

JUDGE JEFFREY P NORMAN

Yvonne V. Valdez, Trustee

February 1, 2024 10:30 am

Next 3 Panels:

02/29/2024

04/04/2024

05/02/2024

Attorney <i>Pet Filed</i> Bar Date <i>Month/Term</i>	Case # Debtor(s) <i>Plan Pmt</i> <i>AMI/BMI-ESF/PPR</i>	Matters Notes	Arrears <i>Last Rcpt</i> Last Rcpt Amt <i>Pmt Method</i>	Trustee Recommendation
BARTO	22-50056	Dismissal	Current	Trustee does not recommend approval and recommends dismissal.
08/31/22 11/09/22 16/60 Tracey	ANGELICA FERNANDEZ DE CASTILLO \$1,033.08 BMI-PPR	Modification Mod #74 filed 12/20/23 to cure delinquency cannot be recommended because Debtor failed to provide a copy of her 2022 tax return. Mod Forgives: \$3,698.90 Mod payments: 13 (Oct 2023) - 60 (Sep 2027) \$1,033.08 Post-Conf. Trustee's Motion to Dismiss was filed 08/02/23 at #58 for non-payment. No response filed by Debtor. There are several months where only a partial payment was made and a few months where no payment was made at all.	12/26/23 \$476.90 Wage Order	
BARTO	23-50060	Confirmation	Current	Trustee does not recommend confirmation and recommends dismissal.
06/29/23 09/07/23 6/60 Krystle	MIGUEL A GUTIERREZ JR ROSAICELA B GUTIERREZ \$4,000.00 AMI-BOTH	Dismissal 1. Plan #47 filed 01/02/24 cannot be recommended because IRS claim #7 filed 07/21/23 reflects Debtors have not filed a tax return for Heavy Vehicle taxes for 2023. Debtors have not provided proof that these tax returns have been filed. 2. Debtors failed to provide bank statements to support their decrease in business income per Amended Schedule I #48 filed 01/02/24. 3. Debtors failed to file an amended EFT and/or wage deduction order with the Court for the increased plan payment. Plan payments: 1 (Jul 2023) - 6 (Dec 2023) \$3,101.85. 7 (Jan 2024) - 60 (Jun 2028) \$4,000.00.	01/24/24 \$715.81 Wage Order	

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Attorney	Debtor(s)	Notes	Last Rcpt	Recommendation
Pet Filed	Plan Pmt		Last Rcpt Amt	
Bar Date	AMI/BMI-		Pmt Method	
Month/Term	ESF/PPR			

Trustee's Amended Motion to Dismiss #54 filed 01/26/24.
No response filed by Debtor.

BARTO	23-50098	Confirmation		
	LUCIA C GUARDIOLA	Dismissal		
11/06/23		Obj Conf Hunter Kelsey IV LLC	no pymts received	Trustee does not recommend confirmation and recommends dismissal.
01/15/24			01/01/00	
2/60			\$0.00	
Bridget1	\$3,098.96 BMI-PPR			
		1. Plan #2 filed 11/06/23 fails to provide for all secured and priority claims.		
		2. Plan fails to provide for Exeter Finance LLC claim #3 filed 11/16/23.		
		3. Schedule G #1 filed 11/06/23 fails to disclose the co-debtor for Exeter Finance LLC.		
		4. Plan fails to provide for the Internal Revenue Service claim #4 filed 11/29/23. Further, the proof of claim reflects that the 2021 and 2022 tax returns have not been filed.		
		5. Debtor has failed to provide a copy of the 2021 and 2022 tax returns.		
		6. Plan improperly treats ad valorem tax claims in paragraph 8A instead of 8B.		
		7. Plan fails to fully provide for Laredo College claim #8 filed 12/27/23.		
		8. Plan fails to provide for Flores, Flores & Canales on behalf of City of Laredo default judgment claim #2 filed 11/15/23.		
		9. Debtor failed to provide bank statements for accounts ending in 3485 and 8235 for 10/01/23 through 11/06/23.		
		10. Debtor failed to provide proof to substantiate the amounts paid to Webb County through the Plan. Creditor has not filed a claim and Trustee must disburse according to plan.		
		11. Debtor is delinquent 2 payments through January totaling \$6,197.92. Debtor has failed to make a payment.		
		Payments: 1 (Dec 2023)- 60 (Nov 2028) \$3,098.96.		
		Trustee's Motion to Dismiss #26 filed 12/22/23.		

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Attorney	Debtor(s)	Notes	Last Rcpt	Recommendation
Pet Filed	Plan Pmt		Last Rcpt Amt	
Bar Date	AMI/BMI-		Pmt Method	
Month/Term	ESF/PPR			

No Response filed by Debtors.

Objection to Confirmation filed 01/24/24 by Hunter-Kelsey IV, LLC at #36.

BARTO	23-50104	Confirmation	Current	Trustee does not recommend confirmation.
	SELINA PENA		12/26/23	
11/27/23			\$500.00	
02/05/24			Money	
2/60	\$680.00		Order	
Bridget1	AMI-			
<p>1. Plan #2 filed 11/27/23 fails to specify treatment of the Specially Classified Unsecured Claim for Texas Higher Education Coordinating Board.</p> <p>2. Debtor has failed to file Summary Schedule C-1.</p> <p>3. Debtor has failed to provide bank statements for account ending in 3615 for 11/17/23-11/27/23.</p> <p>4. Debtor has failed to provide bank statements for the Laredo Federal Credit Union Savings account for 08/27/23-11/27/23.</p> <p>Payments: 1 (Dec 2023)- 60 (Nov 2028) \$680.00.</p> <p>Trustee's Motion to Dismiss #20 filed 01/17/24 is set for 02/29/24.</p> <p>No response filed by Debtors.</p>				

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BARTO	23-50105	Confirmation	Current	Trustee does not recommend confirmation.
11/27/23 02/05/24 2/60 Leanne1	MARCO A SANTOS \$2,875.00 AMI-PPR	Obj Conf Capital One Auto Finance	01/02/24 \$2,875.00 ePay	
<ol style="list-style-type: none"> 1. Plan #2 filed on 11/27/2023 fails to provide sufficient funds for payment in full of all secured and priority claims, including the proposed reserve. 2. Plan fails to fully provide for IRS claim #2 filed on 01/08/24. 3. Debtor failed to provide Wells Fargo bank statements through the filing date. 4. Debtor failed to provide IBC bank statements for October and November 2023. 5. Trustee alleges that the Plan fails provide all of Debtor's disposable income into the plan. 6. Debtor failed to provide a copy of the Toyota Tacoma contract. This vehicle is listed in paragraph 9C to be paid direct by the debtor, but schedule B indicates Raul will be paying for it. 7. Debtor failed to list the 9C direct monthly Toyota Tacoma payment on Schedule J. 8. Paragraph 9C of the Plan is incomplete as the date of last payment due has not been provided on the Capital One Claim for the 2015 Toyota Tacoma. 9. Paragraph 9B of the Plan is inaccurate as it fails to provide for the correct interest rate on the IRS claim. 10. Plan fails to provide for the debt for the 2016 Buick Enclave. Debtor failed to provide a copy of the contract. This vehicle is listed on schedule A/B and on Schedule J. However, it is not treated under the plan. 11. Debtor has failed to provide Trustee with proof of out-of-town expenses listed on schedule J and on Official Form 122C. 12. Trustee alleges Statement of Financial Affairs is incomplete as is does not disclose the sale of a 2007 Volvo. 13. Debtor has failed to provide Monthly Operating Reports for the months of November and December 2023. 				

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

Plan Payments:

1 (Dec 2023)- 60 (Nov 2028) \$2,875.00.

Trustee's Motion to Dismiss #21 filed 01/24/24 is set for 02/29/24.

No response filed by debtor.

Objection to Confirmation filed 01/25/24 by Capital One Auto Finance at #22.

BARTO

23-50107

Confirmation

Current

**Trustee does not
recommend
confirmation.**

ADRIANA AGUERO

Obj Conf US Bank NA

01/09/24

\$575.00

Money
Order

11/30/23
02/08/24
-10/48

\$575.00

BMI-

Leanne1

Plan #2 filed 11/30/23 improperly provides for mortgage total debt claim under paragraph 8A instead of 8B and fails to include an ad valorem reserve as required by Paragraph 21(D).

Plan payment:

1 (Dec 2023)- 48 (Nov 2027) \$575.00.

Trustee's Amended Motion to Dismiss #25 filed 01/26/24 is set for 02/29/24.

No response filed by Debtor.

Objection to Confirmation filed 01/05/24 by US Bank NA at #22.

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BARTO 12/04/23 02/12/24 1/60 Krystle	23-50110 JOSE A MARTINEZ \$4,300.00 BMI-	Confirmation Obj Conf U.S. Bank Trust Company	no pymts received 01/01/00 \$0.00	Trustee does not recommend confirmation.
<p>1. Debtor did not appear at the 01/09/24 341 Meeting of Creditors. The meeting is reset to 01/30/24.</p> <p>2. Plan #2 filed on 12/04/23 fails to provide sufficient funds for payment in full of all secured and priority claims.</p> <p>3. Plan fails to fully provide for IRS claim #2 filed 12/18/23.</p> <p>4. Plan improperly provides for Kish Manwani total debt claim under paragraph 8A instead of paragraph 8B and fails to include an ad valorem reserve as required by Paragraph 21(D).</p> <p>5. Trustee alleges Schedule I is incorrect as Debtor is self-employed.</p> <p>6. Trustee alleges the Plan is not feasible as Schedule I fails to provide enough disposable income to fund the Plan payment.</p> <p>7. Trustee alleges Schedule H is inaccurate as it fails to disclose the co-debtor.</p> <p>8. Debtor failed to provide copies of November and December business Monthly Operating Reports. Debtor failed to provide complete copies of Monthly Operating Reports for May through October.</p> <p>9. Debtor has failed to make a payment.</p> <p>Payments: 1 (Jan 2024) 60 (Dec 2028) \$4,300.00.</p> <p>Trustee's Amended Motion to Dismiss #27 filed 01/26/24 is set for 02/29/24. No Response filed by Debtor.</p> <p>Objection to Confirmation filed 12/28/23 by U.S. Bank Trust Company at #23.</p>				

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MEURER	23-50096	Confirmation	\$196.11 or	Trustee does not recommend confirmation and recommends dismissal.
	JOSE A MEDINA	Dismissal	1.00 mth	
10/26/23 01/04/24 3/36 Bridget1	KASSANDRA MEDINA \$196.11 BMI-		01/03/24 \$196.11 ePay	
<p>1. Trustee alleges that Plan #30 filed on 01/02/24 fails provide all of Debtor's disposable income into the plan, as Debtors have 2 expensive vehicle payments that are not necessary for the Debtors' reorganization.</p> <p>2. Debtors have failed to provide verification of the \$228.00 life insurance expense on Schedule J #10 filed 11/09/23. Further, there are no life insurance policies disclosed on Schedule B.</p> <p>3. Debtors have failed to disclose new employment for Mrs. Medina per her 341 testimony.</p> <p>Plan payments: 1 (Nov 2023) 36 (Oct 2026) \$196.11.</p> <p>Trustee's Motion to Dismiss #27 filed 12/15/23. Response #28 filed 12/29/23.</p>				

OLIVA PC (L)	23-50075	Confirmation	\$1,075.00 or	Trustee does not recommend confirmation and recommends dismissal.
	MARIA A PENA	Dismissal	0.98 mth	
09/04/23 11/13/23 4/60 Leanne1	\$1,100.00 BMI-ESF		01/10/24 \$550.00 ePay	
<p>1. Plan #48 filed 01/02/24 provides for bifurcated treatment of Zapata Tax Assessor claim #7 under paragraph 8C and paragraph 9B.</p> <p>2. Trustee alleges Schedule B is incomplete as it does not disclose all assets.</p> <p>3. Trustee alleges Statement of Financial Affairs is incomplete as it fails to disclose a second business pursuant to Zapata tax claim #7 filed 12/11/23.</p> <p>Plan payments: 1 (Oct 2023) - 3 (Dec 2023) \$1,050.00.</p>				

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4 (Jan 2024) - 60 (Sep 2028) \$1,100.00.

Trustee's Amended Motion to Dismiss filed 01/26/24 at #54.
Debtor's Response to Trustee's Motion to Dismiss filed 12/07/23 at #39.

Objection to Confirmation filed 12/27/23 by Hunter-Kelsey IV, LLC at #47 was withdrawn 01/02/24 at #49.

OLIVA PC (L)	23-50093	Confirmation	Current	Trustee does not recommend confirmation and recommends dismissal.
	JULIO D HOYOS JR	Dismissal	01/25/24	
10/19/23 12/28/23 3/60 Krystle	MARIA E HOYOS \$1,950.00 BMI-ESF		\$1,950.00 ePay	
Plan #36 filed on 01/02/24 cannot be recommended because:				
1. Trustee alleges Schedule I is inaccurate as the paystubs do not support the gross wages listed.				
2. Trustee alleges that the plan is not feasible as Debtors have demonstrated an inability to fund the plan.				
Plan payments: 1 (Nov 2023) -60 (Oct 2028) \$1,950.00.				
Trustee's Motion to Dismiss #30 filed 12/01/23. No response filed by Debtors.				

VASQUEZ LAW FIRM	22-50051	Dismissal	\$5,680.00 or 1.54 mth	Trustee recommends dismissal.
	ADRIANA R CANALES		01/09/24	
08/02/22 10/11/22 17/60 Tracey	\$3,690.00 BMI-ESF		\$1,700.00 ePay	
Post-Conf. Trustee's Motion to Dismiss was filed 01/03/24 at #121 for non-payment. No response filed by Debtor. There are several months where only a partial payment was made and some where no payment was made at all.				

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VASQUEZ LAW FIRM	23-50088 OFELIA O TENORIO	Confirmation Dismissal	\$1,650.00 or 1.00 mth 12/26/23 \$1,540.00 ePay	Trustee does not recommend confirmation and recommends dismissal.
10/02/23 12/11/23 3/0 Bridget1	\$1,650.00 BMI-BOTH	Plan #37 filed 01/02/24 improperly treats the ad valorem tax claims in paragraph 8A instead of 8B. Payments: 1 (Nov 2023)- 2 (Dec 2023) \$1,540.00. 3 (Jan 2024)- 60 (Oct 2028) \$1,650.00. Trustee's Motion to Dismiss #24 filed 11/22/23. Debtor's Response to Trustee's Motion to Dismiss filed 12/06/23 at #28. Objection to Confirmation filed 11/22/23 by Ovation Services LLC at #23 resolved by Agreed Order entered at #39 on 01/03/24.		