements of Official Form 122-C. The Modified Plan works at 9.41% to the general unsecured creditors, but cannot be recommended because:</p> <ol style="list-style-type: none"> Debtor is delinquent on the payments in the amount of \$1,875.00 as proposed in the Mod. The last payment received was 4/5/23. Debtor failed to provide sufficient proof of current income. Debtor failed to provide a notice of address change with his change in marital status. Debtor lists a child support payment on Schedule J, but has not provided the Trustee with any DSO information or proof of that obligation. Debtor filed this Mod to cure a delinquency in his Plan payments, yet he just filed his 2022 tax return within a few weeks of proposing the Mod that shows he is receiving \$7,827.00 as a refund, which is not being paid into his Plan. Trustee alleges that the Plan fails to provide for all of the Debtor's disposable income. <p>Mod forgives: \$13,200.00.</p> <p>Payments: 9 (Jul 2023) - 60 (Oct 2027): \$1,875.00.</p> <p>Post-Conf. Trustee's Motion to Dismiss was filed 06/12/23 at #71 for non-payment. Response to Trustee's Motion to Dismiss filed 07/05/23 at #73. There are a few months where only a partial payment was made and some where no payment was made at all.</p>			

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OLIVA PC (L)	23-50032	Confirmation	Current	Trustee does not recommend confirmation and recommends dismissal.
	JOSE A CASTILLO	Dismissal	06/20/23	
05/01/23	CECILIA CASTILLO		\$4,400.00	
07/10/23			Wage	
2/60	AMI-		Order	
Bridget1		<p>1. Plan #2 filed 05/01/23 incorrectly reflects the attorney fees as "Mod Fees."</p> <p>2. Trustee alleges Schedule B is inaccurate as it fails to disclose bank accounts ending in 7593, 6960, 1839 and the PayPal accounts.</p> <p>3. Trustee alleges Schedule B is inaccurate as it fails to disclose debtors' stocks pursuant to 341 testimony and the 2021 and 2022 tax returns.</p> <p>4. Trustee alleges the Statement of Financial Affairs is inaccurate as the year to date income, the stock income and the bank account ending in 8134 closed 04/13/23 pursuant to 341 testimony is not disclosed.</p> <p>5. Debtors have failed to provide bank statements for account ending in 8583 for 02/22/23 through 03/24/23 and 04/22/23 through filing date.</p> <p>6. Debtors have failed to provide all bank statements for accounts ending in 5203, 6931 and 1839.</p> <p>Payments: 1 (Jun 2023)- 60 (May 2028) \$4,400.00.</p> <p>Trustee's Motion to Dismiss #32 filed 07/03/23.</p> <p>No Response filed by Debtor.</p>		

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1 (Jul 2023) - 59 (May 2028) \$1,850.00
60 (Jun 2028) - 60 (Jun 2028) \$150,000.00

OLIVA PC (L) 23-50052

Confirmation

no pymts
received
01/01/00
\$3,000.00

**Trustee does not
recommend
confirmation.**

VICENTE E RIO

06/05/23
08/14/23
1/57

AMI-ESF

Bridget1

1. Plan #2 filed 06/05/23 fails to provide a 100% dividend to the general unsecured creditors as required by Debtor's Official Form 122-C #4 filed on 06/05/23.

2. Trustee alleges the Plan fails provide all of Debtor's disposable income into the plan.

3. Plan fails to provide for the Notice of Mortgage Payment Change #30 filed 07/07/23.

4. Trustee alleges Schedule B is inaccurate as it fails to disclose Debtor's business assets.

5. The Statement of Financial Affairs #1 filed 06/05/23 is incomplete as it does not disclose Debtor's 2023 year to date income and does not appear to disclose any income from the Vicente Del Rio Consulting self-employment.

6. Plan fails to list the reason for special classification for the Navient Solutions, LLC in Paragraph 16.

7. Debtor is delinquent 1 payment through July totaling \$3,000.00. There have been no payments received in this case.

Plan payments:

1 (Jul 2023) - 57 (Mar 2028) \$3,000.00.

Trustee's Motion to Dismiss #34 filed 07/20/23 is set for 09/07/23.

No Response filed by Debtor.

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VASQUEZ LAW FIRM	23-50009 AMADA ESTRADA	Confirmation	\$1,550.00 or	Trustee does not
02/06/23		Dismissal	1.82 mth	recommend
04/17/23			07/19/23	confirmation and
5/60			\$850.00	recommends
Leanne1	BMI-BOTH		ePay	dismissal.
<p>1. Plan #30 filed on 07/23/23 fails to provide sufficient funds for payment in full of all secured and priority claims.</p> <p>2. Plan does not provide for the notice of post-petition fee claim of Carrington Mortgage in the amount of \$950.00 for Proof of Claim fees.</p> <p>3. Plan fails to provide the property address in the description for the ad valorem reserve in Paragraph 23.</p> <p>4. Trustee alleges Schedule J is inaccurate as it does not provide for a home insurance expense.</p> <p>5. Plan fails to fully provide for Webb County taxes in paragraph #8 pursuant to the Webb County tax statement provided by the Debtor.</p> <p>6. Debtor is delinquent 2 months totaling \$1,550.00. Next payment is due on 07/28/23.</p> <p>7. Debtor failed to file an amended EFT order with the Court.</p> <p>Plan Payments: 1 (Mar 2023) - 5 (Jul 2023) \$850.00 6 (Aug 2023) - 60 (Feb 2028) \$890.00</p> <p>Trustee's Motion to Dismiss filed 03/27/23 at #22. No Response filed by Debtor.</p>				

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VASQUEZ LAW FIRM	23-50034 OSCAR J SANCHEZ	Confirmation Dismissal	Current <i>07/24/23</i> \$1,585.00 <i>ePay</i>	Trustee does not recommend confirmation and recommends dismissal.
<i>05/01/23</i> <i>07/10/23</i> <i>2/60</i> Bridget1	<i>BMI-BOTH</i>	<p>1. Plan #13 filed on 05/17/23 fails to provide sufficient funds for payment in full of all secured and priority claims, including the proposed reserve.</p> <p>2. Plan fails to provide for the City of Laredo claim #2 filed 06/13/202 for the Publication Fee and Court Costs.</p> <p>3. Plan fails to provide for the Kazen Meurer & Perez LLP claim #5 filed 07/10/23 for the Publication Fee and Court Costs.</p> <p>4. Plan fails to fully provide for the City of Laredo claim #1 filed 06/13/23 for 2020 through 2022 property taxes.</p> <p>5. Plan fails to fully provide for the Laredo Community College claim #3 filed 07/10/23 for 2021 through 2022 property taxes.</p> <p>6. Plan fails to fully provide for the Laredo ISD Tax Office claim #4 filed 07/10/23 for the 2022 property taxes.</p> <p>7. Plan fails to disclose the tax years to be paid through the plan in paragraph 8.</p> <p>8. Plan fails to provide the property address in the description for the ad valorem reserve in Paragraph 23.</p> <p>Payments: 1 (May 2023)- 60 (Apr 2028) \$1,585.00.</p> <p>Trustee's Amended Motion to Dismiss #34 filed 07/24/23. No Response filed by Debtor.</p>		

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VASQUEZ LAW FIRM 06/05/23 08/14/23 1/60 Krystle	23-50050 MARCELLA I CHAIRES <i>BMI-ESF</i>	Confirmation Obj Conf Service First Mortgage	\$225.76 or 0.08 mth 07/14/23 \$2,935.00 ePay	Trustee does not recommend confirmation.
<p>1. Plan #16 filed 06/19/23 fails to provide sufficient funds for payment in full of all secured and priority claims, including the proposed reserve.</p> <p>2. Debtor has failed to provide the Trustee with a copy of Debtor's tax returns. Pursuant to Debtor's testimony at the Creditor's Meeting, the tax returns for 2019, 2020, 2021 and 2022 have not been filed.</p> <p>3. Debtor has failed to provide the Trustee with the Declaration for Electronic Filing.</p> <p>4. Plan proposes an escrow component to the mortgage claim of Service First Mortgage but Debtor has included an ad valorem tax reserve expense in Schedule J. A Proof of Claim has not been filed and the Plan does not propose a tax reserve.</p> <p>5. Debtor has failed to provide the Trustee with proof of income.</p> <p>6. Debtor has failed to provide the bank statements reflecting the deposits of the survivor benefits.</p> <p>Plan payments: 1 (Jul 2023) - 60 (Jun 2028) \$2,935.00</p> <p>Trustee's Motion to Dismiss #26 filed 7/20/23 is set for 9/7/23. No Response filed by Debtor.</p> <p>Objection to Confirmation filed 06/27/23 by Service First Mortgage at #19.</p>				