

JUDGE JEFFREY P NORMAN

Yvonne V. Valdez, Trustee

March 6, 2025 10:30 am

Next 3 Panels:

04/10/2025

05/15/2025

06/12/2025

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
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BARTO	23-50057	Dismissal	\$470.88 or 0.48 mth	Trustee does not recommend approval and recommends dismissal.
	EDUARDO J RAMIREZ JR	Modification	02/25/25	
06/16/23 08/25/23 20/60 Tracey	AMANDA O RAMIREZ \$980.00 BMI-		\$124.53 Wage Order	

Modified Plan filed 01/29/25 #46 to cure a post-petition payment default cannot be recommended because:

1. Debtor failed to provide a copy of the 2023 tax return or 2024 tax return, if filed.
2. Mod Plan Summary fails to reflect the correct pre-modification payments made to Trustee.
3. Mod fails to provide for the correct Remaining Claim to Texan Credit of \$4.29.
4. Mod improperly characterizes Texan Credit's remaining claim as a post-confirmation claim.
5. Debtor's employer on Schedule I does not match the employer on the Amended Wage Order entered 01/30/25 at #48.
6. Schedule I understates Debtor's current income.
7. Mod Plan Summary fails to reflect the correct amount of pre-modification distributions to secured creditors.

Mod forgives: \$2,575.58

Mod payments:

20 (Feb 2025) - 60 (Jun 2028) \$980.00

Post-Conf. Trustee's Motion to Dismiss filed 1/03/25 at #45 for non-payment.

No response filed by Debtor.

There are several months where only a partial payment was made.

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BARTO	23-50071 ELISA L MONCIVAIS	Dismissal Modification	Current 02/21/25 \$220.00 ePay	Trustee does not recommend approval and recommends dismissal.
07/31/23 10/09/23 18/60 Connie	\$3,770.00 BMI-PPR	Amended Modified Plan filed 01/31/25 at #62 to cure a post-petition payment default cannot be recommended because: 1. Debtor failed to provide 60 days of paystubs to support Debtor's budget as Ordered in #64 entered 02/06/25. Mod forgives: \$7,850.00 Mod payments: 17 (Jan 2025) - 17 (Jan 2025) \$3,500.00 18 (Feb 2025) - 60 (Aug 2028) \$3,770.00 Post-Conf. Trustee's Motion to Dismiss filed 12/13/24 #51 for non-payment. Response to Post-Conf. Trustee's Motion to Dismiss filed 01/08/25 #53. There are a couple of months where no payment was made at all.		

BARTO	24-50079 ARCENIO FRAGA	Dismissal Modification	Current 10/07/24 \$1,585.00 ePay	Trustee does not recommend approval and recommends dismissal.
06/28/24 09/06/24 8/60 Connie	\$1,700.00 BMI-ESF	Amended Modified Plan filed 02/19/25 at #40 filed to cure a post-petition payment default cannot be recommended because: 1. Debtor failed to provide proof of current income. 2. Debtor has failed to file amended Schedules I and J in compliance with BLR 3015-1(c)(3). 3. Mod fails to provide for the correct Remaining Claim to Selene Finance of \$8,913.83.		

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4. Mod improperly characterizes Selene Finance's remaining claim as a post-confirmation claim.

5. Mod fails to provide for Notice of Post-petition Mortgage Fees #34.

6. Mod fails to provide for the correct total of the monthly mortgage payment claim.

7. The savings fund provision in the plan does not comply with 11 U.S.C. § 1325(a)(3) ("plan proposed not by any means forbidden by law") because it violates 28 U.S.C. § 586(e)(1) and (2). The plan would require the Trustee to receive, hold, then disburse funds without collecting the statutory fee mandated by 28 U.S.C. § 586(e)(1)(B) and (e)(2).

Mod forgives: \$6,209.94

Mod payments:

8 (Feb 2025) - 60 (Jun 2029) \$1,700.00

Post-Conf. Trustee's Amended Motion to Dismiss filed 02/19/25 at #39 for non-payment and the Mod does not comply BLR 3015-1(c)(1).

No response filed by Debtor.

There are several months where no payment was made. The last payment received was on 10/07/24.

BARTO	24-50136	Confirmation	\$8.00 or 0.00	Trustee does not recommend confirmation and recommends dismissal.
	ROLANDO GUERRA	Dismissal	mth	
12/30/24			02/12/25	
03/10/25			\$3,331.00	
1/60	\$3,339.00		ePay	
Krystle	BMI-PPR			
		1. Plan fails to include the beginning and ending months/years.		
		2. Plan improperly provides for claim of Falcon National Bank in Paragraph 8A, instead of 8B.		
		3. Plan fails to provide the property address in the description for the ad valorem reserve in Paragraph 21.		
		4. Trustee alleges Schedule I is inaccurate as the paystubs do not support the gross wages listed or tax returns.		
		5. Schedule A/B is incomplete as it does not disclose bank account number.		
		6. Debtor has failed to provide Trustee with bank statements for Wells Fargo.		

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Plan Payments: 1 - 60 \$3,339.00.

Trustee's Motion to Dismiss #28 filed 02/04/25.

No response filed by Debtor.

BARTO	25-50002 ERNESTINA CASTILLO	Confirmation Dismissal Obj Conf Mack Brooks LLC	Current 02/25/25 \$761.54 Wage Order	Trustee does not recommend confirmation and recommends dismissal.
01/06/25 03/17/25 1/60 Bridget1	\$1,650.00 BMI-PPR			
		<ol style="list-style-type: none"> Plan #17 filed 01/19/25 improperly provides for Ovation Services claim in Paragraph 8A, instead of 8B. Paragraph 8B reflects a collateral value that is the same as the claim amounts for the ad valorem tax claims. Plan proposes to overprovide for treatment of Santander claim #3 filed 01/23/25 at the expense of general unsecured creditors. Plan Summary fails to provide the street address for the ad valorem tax reserve. Schedule J is inaccurate as Debtors are not including the reserve amounts in the budget calculation. Debtor failed to provide proof to substantiate the amounts to be paid to Webb County through the Plan. Creditor has not filed a claim and Trustee must disburse according to plan. Debtor has failed to provide the 2024 tax return pursuant to 341 testimony. Trustee alleges that Schedule C #15 filed 01/19/25 is inaccurate as it fails to disclose the homestead as partially encumbered. Trustee alleges that Schedule B #15 filed 01/19/25 is inaccurate as it fails to disclose all bank accounts pursuant to the bank statements provided for the other accounts disclosed. Trustee alleges that Schedule B is inaccurate as it fails to disclose Debtor's cell phones pursuant to expenses in the budget. 		

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11. Trustee alleges the plan fails provide all of Debtor's disposable income into the plan.

Payments: 1 (Feb 2025)- 60 (Jan 2030) \$1,650.00.

Trustee's Motion to Dismiss #29 filed 02/11/25.
No response by Debtor.

Objection to Confirmation filed 02/26/25 by Mack Brooks, LLC as agent and attorney in fact for FGMS Holdings, LLC at #31.

MEURER	23-50065	Dismissal	\$8,050.00 or 3.52 mth 01/09/25 \$1,200.00 ePay	Trustee recommends dismissal.
07/18/23 09/26/23 19/60 Connie	RAUL CISNEROS CARIDAD CISNEROS \$2,290.00 BMI-BOTH			
		Post Confirmation Trustee's Motion to Dismiss filed 01/29/25 at #89 for non-payment. No response filed by Debtor. There are several months where only a partial payment was made.		

OLIVA PC (L)	23-50114	Modification	Current 02/18/25 \$1,000.00 Wage Order	Trustee recommends approval of the Amd Mod #63 filed 02/12/25.
12/21/23 02/29/24 14/60 Connie	FERNANDO FUENTES GRETA H FUENTES \$1,000.00 AMI-ESF			
		Modified plan filed 02/12/25 at #63 works at 67.589% to the general unsecured creditors. Mod filed to lower the remaining plan payments and to deviate from the means test due to a change in disposable income. The Debtors are also adding an ESF account. Mod forgives \$3,050.00 14 (Feb 2025) - 14 (Feb 2025) \$1,000.00		

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15 (Mar 2025) - 60 (Dec 2028) \$2,275.00

OLIVA PC (L)	24-50128	Confirmation	Current	Trustee does not recommend confirmation.
	ARTURO RICO		02/25/25	
11/14/24	ANA L CANALES		\$1,825.00	
01/23/25			ePay	
3/60	\$1,625.00			
Jennifer	AMI-BOTH			
	<p>1. Plan #32 filed 01/28/25 works, paying 3.39% to the general unsecured creditors, but has an adverse effect on Merchant Credit Solutions requiring additional notice.</p> <p>2. Plan does not provide for the Notice of Post-petition fee claim of M&T Bank in the amount of \$950.00 for attorney's fees and Proof of Claim fees.</p> <p>3. The savings fund provision in the plan does not comply with 11 U.S.C. § 1325(a)(3) ("plan proposed not by any means forbidden by law") because it violates 28 U.S.C. § 586(e)(1) and (2). The plan would require the Trustee to receive, hold, then disburse funds without collecting the statutory fee mandated by 28 U.S.C. § 586(e)(1)(B) and (e)(2).</p> <p>Plan payments: 1 (Dec 2024) \$1,825.00. 2 (Jan 2025) - 60 (Nov 2029) \$1,625.00.</p>			

OLIVA PC (L)	24-50130	Confirmation	\$262.37 or 0.25 mth	Trustee does not recommend confirmation and recommends dismissal.
	VICENTE RAMIREZ	Dismissal	02/25/25	
11/25/24	TAHUILAN		\$244.62	
02/03/25	MARIA L RAMIREZ		Wage Order	
3/60	\$1,060.00			
Bridget1	BMI-ESF			
	<p>1. Plan #27 filed 02/03/25 fails to provide for Titlemax of Texas claim #6 filed 02/06/25.</p> <p>2. Trustee alleges that the Plan fails to provide all of Debtor's disposable income into the plan.</p> <p>3. Debtor failed to provide proof to substantiate the lien to be paid to TitleMax of Texas for the 2010 Camaro through the Plan. Creditor has not filed a claim and Trustee must disburse according to plan.</p>			

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4. Debtor failed to provide proof to substantiate the lien to be paid to First Star Financial through the Plan. Creditor has not filed a claim and Trustee must disburse according to plan.

5. The savings fund provision in Plan #27 filed 02/03/25 does not comply with 11 U.S.C. § 1325(a)(3) ("plan proposed not by any means forbidden by law") because it violates 28 U.S.C. § 586(e)(1) and (2). The plan would require the Trustee to receive, hold, then disburse funds without collecting the statutory fee mandated by 28 U.S.C. § 586(e)(1)(B) and (e)(2).

Payments:

1 (Dec 2024)- 2 (Jan 2025) \$1,000.00.

3 (Feb 2025)- 60 (Nov 2029) \$1,060.00.

Trustee's Motion to Dismiss #23 filed 01/09/25.

No response filed by Debtors.

OLIVA PC (L)	24-50134	Confirmation	Current	Trustee does not recommend confirmation and recommends dismissal.
	TOMAS ANDRADE	Dismissal	02/18/25	
12/18/24		Obj Conf Rocket Mortgage LLC	\$1,160.00	
02/26/25			ePay	
2/60	\$1,160.00			
Bridget1	AMI-ESF			

1. Plan #28 filed 01/27/25 fails to fully provide for Lacks Valley Stores claim #12 filed 02/07/25.

2. The savings fund provision in the plan does not comply with 11 U.S.C. § 1325(a)(3) ("plan proposed not by any means forbidden by law") because it violates 28 U.S.C. § 586(e)(1) and (2). The plan would require the Trustee to receive, hold, then disburse funds without collecting the statutory fee mandated by 28 U.S.C. § 586(e)(1)(B) and (e)(2).

3. Trustee alleges that Debtor's Certification Regarding Domestic Support Obligations is inaccurate pursuant to 341 Testimony. Further, Debtor has failed to provide Trustee with the necessary names and addresses of the Domestic Support Obligation recipients to comply with 1302(d)(1).

4. Debtor has failed to provide verification of the Domestic Support Obligations expense allowance taken in the budget and Debtor's Official Form 122C.

5. Debtor has failed to provide bank statements for account ending in 3123 for 10/25/24 through 12/18/24.

6. Debtor has failed to provide bank statements for account ending in 0857 for 11/09/24 through 12/18/24.

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7. Debtor has failed to provide statements for the Cash App account for 09/19/24 through 12/18/24.

8. Trustee alleges the Statement of Financial Affairs #25 filed 01/27/25 is inaccurate as it fails to disclose the account number and correct closing date for Chase Bank.

Payments: 1 (Jan 2025)- 60 (Dec 2029) \$1,160.00.

Trustee's Motion to Dismiss #29 filed 01/28/2025.
No response filed by Debtor.

Objection to Confirmation filed 01/03/25 by Rocket Mortgage, LLC at #22.

PAYNE & ASSOCIATES PLLC 10/31/24 01/09/25 4/60 Tracey	24-50120 JULIO A ZAPATA \$2,390.00 AMI-	Dismissal Post-Conf. Trustee's Motion to Dismiss filed 02/06/25 at #37. The confirmed plan no longer provides for a 100% distribution to unsecured creditors as required by the Order of Confirmation. Specifically, the plan fails to provide for all timely filed unsecured claims. No Response filed by Debtor.	Current 02/10/25 \$925.00 ePay	Trustee recommends dismissal.
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VASQUEZ LAW FIRM 05/03/22 07/12/22 33/60 Connie	22-50025 NOE VILCHEZ \$2,500.00 BMI-ESF	Dismissal Modification	Current 02/25/25 \$2,052.00 ePay	Trustee does not recommend approval.
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Modified Plan filed 02/05/25 at #66 filed to cure a post-petition payment default cannot be recommended because: the savings fund provision in the plan does not comply with 11 U.S.C. § 1325(a)(3) ("plan proposed not by any means forbidden by law") because it violates 28 U.S.C. § 586(e)(1) and (2). The plan would require the Trustee to receive, hold, then disburse funds without collecting the statutory fee mandated by 28 U.S.C. § 586(e)(1)(B) and (e)(2).

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Attorney	Case #	Matters	Arrears	Trustee
<i>Pet Filed</i>	Debtor(s)	Notes	<i>Last Rcpt</i>	Recommendation
Bar Date	<i>Plan Pmt</i>		Last Rcpt Amt	
<i>Month/Term</i>	<i>AMI/BMI-ESF/PPR</i>		<i>Pmt Method</i>	

Mod forgives: \$5,341.98

Mod payments:

33 (Feb 2025) - 60 (May 2027) \$2,500.00

Post - Conf. Trustee's Motion to Dismiss filed 01/03/25 at #64 for non-payment.

Response to Post - Conf. Trustee's Motion to Dismiss filed 01/24/25 at #65.

There are a several months where only a partial payment was made.
