

JUDGE JEFFREY P NORMAN

Yvonne V. Valdez, Trustee

July 2, 2024 10:30 am

Next 3 Panels:

08/01/2024

09/11/2024

10/02/2024

Attorney <i>Pet Filed</i> Bar Date <i>Month/Term</i>	Case # Debtor(s) <i>Plan Pmt</i> AMI/BMI- ESF/PPR	Matters Notes	Arrears <i>Last Rcpt</i> Last Rcpt Amt <i>Pmt Method</i>	Trustee Recommendation
BARTO	23-50007	Dismissal	Current	Trustee does not recommend approval and recommends dismissal.
	RODRIGO J GARZA	Modification	05/28/24	
01/31/23 04/11/23 17/60 Connie	KARLA G GARZA		\$207.69	
	\$1,450.00		Wage Order	
	BMI-			
<p>Modified plan filed 06/05/24 at #77 cannot be recommended because:</p> <ol style="list-style-type: none"> 1. Debtor failed to provide proof of current income. 2. Debtor failed to provide a copy of the 2023 tax return. 3. Debtor has failed to file amended Schedules I and J in compliance with BLR 3015-1(c)(3). 4. Debtor failed to file an amended wage order or electronic payment mechanism consistent with the proposed modification in compliance with BLR 3015-1(c)(1). 4. Mod fails to state a reason for the modification. 5. Mod fails to provide sufficient adequate protection of \$281.88 per month to Santander Consumer per order #12 entered 02/01/23. <p>Post-Confirmation Trustee's Motion to Dismiss was filed 05/07/24 at #76 for non-payment. No response filed by Debtor. There are several months where only a partial payment was made.</p>				

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BARTO	23-50060 MIGUEL A GUTIERREZ JR	Dismissal	\$5,405.80 or 1.36 mth 06/17/24 \$730.00 ePay	Trustee recommends dismissal.
06/29/23 09/07/23 11/60 Tracey	ROSAICELA B GUTIERREZ \$3,988.55 AMI-BOTH	Post-Conf. Trustee's Motion to Dismiss was filed 05/28/24 at #76 for non-payment. No response filed by Debtor. There are several months where only a partial payment was made.		

BARTO	24-50001 MARTIN L HIGGINS	Dismissal Modification	\$408.39 or 0.15 mth 06/21/24 \$304.12 Wage Order	Trustee does not recommend approval and recommends dismissal.
01/03/24 03/13/24 5/60 Connie	LAURA A HIGGINS \$2,700.00 BMI-PPR	Modified plan filed 06/06/24 at #46 to provide for a secured claim that was not listed cannot be recommended because:		
		<ol style="list-style-type: none"> Debtor failed to provide proof of current income. Debtor failed to provide a copy of the 2023 tax return. Debtor failed to file an amended wage order or electronic payment mechanism consistent with the proposed modification in compliance with BLR 3015-1(c)(1). Mod fails to provide for the correct remaining cure claim balance to UCO Properties, LLC. Mod fails to provide for the correct monthly mortgage payment claim balance to UCO Properties, LLC. Mod fails to provide for the correct Remaining Claim to Republic Finance of \$3,279.79. Mod Plan Summary fails to reflect the correct amount of pre-modification deposits into the Reserve. Mod Plan Summary fails to reflect the correct amount of pre/modification distributions to secured creditors. 		

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9. Mod is misleading as it reflects a 1% return to unsecured creditors, because the total amount of general unsecured claims is understated. The plan reflects \$122,215.33 when the total amount of timely filed general unsecured claims is \$124,737.35.

10. Mod is deficient to pay all secured and priority claims.

Trustee's Amended Motion to Dismiss #45 filed 06/06/24. The confirmed plan no longer provides for the claims of the secured and priority creditors in full within the terms of the plan. Specifically, the plan is now deficient due Republic Finance claim #2.

Response to Trustee's Motion to Dismiss was filed 06/04/24 at #44.

BARTO	24-50013	Confirmation	\$875.00 or	Trustee does not recommend confirmation and recommends dismissal.
	FERNANDO PACHO	Dismissal	1.00 mth	
02/05/24			04/11/24	
04/15/24			\$875.00	
4/60	\$875.00		ePay	
Krystle	BMI-PPR			
Plan #37 filed 06/12/24 works, paying 70% to general unsecured creditors but cannot be recommended because the Debtor is delinquent \$875.00. Debtor has not made a payment since 04/11/24.				
Plan Payments:				
1 (Mar 2024) - 4 (Jun 2024) \$875.00.				
5 (Jul 2024) - 60 (Feb 2029) \$900.00.				
Trustee's Motion to Dismiss #23 filed 03/19/24.				
No response by Debtor.				

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BARTO	24-50030	Confirmation	\$1,200.00 or 0.60 mth	Trustee does not recommend confirmation and recommends dismissal.
	MARTIN TORRES	Dismissal	06/10/24	
03/04/24 05/13/24 3/60 Krystle	MARYANN TORRES \$2,000.00 BMI-	Obj Conf Deutsche Bank Ntl Trust	\$100.00 Money Order	
<p>1. Plan #44 filed 6/12/24 fails to provide sufficient funds for payment in full of all secured and priority claims.</p> <p>2. Plan fails to fully provide for IRS claim #15 filed 04/17/24.</p> <p>3. Based on JD Power value (\$9,650.00) as required by Order #29, the Plan does not provide sufficient adequate protection of \$108.56 to Speedy Rapid Cash.</p> <p>4. Based on JD Power value (\$6,675.00) as required by Order #29, the Plan does not provide sufficient adequate protection of \$75.09 to Vin Title.</p> <p>5. Debtor failed to provide proof to substantiate the amounts to be paid to Millennium Loan, Quality Imports, and Vin Title through the Plan. Creditors have not filed a claim and Trustee must disburse according to plan.</p> <p>6. Plan fails to provide for Notice of Post-petition Mortgage Fees, Expenses and Changes to Deutsche Bank National Trust Company for \$500.00 for a plan review.</p> <p>7. Amended Plan changes the treatment of TitleMax, and creditor has not had sufficient notice.</p> <p>Plan Payments: 1 (Apr 2024) - 4 (Jul 2024) \$2,000.00. 5 (Aug 2024) - 60 (Mar 2029) \$2,775.00.</p> <p>Objection to Confirmation filed 03/20/24 by Deutsche Bank National Trust Company at #23.</p> <p>Trustee's Motion to Dismiss #42 filed 06/04/24. No response filed by Debtors.</p>				

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BARTO	24-50033	Confirmation	Current	Trustee does not recommend confirmation and recommend dismissal.
	JOSE A SALAZAR	Dismissal	06/20/24	
03/13/24 05/22/24 3/60 Leanne1	FLORINDA SALAZAR \$650.00 BMI-		\$650.00 ePay	

Trustee to review amended Plan #29 filed 06/24/24 prior to hearing.

1. Plan #2 filed 03/13/24 provides for Security Service Federal Credit Union as direct; however, claim #1 filed 04/12/24 includes default amount.
2. Trustee alleges the Applicable Commitment Period listed in Paragraph 4 is incorrect.
3. Paragraph 9C of the Plan is incomplete/incorrect as the Date Last Payment is Due, monthly payment amount and interest rate for Security Service Federal Credit Union claim.
4. Paragraph 8C of the Plan is incomplete/incorrect as the Date Last Payment is Due, monthly payment amount and interest rate for Planet Home Lending LLC claim.
5. Debtor failed to provide a PNC bank statement for February 2024.
6. Trustee alleges Scheduled B is incomplete as it does provide for Debtor's Cash App pursuant to the bank statements.
7. Trustee alleges Schedule I and J are incorrect as the provide for the tolls expense on the business budget and separate expense on Schedule J.
8. Debtors provided monthly operation reports July through January; however, the bank statements and tax returns do not support the projected income.
9. Trustee alleges Schedule B is incorrect as does not reflect the correct bank balance at the time of filing.

Plan payments:1 (Apr 2024) - 60 (Mar 2029) \$650.00.

Trustee's Motion to Dismiss filed 05/07/24 at #24.
No Response filed by Debtor.

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BARTO	24-50035	Confirmation	\$2,100.00 or	Trustee does not recommend confirmation and recommends dismissal.
	JOSE J DELGADILLO	Dismissal	1.00 mth	
03/22/24			06/04/24	
05/31/24			\$2,100.00	
3/60	\$2,100.00		ePay	
Leanne1	AMI-PPR	Trustee to review amended Plan #27 filed 06/24/24 prior to hearing.		
		1. Plan #2 filed 03/22/24 cannot be recommended because Trustee alleges Debtor's Schedule I is inaccurate per 341 Testimony. Debtor filed amended plan #27 on 06/24/24. Trustee will review plan #27 along with other documents filed 06/24/24 prior to confirmation hearing.		
		2. Statement of Financial Affairs is incomplete as it does not disclose Debtor's business Delgadillo Trucking.		
		Plan Payment: 1 (Apr 2024) - 60 (Mar 2029) \$2,100.00.		
		Trustee's Motion to Dismiss filed 05/10/24 at #21. No Response filed by Debtor.		
BARTO	24-50045	Confirmation	Current	Trustee does not recommend confirmation and recommends dismissal.
	VICENTE E DEL RIO	Dismissal	06/20/24	
04/01/24			\$1,550.00	
06/10/24		Obj Conf US Bank Trust NA	Wage Order	
2/60	\$3,100.00			
Leanne1	BMI-	1. Plan #2 filed 04/01/24 fails to specify the applicable commitment period in Paragraph 4.		
		2. Plan fails to fully provide for the claim of Selene Finance #9 filed 06/10/24.		
		Trustee's Motion to Dismiss filed 05/23/24 at #32 set for 07/02/24. No Response filed by Debtor.		
		Objection to Confirmation filed 04/30/24 by US Bank Trust NA at #29.		

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BARTO 04/01/24 06/10/24 2/60 Joseph	24-50047 ELSA ESTRADA \$1,715.00 BMI-	Confirmation Plan #28 filed 06/21/24 works, paying 41.36% to general unsecured creditors. Plan Payment:1 (May 2024) - 60 (Apr 2029) \$1,715.00. Trustee's Motion to Dismiss filed 05/28/24 at #26 was withdrawn 06/25/24 at #29. No Response filed by Debtor.	\$1,715.00 or 1.00 mth 05/22/24 \$1,715.00 ePay	Trustee recommends confirmation of Plan #28 filed 06/21/24.

BARTO 04/01/24 06/10/24 2/60 Joseph	24-50048 JOSE A MARTINEZ \$2,000.00 BMI-	Confirmation Dismissal Obj Conf US Bank Trust Company	\$1,200.00 or 0.60 mth 06/11/24 \$2,800.00 Cashiers Check	Trustee does not recommend confirmation.
		<ol style="list-style-type: none"> 1. Plan #26 filed 06/24/24 fails to provide sufficient funds for payment in full of all secured and priority claims. 2. Debtor failed to provide proof to substantiate the amounts to be paid to Kish Manwani through the Plan. Creditor has not filed a claim and Trustee must disburse according to plan. 3. Trustee alleges Schedule A/B are inaccurate as it fails to disclose accurate ending balance of bank statement ending in #6316. 4. Debtor failed to provide proof of leasing agreement for Debtor's business. <p>Plan Payments: 1 (May 2024) - 3 (Jul 2024) \$2,500.00. 4 (Aug 2024) - 60 (Apr 2029) \$4,175.00.</p> <p>Trustee's Motion to Dismiss filed 05/28/24 at #23. No Response filed by Debtor.</p>		

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Objection to Confirmation filed 06/06/24 by U.S. Bank Trust Company at #24.

MEURER	23-50065	Dismissal	\$5,494.17 or 3.15 mth 06/24/24 \$1,000.00 ePay	Trustee recommends dismissal.
07/18/23 09/26/23 11/60	RAUL CISNEROS CARIDAD CISNEROS			
Tracey	\$1,743.87 BMI-BOTH	Post-Conf. Trustee's Motion to Dismiss was filed 05/28/24 at #71 for non-payment. No response filed by Debtor. There are a few months where only a partial payment was made and a couple of months where no payment was made at all.		

OLIVA PC (L)	22-50090	Dismissal	\$3,087.15 or 2.57 mth 06/10/24 \$553.85 Wage Order	Trustee recommends dismissal.
12/22/22 03/02/23 18/60	MARIA L CARRION			
Tracey	\$1,200.00 BMI-ESF	Post-Conf. Trustee's Motion to Dismiss was filed 05/28/24 at #85 for non-payment. Response to Trustee's Motion to Dismiss was filed 06/10/24 at #86. There are several months where only a partial payment was made.		

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PAYNE & ASSOCIATES PLLC 04/05/24 06/14/24 2/60 Leanne1	24-50049 VERONICA C MARTINEZ \$500.00 BMI-	Confirmation Dismissal	\$76.92 or 0.15 mth 06/21/24 \$230.77 Wage Order	Trustee does not recommend confirmation and recommends dismissal.
<p>1. Plan #2 filed 04/05/24 cannot be recommended because paragraph 8C is incomplete as the Monthly Payment has not been provided on the Webb County Tax Assessor claims.</p> <p>2. Debtor has failed to provide Chase Bank and IBC Bank statements.</p> <p>3. Debtor has failed to provide Mutual of America 401k statement.</p> <p>4. Debtor has failed to provide social security statements.</p> <p>5. Debtor has failed to provide proof of income received for rental.</p> <p>6. IRS claim #1 filed 05/02/24 reflects Debtor has not filed a tax return for the years 2023. Trustee has not received a copy of the 2023 tax return.</p> <p>Plan payments: 1 (May 2024) - 3 (Jul 2024) \$500.00. 4 (Aug 2024) - 60 (Apr 2029) \$700.00.</p> <p>Trustee's Motion to Dismiss filed 05/23/24 at #19. No Response filed by Debtor.</p>				