

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

**Honorable Paul M. Black**

**Tuesday, May 26, 2015**

*Current as of 5/26/2015 at 8:06 AM*

---

**Roanoke**

**Roanoke, US Bankruptcy Courtroom**

**2nd Flr, 210 Church Ave**

**Roanoke, VA 24011**

---

**Hearing**

9:30 AM **10-72116** Torri Creed Webb and  
Ch 13 Kerissa Dawn Webb  
Trustee: Micale (393585)

**Moving:** Malissa Lambert Giles

**Opposing:**

**Matter:** **56) Amended Chapter 13 Plan filed by Debtors (post-confirmation)**  
**55) Trustee Motion to Dismiss Case (post-confirmation)**  
**66) Objection to Confirmation and Motion to Dismiss filed by Trustee**

---

1

9:30 AM **12-70406** Catherine Heise Sprinkle  
Ch 13  
Trustee: Micale (393585)

**Moving:** Malissa Lambert Giles

**Opposing:**

**Matter:** **27) Amended Chapter 13 Plan filed by Debtor (post-confirmation)**  
**32) Objection to Confirmation and Motion to Dismiss filed by Trustee**

---

2

9:30 AM **12-70909** Lori Ann Otey  
Ch 13  
Trustee: Micale (393585)

**Moving:** Bryan James Palmer

**Opposing:**

**Matter:** **53) Amended Chapter 13 Plan filed by Debtor (post-confirmation)**  
**50) Trustee Motion to Dismiss Case (post-confirmation)**  
**58) Objection to Confirmation and Motion to Dismiss filed by Trustee**

---

3

9:30 AM **12-71001** Gordon Allen Davis and  
Ch 13 Terry Scott Davis  
Trustee: Micale (393585)

**Moving:** Malissa Lambert Giles

**Opposing:**

**Matter:** **25) Amended Chapter 13 Plan filed by Debtors (post-confirmation)**  
**30) Objection to Confirmation and Motion to Dismiss filed by Trustee**

4

---

9:30 AM **13-70321** David Lee Griffith  
Ch 13  
Trustee: Micale (393585)  
**Moving:** Bryan James Palmer  
**Opposing:**

5

**Matter:** **49) Amended Chapter 13 Plan filed by Debtor (post-confirmation)**  
**54) Objection to Confirmation and Motion to Dismiss filed by Trustee**

---

9:30 AM **13-71023** Richard Early Childress and  
Ch 13 Shirley White Childress  
Trustee: Micale (393585)  
**Moving:** Bryan James Palmer  
**Opposing:**

6

**Matter:** **36) Amended Chapter 13 Plan filed by Debtors (post-confirmation)**  
**34) Trustee Motion to Dismiss Case (post-confirmation)**  
**43) Objection to Confirmation and Motion to Dismiss filed by Trustee**  
**44) Amended Objection to Confirmation and Motion to Dismiss filed by Trustee**  
**(Debtors to appear and show cause)**

---

9:30 AM **13-71243** Bobbi Jo Suttles  
Ch 13  
Trustee: Micale (393585)  
**Moving:** Bryan James Palmer  
**Opposing:**

7

**Matter:** **28) Amended Chapter 13 Plan filed by Debtor (post-confirmation)**  
**27) Trustee Motion to Dismiss Case (post-confirmation)**  
**32) Objection to Confirmation and Motion to Dismiss filed by Trustee**

---

9:30 AM **13-71352** Robert D Viers  
Ch 13  
Trustee: Micale (393585)  
**Moving:** Darren T. Delafield  
**Opposing:**

8

**Matter:** **49) Amended Chapter 13 Plan filed by Debtor (post-confirmation)**  
**56) Objection to Confirmation and Motion to Dismiss filed by Trustee**

---

9:30 AM **14-71008** Elizabeth Paige Garwood  
Ch 13  
Trustee: Micale (393585)  
**Moving:** Darren T. Delafield  
**Opposing:**

9

**Matter:** **76) Amended Chapter 13 Plan filed by Debtor (post-confirmation)**  
**79) Objection to Confirmation and Motion to Dismiss filed by Trustee**

---

9:30 AM 14-71150 Ed Grimm and  
Ch 13 Holly Leann Grimm  
Trustee: Micale (393585)

**Moving:** Malissa Lambert Giles

**Opposing:**

**Matter:** 32) Amended Chapter 13 Plan filed by Debtors (post-confirmation)  
36) Amended Objection to Confirmation and Motion to Dismiss filed by Trustee

---

10

9:30 AM 14-71222 Stacey J Wright and  
Ch 13 Laura R. Wright  
Trustee: Micale (393585)

### Confirmation Hearings

**Moving:** Andrew S Goldstein

**Opposing:**

**Matter:** 44) Chapter 13 Plan filed by Debtors  
48) Trustee 341 Report and Show Cause and Motion to Dismiss  
49) Supplemental Trustee 341 Report and Show Cause and Motion to Dismiss

**Comment** (Order denying confirmation approved for entry)

---

11

9:30 AM 14-71311 Chelsea Leann Sawyers  
Ch 13  
Trustee: Micale (393585)

**Moving:** Malissa Lambert Giles

**Opposing:**

**Matter:** 20) Amended Chapter 13 Plan filed by Debtor (post-confirmation)  
19) Trustee Motion to Dismiss Case (post-confirmation)  
24) Objection to Confirmation and Motion to Dismiss filed by Trustee

---

12

9:30 AM 14-71334 Ruth Ann Guthrie  
Ch 13  
Trustee: Micale (393585)

**Moving:** Malissa Lambert Giles

**Opposing:**

**Matter:** 22) Amended Chapter 13 Plan filed by Debtor (post-confirmation)  
29) Objection to Confirmation and Motion to Dismiss filed by Trustee

---

13

9:30 AM 14-71717 Michael Rehling Barry and  
Ch 13 Christy Rhodes Barry  
Trustee: Micale (393585)

**Moving:** Malissa Lambert Giles

**Opposing:**

**Matter:** 35) Amended Chapter 13 Plan filed by Debtors  
16) Trustee 341 Report and Show Cause and Motion to Dismiss

---

14

9:30 AM **15-70017** John Henry Anderson, Jr  
Ch 13  
Trustee: Micale (393585)  
**Moving:** Bryan James Palmer  
**Opposing:** 15

---

**Matter:** **2) Chapter 13 Plan filed by Debtor**  
**13) Objection to Confirmation filed by Union Bank & Trust (Holt)**  
**12) Trustee 341 Report and Show Cause and Motion to Dismiss**

---

9:30 AM **15-70193** David R. Mara  
Ch 13  
Trustee: Micale (393585)  
**Moving:** Andrew S Goldstein  
**Opposing:** 18

---

**Matter:** **18) Chapter 13 Plan filed by Debtor**  
**23) Trustee 341 Report and Show Cause and Motion to Dismiss**

---

9:30 AM **15-70314** Amy Beth Foutz  
Ch 13  
Trustee: Micale (393585)  
**Moving:** Malissa Lambert Giles  
**Opposing:** 19

---

**Matter:** **9) Chapter 13 Plan filed by Debtor**  
**13) Trustee 341 Report and Show Cause and Motion to Dismiss**

---

9:30 AM **15-70319** Terry Alan Kingery  
Ch 13  
Trustee: Micale (393585)  
**Moving:** Malissa Lambert Giles  
**Opposing:** 20

---

**Matter:** **8) Chapter 13 Plan filed by Debtor**  
**12) Trustee 341 Report and Show Cause and Motion to Dismiss**  
**14) Objection to Confirmation filed by Lavinia Allen (Maxwell)**

---

11:00 AM **10-72023** Michael Robert Martin and  
Ch 13 Arlain Gail Martin  
Trustee: Micale (393585)  
**Moving:** Malissa Lambert Giles  
**Opposing:** 21

---

**Matter:** **88, 89) Debtors Motion for Approval of Loan Modification and Motion to Shorten**

---

11:00 AM	<b>10-72250</b>	David Lee Crosswhite, II and Ch 13 Trustee: Micale (393585)	
<b>Moving:</b>		Malissa Lambert Giles	
<b>Opposing:</b>			
<b>Matter:</b>	<b>53) Counsel for Debtors Application for Compensation</b>		22
<hr/>			
11:00 AM	<b>10-72326</b>	Kimberly Robertson Ledbetter Ch 13 Trustee: Micale (393585)	
<b>Moving:</b>		Malissa Lambert Giles	
<b>Opposing:</b>			
<b>Matter:</b>	<b>47, 48 Debtor Motion to Incur Debt and Motion to Shorten Notice</b>		23
<hr/>			
11:00 AM	<b>10-72412</b>	Robin Lynn Joyce Ch 13 Trustee: Micale (393585)	
<b>Moving:</b>		Christopher T. Micale (393585)	
<b>Opposing:</b>		Malissa Lambert Giles	
<b>Matter:</b>	<b>204) Trustee Certification that Case Should be Dismissed 207) Response filed by Debtor</b>		24
<hr/>			
11:00 AM	<b>11-71277</b>	William Michael Brown, Sr. and Ch 13 Elizabeth Mae Brown Trustee: Micale (393585)	
<b>Moving:</b>		Susan C Meyer	
<b>Opposing:</b>		Malissa Lambert Giles	
<b>Matter:</b>	<b>31) Motion for Relief from Stay Filed by Creditor Bank of America, N.A. 37) Response filed by Debtors</b>		27
<hr/>			
11:00 AM	<b>11-71636</b>	Melissa Carol Craighead Ch 13 Trustee: Micale (393585)	
<b>Moving:</b>		Thomas Micajah Jackson III	
<b>Opposing:</b>			
<b>Matter:</b>	<b>56, 57) Debtor Motion to Sell Real Estate and Motion to Shorten Notice</b>		28
<hr/>			
11:00 AM	<b>12-71350</b>	Brenda Marie Spence Ch 13 Trustee: Micale (393585)	
<b>Moving:</b>		Robyn D. Pepin	
<b>Opposing:</b>		Bryan James Palmer	
<b>Matter:</b>	<b>68) Motion for Relief from Stay filed by Creditor Wilmington Savings Fund Society, FSB 79) Answer filed by Debtor</b>		29

---

11:00 AM **13-70302** John Jefferson Copper and  
Ch 13 Nancy Hurt Copper  
Trustee: Micale (393585)  
**Moving:** Lindsey Corliss Neef Kelly  
**Opposing:** Malissa Lambert Giles  
**Matter:** **79) Notice of Default filed by Creditor Nationstar Mortgage, LLC**  
**80) Response filed by Debtors**

---

31

11:00 AM **13-71061** Brian Eric Canfield and  
Ch 13 Candace Laing Canfield  
Trustee: Micale (393585)  
**Moving:** Deborah Kirkpatrick  
**Opposing:**  
**Matter:** **30) Amended Motion for Relief from Stay and from Co-Debtor Stay filed by Creditor Regional Acceptance Corporation**

---

33

11:00 AM **13-71071** William Joseph Perkins, Jr  
Ch 13  
Trustee: Micale (393585)  
**Moving:** Mark David Meyer  
**Opposing:** Bryan James Palmer  
**Matter:** **28) Motion for Relief from Stay filed by Creditor Branch Banking and Trust Company**  
**35) Answer filed by Debtor**

---

34

11:00 AM **13-71086** Matthew Boyd Birchfield  
Ch 13  
Trustee: Micale (393585)  
**Moving:** Christopher T. Micale (393585)  
**Opposing:**  
**Matter:** **21) Trustee Motion to Dismiss Case (post-confirmation)**

---

35

11:00 AM **13-71190** Donnie Wayne Shepard and  
Ch 13 Tina Stafford Shepard  
Trustee: Micale (393585)  
**Moving:** Christopher T. Micale (393585)  
**Opposing:** Malissa Lambert Giles  
**Matter:** **45) Trustee Motion to Dismiss Case (post-confirmation)**  
**46) Response filed by Debtors**  
**47) Counsel for Debtors Application for Compensation**

---

36

11:00 AM	<b>13-71381</b>	Joe Mitchell Chapman, Jr. Ch 13 Trustee: Micale (393585)	
<b>Moving:</b>		Christopher T. Micale (393585)	
<b>Opposing:</b>			
<b>Matter:</b>	<b>66) Trustee Motion to Dismiss Case (post-confirmation)</b>		37
<hr/>			
11:00 AM	<b>13-71476</b>	Steven Carl Semones Ch 13 Trustee: Micale (393585)	
<b>Moving:</b>		Christopher T. Micale (393585)	
<b>Opposing:</b>			
<b>Matter:</b>	<b>46) Trustee Motion to Dismiss Case (post-confirmation)</b>		38
<b>Comment</b>	<b>(Amended Plan filed sets confirmation for 6/22 @9:30am)</b>		
<hr/>			
11:00 AM	<b>13-71820</b>	Rick Lynn Klotzer and Ch 13 Deborah Tallet Klotzer Trustee: Micale (393585)	
<b>Moving:</b>		Christopher T. Micale (393585)	
<b>Opposing:</b>		Malissa Lambert Giles	
<b>Matter:</b>	<b>85) Trustee Motion to Dismiss Case (post-confirmation)</b>		39
	<b>86) Response filed by Debtors</b>		
	<b>87) Counsel for Debtors Application for Compensation</b>		
<hr/>			
11:00 AM	<b>14-70062</b>	Harold David Yopp, Jr. Ch 13 Trustee: Micale (393585)	
<b>Moving:</b>		Christopher T. Micale (393585)	
<b>Opposing:</b>			
<b>Matter:</b>	<b>66) Trustee Motion to Dismiss Case (post-confirmation)</b>		40
<hr/>			
11:00 AM	<b>14-70404</b>	Alexander Luis Marin Ch 13 Trustee: Micale (393585)	
<b>Moving:</b>		Christopher T. Micale (393585)	
<b>Opposing:</b>			
<b>Matter:</b>	<b>22) Trustee Motion to Dismiss Case (post-confirmation)</b>		41
	<b>(Debtor to appear and show cause)</b>		
<hr/>			

11:00 AM **14-70438** Mark Richard Rutschman and  
Ch 13 Teddi Anne Rutschman  
Trustee: Micale (393585)  
**Moving:** Christopher T. Micale (393585)  
**Opposing:** 42

---

**Matter: 28) Trustee Motion to Dismiss Case (post-confirmation)**

11:00 AM **14-70930** David Ryan McGuire and  
Ch 13 Maria Bernadetta McGuire  
Trustee: Micale (393585)  
**Moving:** Malissa Lambert Giles  
**Opposing:** 43

---

**Matter: 42) Debtors Amended Motion to Extend Time to File Amended Plan**

11:00 AM **14-71531** Jason Hyatt Jennelle  
Ch 13  
Trustee: Micale (393585)  
**Moving:** Michael Dean Hart  
**Opposing:** 44

---

**Matter: 24) Status Hearing on Sale and Distribution of Proceeds (15, 18)**

11:00 AM **15-70032** Kathy Denise Goode  
Ch 13  
Trustee: Micale (393585)  
**Moving:** Christopher T. Micale (393585)  
**Opposing:** 45

---

**Matter: 25) Trustee Motion to Modify Plan  
(Absent objections by 5/18, trustee may tender order granting motion cancelling hearing)**

11:00 AM **15-70242** William Webb Schlueter  
Ch 13  
Trustee: Micale (393585)  
**Moving:** Christopher T. Micale (393585)  
**Opposing:** 46

---

**Matter: 18) Trustee Motion to Dismiss Case/Debtor With One-year Prohibition on Re-Filing  
Comment (Confirmation set for 5/11 @9:30am)**

11:00 AM **15-70281** Larry Junior Blevins  
Ch 13  
Trustee: Micale (393585)  
**Moving:** John R Patterson  
**Opposing:** 47

---

**Matter: 16) Motion for Relief from Co-Debtor Stay filed by Creditor Union Bank & Trust  
(Objections due by 5/22)**

11:00 AM	<b>15-70242</b>	William Webb Schlueter	
	Ch 13		
	Trustee: Micale (393585)		
<b>Moving:</b>	Bryan James Palmer		
<b>Opposing:</b>			48
<b>Matter:</b>	<b>EVIDENTIARY HEARING: 12) Chapter 13 Plan filed by Debtor 14) Trustee 341 Report and Show Cause and Motion to Dismiss 19) Supplemental Trustee 341 Report and Show Cause and Motion to Dismiss</b>		
2:00 PM	<b>11-71799</b>	Lottie Darlene Swain	
	Ch 7		
	Trustee: McLean(72)		
<b>Moving:</b>	George A McLean(72)		
<b>Opposing:</b>			49
<b>Matter:</b>	<b>75) Trustee Application for Compensation 76) Objection filed by Debtor 77) Response to Objection filed by Trustee</b>		
2:00 PM	<b>12-70429</b>	Michael Gene Hickey and Paige Lael Hickey	
	Ch 7		
	Trustee: Vogel(74)		
<b>Moving:</b>	George I Vogel(74)		
<b>Opposing:</b>			50
<b>Matter:</b>	<b>128) Amended Application to Employ Vogel &amp; Cromwell as Attorney for Trustee  129) Amended Application for Compensation for Vogel &amp; Cromwell Counsel for Trustee</b>		
2:00 PM	<b>15-07007</b>	Cooper v. GREEN TREE SERVICING,LLC	
	† Ch 13		
	13-71585	Rhonda Jo Cooper	
	<b>Initial Pretrial Conferences</b>		
<b>Moving:</b>	Malissa Lambert Giles		
<b>Opposing:</b>			51
<b>Matter:</b>	<b>1) Pre-Trial Conference: Validity, Priority or Extent of Lien Debtor (Giles) v. Green Tree Servicing (Pro Se)</b>		
2:00 PM	<b>14-71033</b>	Philip Butler Groggins	
	Ch 13		
	Trustee: Micale (393585)		
<b>Moving:</b>			
<b>Opposing:</b>			52
<b>Matter:</b>	<b>61) Amended Chapter 13 Plan filed by Debtor 69) Trustee 341 Report and Show Cause and Motion to Dismiss</b>		

2:00 PM **15-07006** Union Bank & Trust v. Groggins et al  
† Ch 13  
14-71033 Philip Butler Groggins

### Initial Pretrial Conferences

**Moving:** Steven L Higgs

**Opposing:**

**Matter:** **1) Pre-Trial Conference: Recovery of Money/Property, Declaratory Judgment Union Bank & Trust (Higgs) v. Philip Butler Groggins (Pro Se), Bank of America Corporation (Maddock), Bank of America Capital Advisors (Maddock) and Private Equity Portfolio Fund III (Maddock)**  
**9) Answer and Affirmative Defenses and Counterclaim filed by Bank of America Corporation, Bank of America Capital Advisors and Private Equity Portfolio Fund III (Maddock)**

---

53

2:00 PM **14-71304** Charles Robert Hoyle  
Ch 7  
Trustee: McLean(72)

**Moving:** W. Joel Charboneau

**Opposing:** James R Cromwell

**Matter:** **Final Pre-Trial Conference: 11) US Trustee Motion to Dismiss Case for Abuse 16) Response filed by Debtor**

---

54

2:00 PM **14-71517** George G. Taylor  
Ch 11

**Moving:** Andrew S Goldstein

**Opposing:**

**Matter:** **48) Disclosure Statement filed by Debtor**

---

55

2:00 PM **14-71517** George G. Taylor  
Ch 11

**Moving:** Andrew S Goldstein

**Opposing:**

**Matter:** **53) Debtor Motion to Shorten Notice Requirement on Order and Notice on Disclosure Statement**

---

56

2:00 PM **15-70291** Robert Lewis Ellis, Jr  
Ch 7  
Trustee: McLean(72)

**Moving:** Margaret K Garber

**Opposing:** Darren T. Delafield

**Matter:** **24) US Trustee Motion For Sanctions 30) Answer filed by Debtor**

---

57

2:00 PM 15-70440 William C. Farris and  
Ch 7 Twana P. Farris  
Trustee: McLean(72)

**Moving:** Mark David Meyer

**Opposing:**

**Matter:** 12) Motion for Relief from Stay filed by Creditor Branch Banking and Trust Company

---

58

2:00 PM 15-70601 Mark Timothy Caldwell, Sr.  
Ch 7  
Trustee: Vogel(74)

**Moving:**

**Opposing:**

**Matter:** 4) Debtor Application to Waive Chapter 7 Filing Fees

---

60