

11/21

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

**ROANOKE CALENDAR - NOVEMBER 24, 2003**

(The Honorable William F. Stone, Jr. Presiding)

(Start: \_\_\_\_\_ Recess: \_\_\_\_\_ ♦Resume: \_\_\_\_\_ Stop: \_\_\_\_\_ ♦Trials: \_\_\_\_\_ Proceedings \_\_\_\_\_)

Attys:                      Debtors:    Case Nos.:                      Trustees:

**9:30 A.M. - CHAPTER 13 CONFIRMATIONS**

M. Hart                      ROSE NEWSOME - Ch. 13    7-03-03216                      Connelly/JJ  
Mod. Plan filed in court 10/6 [d/e # 28,30]  
*Notice of hearing filed 10/17 w/amended plan (duplicate of d/e # 28 filed 10/6)*  
Trustee's Motion to Dismiss/Convert w/stipulations as to appearance of debtor &  
counsel [d/e # 29, 30]  
Trustee Objection and Showcause: Dismiss/convert, filed 8/27; d/e # 19 *contd fr 10/6*  
**Obj : Moore Loans, Inc (Curley) d/e # 23 –dismissed by ord of 10/20 , d/e # 32**

P Brown                      RUDOLPH & MELISSA CHEESBORO-ch13    7-03-02844                      Connelly/SO  
Mod. Plan filed 10/2; d/e # 25, 26  
Obj of Trustee, filed 8/18; d/e # 17 and IRS, filed 9/3; d/e # 19, contd from prior  
Dkt to hear w/mod plan when set (d/e # 20)  
**Ord of 10/23 dismissed Obj of IRS**

Krippend.                      WANDA MILAM-ch13    7-03-03726                      Connelly/JJ  
**Mod Plan filed 11/20; set for conf. Hrg 1/12 @ 9:30**  
Trustee Report, Objection & Showcause: Dismiss/convert, filed 10/8; d/e #15

M Hart                      JACQUELINE BOARD-ch13    7-03-03698                      Connelly/AF  
Plan filed 8/29; d/e # 6j, 10  
Trustee Report, Objection & Showcause: Dismiss/convert, filed 10/8; d/e #15

**9:30 A.M. - CHAPTER 13 CONFIRMATIONS**

Shelor	WILLIAM MILLNER Plan filed 9/5; d/e # 6 Trustee Report, Obj and Showcause: Dismiss/convert, filed 10/27; d/e # 20	7-03-03775	Connelly/SL
M Hart	WAYNE LOVERN-chl3 Plan filed 8/29; d/e # 6 Trustee Report, Objection & Showcause: Dismiss/convert, filed 10/8; d/e #19  Valuation: Furniture: <u>CitiFinancial Inc</u> , filed 9/9; d/e # 16 <b>-ORDER dismissing valuation motion entered 11/21</b>	7-03-03693	Connelly/VS
Delafield	DWIGHT & BARBARA CARTER <b>--Mod Plan filed 10/22; d/e # 20, set for confirmation 12/8/03 @ 9:30</b> Trustee Report, Obj and Showcause: Dismiss/convert filed 10/3; d/e # 16  Valuation: 2000 Chev. Blazer with <u>Transouth Financial Corp</u> , filed 10/1; d/e # 14  Valuation: vacuum cleaner: <u>Tidewater Credit Services</u> , filed 10/21 [d/e # 18]	7-03-03627	Connelly/NS
Pro se	DALENE CALLENDER No Plan filed Trustee Report, Obj and Showcause: Dismiss/convert, filed 10/3; d/e # 14 Trustee Report, Obj and Showcause: Dismiss/convert, filed 10/27; d/e # 16 Trustee Report, Obj, and Showcause: Dismiss/convert, filed 11/21; d/e #18	7-03-03633	Connelly/VS
Krippend.	JOSEPH & LINDA SIMMONS Mod Plan filed 9/24; d/e # 86, 87 <b>-Case dismissed 11/21 on Debtors' motion</b>	7-02-03300	Connelly/SO

M Hart                      MICHAEL HOSTUTLER                      7-03-03788                      Connelly/AF  
Plan filed 9/5; d/e # 6, 27  
Trustee Report, objection & Showcause: Dismiss/convert filed 10/29; d/e # 22

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**9:30 A.M. - CHAPTER 13 CONFIRMATIONS**

Delafield                      BERTHA ANDERSON                      7-03-03682                      Connelly/SJ  
**-CASE DISMISSED 11/12 - DEBTOR'S MOTION**  
Plan filed 9/12; d/e # 12  
Trustee Report, Objection & Showcause: Dismiss/convert, filed 10/8; d/e #18  
  
Valuation: J D Byrider AutoBuy Inc: 1998 Ford Windstar, filed 10/1; d/e # 15  
  
Valuation: Salem VA Medical Center FCU: 1997 Suzuki Sidekick; d/e # 21  
  
Motion # 1: Avoid lien—filed 10/10 [d/e # 19]  
Debtor v. Citifinancial Services & Trustee

Stark                      GLEN MACKEY JR                      7-03-03800                      Connelly/SO  
Plan filed 9/22; d/e # 14, with certificate of service  
*note: Mot re: Tax Amnesty heard 10/27*  
**Obj.** USA/IRS (Eckert) filed 11/3; d/e # 30  
Trustee Report, obj & Showcause: Dismiss/convert, filed 10/29 ; d/e # 26  
  
Motion to Dismiss Ch. 13 Case filed 11/3 by USA (Eckert) [d/e # 28]  
**-ORDER of 11/21 dismissed USA's motion**

Krippend.                      JAMES BLACKBURN                      7-02-01405                      Connelly/SL  
Mod Plan filed 5/28; d/e # 89, 90, 98 *contd from 7/14, 8/25 & 9/22 (sale of house will cure defaults)*  
Trustee Motion to Dismiss or Convert filed 9/24 d/e #119

Moses LINDA HALL 7-03-03575 Connelly/VS  
Plan filed 9/10, d/e # 12, with certif of serv.  
Trustee's Report, Objection & Show Cause on Dismissal/Conversion [d/e # 18]  
**Obj.:** IRS (Eckert) [d/e # 24]

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**9:30 A.M. - CHAPTER 13 CONFIRMATIONS**

Hart PAUL & VELVET ADAMS 7-03-03832 Connelly/SJ  
Plan filed 9/9; d/e # 6  
Trustee's Report, Obj. & Show Cause on Dismissal/Conversion filed 10/14 [d/e # 17]  
  
Valuation: furniture: Citifinancial Retail Services, filed 9/18; d/e # 13  
**-Default Order entered 10/21 finding fair market value to be \$300** [d/e # 19]  
  
Valuation: furniture: Schewel Furniture, filed 9/18; d/e/ # 14  
**Obj.** to Debtors' Valuation Motion filed by Schewel Furniture 10/15 (Clark) [d/e # 18]  
  
Valuation: Gateway Computer (computer), filed 9/18; d/e # 15  
*Amended Valuation Motion filed (same amts, hearing date & time)?? On 9/29; d/e # 16*  
**-ORDER of 10/29 adjudged value of collateral at \$200**

Hart VIRGINIA BURCHETT 7-03-03771 Connelly/GR  
Plan filed 9/4; d/e # 6  
Trustee's Report, Objection & Show Cause on Dismissal/Conversion [d/e # 20]  
  
Valuation: J.D. Byrider/CNAC: 1993 Dodge Spirit; filed 9/15; d/e # 13  
**Order (default) of 11/20 determined value at \$1,650**  
  
Obj of Debtor to Claim #4, EMC Mortgage, filed 10/9; d/e # 16  
Answer of EMC Mortgage filed 10/27; d/e # 23 (Rosenberg)  
**-ORDER of 11/21 dismissed debtor's obj to claim**

M. Hart HERBERT, III, & ANGELA JONES - Ch. 13 7-03-03695 Connelly/SL  
**Mod Plan filed 10/30; d/e # 21, set for 12/22 @ 9:30**  
Trustee's Report, Objection & Show Cause on Dismissal/Conversion [d/e # 18]  
  
Motion for valuation filed by Debtors on 1997 Oldsmobile Bravada, Roanoke Postal  
Employee FCU, lienholder [d/e # 16]

M. Hart            ANTONIO & JENNIFER WEBB - Ch. 13            7-03-03734            Connelly/VS  
Plan–Mod. Plan filed 10/15 [d/e # 22, 23]  
Trustee’s Report, Objection & Show Cause on Dismissal/Conversion [d/e # 21]  
**Obj:** Mortgage Electronic Registration Systems/Washington Mutual  
Bank (Gershen) filed 10/8; d/e # 19 –*Ord of 10/23 withdrew Obj of creditor*

Roanoke Calendar - 11/24/03

**9:30 A.M. - CHAPTER 13 CONFIRMATIONS**

Krippendorf    VIRGIE SMITH - Ch. 13            7-03-03801            Connelly/GR  
Plan filed 9/19; d/e # 13  
Trustee’s Report, Objection & Show Cause on Dismissal/Conversion [d/e # 18]

Shelor            CHARLES & LUCINDA MCCLURE - Ch. 13            7-03-03578            Connelly/AF  
Plan filed 8/22, d/e # 6, 7  
Trustee’s Report, Objection and Show Cause on Dismissal/Conversion [d/e # 15]

M. Hart            ROY MATHERLY - Ch. 13            7-03-03697            Connelly/NS  
–*Mod Plan filed 10/30, d/e # 18, 19, scheduled 12/22 @ 9:30*  
Trustee’s Report, Objection & Show Cause on Dismissal/Conversion [d/e # 15]

Shelor            DAVID, SR., & JUDY FERRIS - Ch. 13            7-03-03778            Connelly/AF  
Plan filed 9/5; d/e # 6  
Trustee’s Report, Objection and Show Cause on Dismissal/Conversion [de # 22]





Shelor EDDIE, JR., & GLENDORA DALTON - Ch. 13 7-01-02478 Connelly/AF  
Motion to Dismiss Case filed by Bank of America, N.A. (Patterson) [d/e # 28, 30]  
Response filed 9/23, d/e # 34 - contd from 10/6

Motion to Dismiss case filed by City of Roanoke 10/17; d/e #37  
Answer of Debtors filed 10/28; d/e # 38

Motion # 1: Relief—filed 9/12 [d/e # 29, 31] (*Amended 9/16 to include both Debtors*)  
Bank of America, N.A. (Patterson) v. Debtors  
Response filed 9/23, d/e # 35 - contd from 10/6 (26 mo. Arrears post-pet)

M. Hart KATHY BLANKENSHIP - Ch. 13 7-03-01936 Connelly/JJ  
Debtor's Objection to Claim # 2 of DaimlerChrysler Services, N.A., in the  
amount of \$5,955.13 [d/e # 25, 26 ]  
**—ORDER of 11/20 sustained debtor obj to claim**

Roanoke Calendar - 11/24/03

**11:00 A.M. - MISCELLANEOUS**

M Hart JACKIE CLARK 7-02-04660 Connelly/JJ  
Trustee Motion to Dismiss case, filed 10/30; d/e # 58 (amended on 11/4; d/e # 59)

M. Hart JANICE PINKARD - Ch. 7 7-02-03031 Vogel/GR  
Motion # 2: avoid lien —filed 10/24 [d/e # 58, 59]  
Debtor v. Citifinancial, Inc. ( )

***See also 2:00 p.m. relief Motion #3 (Capital One)***

M Hart LAWRENCE SHAIN 7-02-03372 McLean/SJ  
Motion of Trustee for Order Directing Proceeds from Estate be Turned over to  
Trustee filed 6/27; d/e # 20  
Answer of Debtors (Hart) filed 7/3 d/e # 22  
*—contd from 10/27 to hear w/trustee Motion to Approve Compromise*

Motion of Trustee to Approve Compromise Settlement filed 10/24; d/e # 27

P Brown EUGENE & BELINDA WILLIAMS-chl3 7-03-01283 Connelly/VS

Motion #1: Relief - filed 10/29; d/e # 33, 34  
CitiCorp Trust Bank (Jaffe) v. debtors & trustee  
Answer of Debtors, d/e # 35

Krippend. SHANE & BARBARA DOWNS-Ch13 7-99-01442 Connelly/SJ  
Motion of Debtors to suspend Plan Payments 3 months filed 10/29; d/e # 49

Hatch MARVIN & JOAN SOWERS 7-01-04029 Connelly/SJ  
Motion to Employ professional Lacy Edwards, Realtor with MKB Realtors  
(Joint Motion) filed by trustee and debtors 10/28; d/e # 52 (Hatch)  
***-ORDER of 11/14 approved joint motion to employ***

Motion to Sell Real Property for \$88,500, filed 10/30; d/e # 53

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**11:00 A.M. - MISCELLANEOUS**

Janney EDITH MURPHY - Ch.13 7-02-02777 Connelly/NS  
Motion to Incur Debt filed by Debtor [d/e # 50]  
Motion to shorten notice requirements on Motion to Incur filed by Debtor [d/e # 51]  
Response filed 11/13; d/e # 53, by Union Planters Mortgage (Patterson)

Motion of Debtor, filed 11/13; d/e # 52; & Notice of hearing filed 11/3, d/e # 49 on Affidavit  
of Breach re: Relief Motion #1 filed 9/2; d/e #47;

Delafield RODNEY & PEGGY AKERS - Ch. 13 7-03-03448 Connelly/AF  
Motion # 2: relief-filed 11/5 [d/e # 35]  
Federal Home Loan Mortgage Corp. (Clarke) v. Debtors  
Response filed 11/24, d/e # 38

Janney MORRIS & CYNTHIS MILLER 7-02-03163 Connelly/VS  
Motion & Notice of Hearing, filed 11/7; d/e # 64; on Notice of Default filed 10/24,

d/e # 63, re Order of 1/16/03, d/e # 43, filed by First Union Home Equity reference Motion #1

M Hart                      MARGIE BRANCHE    5-00-00325                      (H'burg case)  
Motion #1: Relief - see photocopy of motions pleadings  
Wachovia Bank NA (Zimm) v. debtor & Ch 13 trustee Herbert L Beskin  
**-notice forthcoming - recused to Judge Stone by Ord of 11/3**

M.Giles                      KEITH & PATTI THOMPSON - Ch. 13    7-03-00494                      Connelly/S  
Motion # 1: Relief- *contd from 11/10*  
MERS, Nominee/Beneficial Noteholder, Washington Mutual Bank (Gershen) v.  
Debtors & Trustee

Roanoke Calendar - 11/24/03

**11:00 A.M. - CONFIRMATIONS**

*(May be lengthy hearing - call at end of 11:00 a.m. matters)*

M Hart                      MELVIN GARRETT    7-03-02161                      Connelly/GR  
Mod Plan filed 8/11; d/e # 39, 40 - *plan & objs contd from 9/22*  
**Obj:** Miller Roofing Inc (Bosen) filed 8/27; d/e # 46  
**Obj:** Salem Foundations Inc (McLean) filed 9/9; d/e # 50  
**Renewed Obj:** W.C. Butler Heating & Air Conditioning (Patterson) filed 9/11; d/e # 52  
**Renewed Obj:** Special Plumbing Inc (Patterson) filed 9/11; d/e # 51

**Objs previously filed contd from 7/28 & 9/22 to hear w/mod plan by**

- (1) City of Roanoke (Collins) d/e # 30,
- (2) Trustee w/ Mot to Dism/Convert, d/e # 29

Motion #1: Relief - filed 6/19; d/e # 24 25 *contd fr 8/25 & 9/22*  
W.C.Butler Heating & AirConditioning Inc & Special Plumbing Inc (J.Patterson)  
v. Debtor & trustee  
Response filed 7/7, d/e # 32

Krippend. KATHLEEN BLANKENSHIP 7-02-01917 Krippend  
A/P 7-02-00108: Objecting to Discharge / *status conference?*  
Evelyn K. Krippendorf, Trustee (Krippendorf) v. Kathleen Blankenship (M.Giles)

**2:00 P. M. - PRE-TRIAL CONFERENCES**

Szathmary TERRY DEHART - Ch. 7 7-03-02945 McLean/LM  
A/P No. 7-03-00168: Determine validity, priority, or extent of lien  
Debtor v. Shenandoah Building Supply, Inc. ( ) & Trustee

Krippend. GEORGE & CATHERINE CROY 7-03-01759 McLean/JM  
A/P 7-03-00163: Determine liens  
Debtors v. Salem Va. Medical Center Federal Credit Union (Creasy)

**2:00 P. M. - MISCELLANEOUS**

T Giles MELINDA FROELICHER-ch7 7-99-02770 Krippend/NS  
Motion #1: Relief - filed 10/30; d/e # 53, 54  
CitiMortgage Inc (Sasser) v. debtor & trustee  
Roanoke Calendar - 11/24/03

**2:00 P.M. - MISCELLANEOUS**

Delafield KIMBERLY SWEENEY-ch7 7-03-03630 Creasy/VS  
Motion of Trustee for Extension of time to file Objection to Exemptions, and  
Complaints re Discharge/Dischargeability filed 10/22; d/e # 12, 13  
*-ORDER of 11/6 dismissed trustee's motion*

M. Hart JANICE PINKARD - Ch. 7 7-02-03031 Vogel/GR  
Motion # 3: Relief-filed 10/27 [d/e #60, 62, 63]  
Capital One Auto Finance (Neyhart) v. debtor & trustee ( )

P. Brown LARRY & FLORA PUGH - Ch. 7 7-03-02622 Creasy/SJ  
Trustee's Motion for Extension of Time to file objection to exemptions,  
complaints re discharge & dischargeability- *if no objections filed 5 days before  
hearing, Motion is approved & time extended 90 days from date of 10/15 order*  
[d/e # 19, 20]; cert. of service filed 10/21 [d/e # 21]

Delafield CHRISTY WALKER 7-03-03572 Krippend/SJ  
Motion of Trustee for Extension of time to file Obj to Exemptions or complaints re:  
discharge/dischargeability, filed 10/17, d/e # 12, 13  
***note: Trustee filed no asset report on 11/19; case will discharge 10 days thereafter;  
is motion moot?***

Delafield BOBBY MORRIS SR 7-03-03681 Creasy/GR  
Trustee's Motion for Extension of Time to file objection to exemptions and complaints  
re discharge and dischargeability filed 10/22; d/e # 15, 16  
***ORDER of 11/20 withdrew motion/dismissed objection, cancels hearing***

Shelor BRIAN & TAMMY WRIGHT - Ch. 7 7-03-02636 Creasy/JJ  
Trustee's Motion for Extension of Time to file objection to exemptions and complaints  
re discharge and dischargeability *–if no objections filed 5 days before  
hearing, Motion is approved & time extended 90 days from date of 10/15 order  
[d/e # 18, 19]*  
***–Order entered 11/18 dismissing motion for extension of time & directing  
discharge be issued in 10 days [d/e # 23]***

M Hart DARLENE EVANS-ch7 7-03-03489 Krippend/AF  
Motion of Trustee for extension of time to file objection to exemptions or  
Complaints re: Discharge/dischargeability filed 10/17; d/e # 10, 11

Roanoke Calendar - 11/24/03

**2:00 P.M. - MISCELLANEOUS**

Delafield SONYA BOHMER 7-03-04120 Krippend/SJ  
Motion #1: Relief - filed 10/28; d/e # 10, 11  
Americredit Financial Services (Epps) v. debtor & trustee  
***–ORDER (default) entered 11/12, cancels hearing***

M Hart KATHERINE COX 7-03-04235 Krippend/SL  
Motion #1: Avoid lien - filed 10/27; d/e # 10, 11  
Debtor v. Citifinancial Inc ( ) & Trustee  
***–Order (default) avoiding lien entered 11/20***

Bowman JEFFREY LAMBERT-ch7 7-03-03894 Krippend/S

Motion #1: Relief - filed 10/31; d/e # 14, 15  
Roanoke Valley Federal Credit Union (J.Patterson) v. debtor & trustee

Ludwig                      CHERYL KIDD-ch7    7-03-04169    Krippend/JJ  
Motion #1: Relief - filed 11/3; d/e # 11, 12  
*(No pre-hearing ord entered due to deficiency; once deficiency cured (f.f.paid 11/10)  
less than 20-days remained prior to hearing )*  
WFS Financial Inc (Epps) v. debtor & trustee  
*-fully endorsed consent order in transit (Epps) see fax copy*

Allen                      JUBB'S MAIL SERVICE INC-ch11    7-02-05074    DIP/NS  
Motion of Ford Motor Credit Co. (Pitts) for an Order to Show Cause  
Debtor and its Principal as to why they should not be found in contempt  
of Court re order of 7/29 for assumption of a certain commercial  
lease agreement & Memoradum in Support Thereof (Pitts) [d/e # 58, 59 ]

Motion of Debtor to approve sale of Assets Free & Clear of Liens, Claims, Interests  
and Encumbrances; for Bidding Protefction; and for Order Approving Asset Purchase  
Agreement & Sale ; filed 11/12; d/e # 65 filed with Mot to Shorten Notice, d/e # 66  
**Obj:** IRS (Eckert) filed 11/19; d/e # 68; **Obj:** U. S. Trustee, filed 11/19; d/e #70  
**Obj:** Standard Parts Corp (Perkinson) filed 11/20; d/e # 71

1)Motion of Winner Acceptance Corp & Winner Leasing Group for Allowance of  
Admin Expense Claim for Unpaid Lease Pmts; 1)Motion to Compel Debtor to Assume  
or Reject Leases; 3) Motion to Shorten Notice; 4) Limited Obj by Wimmer for Ord  
Approving Asset Purchase & Sale of Assets Free of Liens, etc. filed 11/21 with  
Danville, VA address in notice for 11/24 hearing (Magee)

Roanoke Calendar - 11/24/03

**2:00 P.M. - MISCELLANEOUS**

Jamison                      DONNA JEAN MCPHERSON-ch7    7-03-04326RKR    Creasy/JJ  
Motion #1: filed 10/31 - recusal from Judge Krumm [d/e#10, 11, 12, 13, 14 ]  
Wachovia Bank NA (Smith) v. debtor & trustee

**2:30 P. M. - MISCELLANEOUS**

Pro se

KERMIT GILES

7-03-01084

Krippend/AF

Motion of Debtor to Alter or Amend Order of 9/24 Approving Clerk's Bankruptcy Claim of \$1,025.00 and Administrative Claim of \$15.00 filed 10/2; d/e # 200  
***-DENIED by court's Order & Memorandum Decision of 10/3***

Motion of Debtor to Alter or Amend Order of 9/25/03 that dismissed Debtor's Contempt Motion against County of Franklin, VA; Lynda F. Messenger, Treasurer and Paige L. Renick, Chief Deputy Treasurer, filed 10/2; d/e # 201  
***-DENIED by court's Order & Memorandum Decision of 10/3***