

JUDGE JEFFREY P NORMAN

Yvonne V. Valdez, Trustee
August 1, 2024 10:30 am

Next 3 Panels:

09/11/2024

10/02/2024

11/07/2024

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	\$1,450.00 or	Trustee does not recommend approval and recommends dismissal.
	RODRIGO J GARZA	Modification	1.00 mth	
01/31/23 04/11/23 18/60 Connie	KARLA G GARZA		05/28/24 \$207.69 Wage Order	
	\$1,450.00 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). 5. Mod fails to state a reason for the modification. 6. 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	Dismissal	\$9,394.35 or 2.36 mth	Trustee recommends dismissal.
06/29/23 09/07/23 12/60	MIGUEL A GUTIERREZ JR ROSAICELA B GUTIERREZ		06/17/24 \$730.00	
Tracey	\$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.	ePay	

BARTO	24-50001	Dismissal	\$1,000.09 or 0.34 mth	Trustee does not recommend
01/03/24 03/13/24 6/60	MARTIN L HIGGINS LAURA A HIGGINS	Modification	07/12/24 \$1,375.51	Modified plan filed 06/27/24 at #55.
Connie	\$2,900.51 BMI-PPR	Modified plan filed 06/27/24 at #55 to provide for a secured claim that was not listed cannot be recommended because:	ePay	
		<ol style="list-style-type: none"> 1. Mod is misleading as it reflects a 2% return to unsecured creditors, because the total amount of general unsecured claims is understated. The plan reflects \$126,963.77 when the total amount of timely filed general unsecured claims is \$127,226.82. 2. Mod fails to provide for the correct Remaining Claim to UCO Properties of \$49,022.60. 3. Mod fails to provide for the correct Remaining Claim to Republic Finance of \$800.32. 4. Mod proposes to pay Laredo College in Paragraph 9 despite being secured solely by the principal residence. 		
		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.		

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BARTO	24-50030	Confirmation	\$3,200.00 or	Trustee does not recommend confirmation and recommends dismissal.
	MARTIN TORRES	Dismissal	1.60 mth	
<i>03/04/24</i> <i>05/13/24</i> <i>4/60</i> Krystle	MARYANN TORRES \$2,000.00 <i>BMI-</i>	Obj Conf Deutsche Bank Ntl Trust	<i>06/10/24</i> <i>\$100.00</i> <i>Money Order</i>	
<p>Plan #48 filed 06/28/24 works, paying 3.1% to the general unsecured creditors, but cannot be recommended until payments are brought current. Debtor is delinquent 1.6 payments through July totaling \$3,200.00, with next payment due on 08/01/24.</p> <p>Plan Payments: 1 (Apr 2024) - 4 (Jul 2024) \$2,000.00. 5 (Aug 2024) - 60 (Mar 2029) \$2,850.00.</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>				

BARTO	24-50033	Confirmation	Current	Trustee does not recommend confirmation and recommends dismissal.
	JOSE A SALAZAR	Dismissal	<i>07/19/24</i> <i>\$650.00</i> <i>ePay</i>	
<i>03/13/24</i> <i>05/22/24</i> <i>4/60</i> Leanne1	FLORINDA SALAZAR \$650.00 <i>BMI-</i>			
<p>1. Plan #31 filed 07/01/24 provides for Security Service Federal Credit Union as direct; however, claim #1 filed 04/12/24 includes arrears of \$426.59.</p> <p>2. Paragraph 8C of the Plan is inaccurate as the Monthly Payment is incorrect on Planet Home Lending LLC's claim.</p> <p>3. Debtors provided monthly operating reports for July 2023 through April 2024; however, the bank statements and tax returns do not support the projected income.</p>				

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Plan Payments:
 1 (Apr 2024) - 4 (Jul 2024) \$650.00
 5 (Aug 2024) - 60 (Mar 2029) \$1,003.74

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

BARTO	24-50035	Confirmation	\$4,200.00 or	Trustee does not recommend confirmation and recommends dismissal.
	JOSE J DELGADILLO	Dismissal	2.00 mth	
03/22/24 05/31/24 4/60 Leanne1	\$2,100.00 AMI-PPR		06/04/24 \$2,100.00 ePay	
Plan #27 filed 06/24/24 cannot be recommended because:				
1. Schedule I is inaccurate as it does not provide for all the business expenses provided on the Monthly Operating Report.				
2. Trustee alleges Schedule J is inaccurate as it fails to disclose post-petition reserves.				
3. Debtor is delinquent 2 payments through July, totaling \$4,200.00.				
Plan Payments: 1 (Apr 2024) 4 (Jul 2024) \$2,100.00. 5 (Aug 2024) 60 (Mar 2029) \$3,086.72.				
Trustee's Motion to Dismiss filed 05/10/24 at #21. No Response filed by Debtor.				

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BARTO	24-50045	Confirmation	\$3,100.00 or 1.00 mth	Trustee does not recommend confirmation and recommends dismissal.
04/01/24 06/10/24 3/60 Leanne1	VICENTE E DEL RIO \$3,100.00 BMI-	Dismissal	07/11/24 \$1,550.00 ePay	
<p>Plan #35 filed 06/27/24 cannot be recommended because the Trustee alleges the Applicable Commitment Period listed in Paragraph 4 is incorrect.</p> <p>Plan payments: 1 (May 2024) - 60 (Apr 2029) \$3,100.00.</p> <p>Trustee's Motion to Dismiss filed 05/23/24 at #32. No Response filed by Debtor.</p> <p>Objection to Confirmation filed 04/30/24 by US Bank Trust NA at #29 was withdrawn 06/28/24 at #36.</p>				

BARTO	24-50048	Confirmation	\$400.00 or 0.20 mth	Trustee does not recommend confirmation and recommends dismissal.
04/01/24 06/10/24 3/60 Joseph	JOSE A MARTINEZ \$2,000.00 BMI-	Dismissal	07/15/24 \$2,800.00 Cashiers Check	
<p>1. Plan #26 filed 06/24/24 cannot be recommended because 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.</p> <p>2. Trustee alleges Schedule A/B are inaccurate as it fails to disclose accurate ending balance of bank statement ending in #6316.</p> <p>3. Debtor failed to provide proof of leasing agreement for Debtor's business.</p> <p>Plan Payments: 1 (May 2024) - 3 (Jul 2024) \$2,500.00. 4 (Aug 2024) - 60 (Apr 2029) \$4,475.00.</p> <p>Trustee's Motion to Dismiss filed 05/28/24 at #23.</p>				

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No Response filed by Debtor.

Objection to Confirmation filed 06/06/24 by U.S. Bank Trust Company at #24 was withdrawn 06/25/24 at #27.

BARTO	24-50055	Confirmation	Current	Trustee does not recommend confirmation and recommends dismissal.
04/29/24 07/08/24 2/60 Joseph	JOSE R ESPINOZA CORTINA JESSICA D ESPINOZA \$1,800.00 <i>BMI-PPR</i>	Dismissal	07/19/24 \$1,800.00 <i>Cashiers Check</i>	
	<ol style="list-style-type: none"> 1. Plan #2 filed 04/29/24 fails to provide payment in full to all secured and priority creditors. 2. Plan fails to fully provide for Texas Comptroller claim #3 filed 06/11/24. 3. IRS claim #5 filed 06/04/24 shows an unfiled tax return for the year 2020. Trustee has not received a copy of this return. Additionally, Plan fails to fully provide for IRS priority claim #5. 4. Plan fails to fully provide for Laredo ISD claim #8 filed 06/19/24. 5. Plan fails to provide for United ISD claim #2 filed 05/09/24. 6. Plan fails to fully provide for City of Laredo claim #19 filed 07/24/24. 7. Plan improperly provides for real property to be paid direct under paragraph 9C instead of paragraph 8C. 8. Plan proposes to pay Jessica Celeste Gamez claim #18 filed 07/08/24 direct, but the proof of claim shows default amount. Additionally, the plan fails to fully provide for Jessica Celeste Gamez claim #18. 9. Plan provides for homestead taxes under paragraph 9B instead of 8B. 10. Debtors have failed to provide monthly operating reports for April. 11. Trustee alleges Statement of Financial Affairs is inaccurate per 341 Testimony. 			
	Plan Payment: 1 (May 2024) - 60 (Apr 2029) \$1,800.00.			

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Trustee's Motion to Dismiss filed 06/21/24 at #33.
 No Response filed by Debtor.

BARTO	24-50057	Confirmation	\$3,876.92 or	Trustee does not recommend confirmation and recommends dismissal.
<i>05/06/24</i> <i>07/15/24</i> <i>2/60</i> Krystle	LUIS G FABIAN	Dismissal	1.08 mth <i>07/19/24</i> \$1,661.54 <i>Wage Order</i>	

1. Plan #2 filed 05/06/24 fails to provide payment in full to all secured and priority creditors.
2. Plan fails to fully provide for Mortgage Claim #3 by Nationstar mortgage filed 06/28/24.
3. Plan proposes to provide for treatment of Global Lending Service's claim #4 in Paragraph 9B despite the 2022 Nissan Sentra having been purchased within 910 days of the petition date.
4. Plan fails to fully provide for Global Lending Service's Claim #4 filed 07/10/24.
5. Plan proposes to overprovide for treatment of Conn's claim #1 and #2 in Paragraph 9A at the expense of general unsecured creditors.
6. Plan paragraph #8A fails to list the complete street address.
7. Debtor failed to provide CashApp statements for February 2024 through May 2024.

Plan Payments: 1 (Jun 2024) - 60 (May 2029) \$3,600.00.

Trustee's Motion to Dismiss #19 filed 6/24/24.
 No response filed by Debtor.

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BARTO 05/23/24 08/01/24 2/60 Joseph	24-50067 ELVA R MORENO \$1,849.97 BMI-	Confirmation 1. Plan #2 filed 05/23/24 fails to provide payment in full to all secured and priority creditors. 2. Plan fails to provide for DVSLT Underlying Trust claim #6 filed 07/15/24. 3. Plan proposes to provide for treatment of Flagship Credit Acceptance's claim in Paragraph 9B despite the vehicle having been purchased within 910 days of the petition date. 4. Trustee alleges Schedule D is inaccurate as it fails to provide the physical address of Debtor's homestead. Plan Payment: 1 (Jun 2024) - 60 (May 2029) \$1,849.97. Trustee's Motion to Dismiss #23 filed 07/24/24 is set for 09/11/24. No Response filed by Debtor.	\$1,849.09 or 1.00 mth 07/02/24 \$808.88 Wage Order	Trustee does not recommend confirmation.

OLIVA PC (L) 12/22/22 03/02/23 19/60 Connie	22-50090 MARIA L CARRION \$1,200.00 BMI-ESF	Modification Amended Modified Plan filed 07/15/24 at #94 works at 4.920% to the general unsecured creditors. Mod filed to cure a post-petition payment default. Mod forgives: \$2,533.30. Mod payments: 19 (Jul 2024) - 27 (Mar 2025) \$1,200.00	Current 07/22/24 \$553.85 Wage Order	Trustee recommends approval of Mod filed 07/15/24 at #94.
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3. Plan fails to provide for Star County claim #7 filed 07/22/24.

4. Plan fails to fully provide for Zapata County amended claim #8 filed 07/24/24 for ad valorem taxes. Additionally, Plan proposes to transfer property listed under paragraph 12. However, Debtors have not filed a certificate of service as required by paragraph 12-1.

5. Plan proposes to pay Zapata County property taxes in paragraph 9B instead of paragraph 8B. Additionally, Plan fails to list collateral for the claim.

6. Debtors have failed to provide complete bank statements for Zapata National Bank, PNC Bank, and Lone Star Bank.

7. Trustee alleges Debtors' Monthly Operating Reports are incomplete.

Plan Payment:

1 (Jul 2024) - 59 (May 2029) \$1,500.00.

Trustee's Motion to Dismiss #31 filed 07/24/24 is set for 09/11/24.

No Response filed by Debtor.

**PAYNE &
 ASSOCIATES
 PLLC**
 04/05/24
 06/14/24
 3/60
 Leanne1

**24-50049
 VERONICA C MARTINEZ**

 \$500.00
 BMI-

Confirmation

Dismissal

\$115.38 or
 0.23 mth
 07/15/24
 \$230.77
 Wage
 Order

**Trustee does not
 recommend
 confirmation and
 recommends
 dismissal.**

1. Plan #2 filed 04/05/24 paragraph 8C is incomplete as the Monthly Payment has not been provided on the Webb County Tax Assessor claims.

2. Trustee alleges Schedule I is inaccurate as IBC bank statements reflect Debtor receives \$848.70 in Social Security.

3. Debtor failed to comply with BLR 3015-1(b) requiring Debtor to timely provide information required by the Administrative Procedures for Claims Secured by Real Estate.

Plan Payments:

1 (May 2024) - 3 (Jul 2024) \$500.00.

4 (Aug 2024) - 60 (Apr 2029) \$700.00.

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Trustee's Motion to Dismiss filed 05/23/24 at #19.
 Debtor's Response filed 06/25/24 at #21.

VASQUEZ LAW FIRM 02/06/23 04/17/23 17/60 Tracey	23-50009 AMADA ESTRADA \$963.20 <i>BMI-BOTH</i>	Dismissal Post-Confirmation Trustee's Motion to Dismiss was filed 05/07/24 at #74 for non-payment. Response to Trustee's Motion to Dismiss was filed 05/20/24 at #75. There are several months where no payment was made at all.	\$1,665.40 or 1.73 mth 06/17/24 \$1,000.00 ePay	Trustee recommends dismissal.
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VASQUEZ LAW FIRM 05/24/24 08/02/24 2/60 Bridget1	24-50069 STEPHANIE AIKANOFF \$405.00 <i>BMI-ESF</i>	Confirmation Plan #19 filed 07/17/24 works, paying 30.58% to the general unsecured creditors. However, Plan cannot be recommended as Trustee alleges Schedule B/C is inaccurate. Debtor's retirement balance on Schedule B is listed as \$12,500.00 but documentation provided reflects balance as \$32,849.57. Further, Debtor has listed Pet Food and Care expenses in the budget, but no animals listed on Schedule B. Plan Payment: 1 (Jun 2024) - 60 (May 2029) \$405.00. Trustee's Motion to Dismiss #18 filed 07/12/24 is set for 09/11/24. No Response filed by Debtor.	\$405.00 or 1.00 mth 07/15/24 \$405.00 ePay	Trustee does not recommend confirmation.
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