

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

**ROANOKE CALENDAR - DECEMBER 8, 2003**

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

(Start \_\_\_\_\_ Stop \_\_\_\_\_ TRIAL; \_\_\_\_\_ Or Proceedings \_\_\_\_\_)

Attys: Debtors: Case Nos.: Trustees:

**9:30 A. M. - CONFIRMATION HEARINGS**

M Hart ROBERT & JESSICA JOHNSON-chl3 7-03-00075 Connelly/SL  
Mod Plan #2 filed 9/9; d/e # 38, 39 , *contd from 10/27*

M Hart VICKI TRAYNHAM 7-03-03024 Connelly/SJ  
Mod Plan filed 10/6 t; *contd fr 11/10 & 12/8 (Tr.may conf in interim if meets liq.test)*  
Trustee Report, Objection & Showcause: Dismiss/convert filed 8/27; de # 24

Shelor LEETROY & DORIS WALLER-chl3 7-03-03899 Connelly/S  
Plan filed 9/12; d/e #6  
Trustee Report, Objection & Showcause: Dismiss/convert, filed 10/27; d/e # 15  
Trustee Report, Objection & Showcause: Dismiss/convert, filed 11/21; d/e # 17

Delafield JOYCE ENGLISH 7-03-04054 Connelly/SL  
Plan filed 9/23; d/e #6  
Trustee Report, Objection & Showcause: Dismiss/convert, filed 10/27; d/e # 16

**9:30 A. M. - CONFIRMATION HEARINGS**

M Hart	LINDA MOORE	7-03-03429	Connelly/SJ
	Plan filed 8/26; d/e # 13 <i>contd from 10/27</i>		
	Trustee Report, Objection & Show Cause: Dismiss/convert filed 10/1; d/e # 25		
	Trustee Report, Objection & Show Cause on Dismissal filed 10/14 [d/e # 17]		
	Supplemental Trustee Report, Objection & Show Cause on Dismissal or Conversion filed 12/02 [d/e # 24]		

Delafield	ROGER & PATRICIA CUNDIFF-chl3	7-03-01488	Connelly/AF
	Mod Plan filed 9/8; d/e # 45, 46, <i>contd from 10/27 for notice to limited creditors &amp; service of proper plan #3 (filed 9/8); [d/e # 57]</i>		
	Trustee Motion to Dismiss/convert , d/e # 17, contd from 9/8 hearing		

Delafield	RODNEY & PEGGY AKERS- Mod Plan filed 10/7; d/e # 21, 22, 23 Trustee Motion to Dismiss/convert , d/e # 19 contd from 10/27 hearing <b>Obj:</b> Member One Federal Credit Union (J.Patterson) filed 10/9; d/e # 25	7-03-03448	Connelly/AF
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Motion for Valuation hearing on 2001 Dodge Intrepid; Member One Credit Union, creditor [d/e # 14]  
**Obj:** filed 10/9; d/e # 24, (John Patterson)

*Note: see also Obj to Claim set at 11:00 @ Pg.6*

M. Hart	MARY MOSLEY - Ch. 13	7-03-03703	Connelly/GR
	Mod Plan #1 filed 10/22; d/e # 20		
	Trustee Showcase: Dismiss/convert contd from 11/10 to hear w/ mod plan		

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**9:30 A. M. - CONFIRMATION HEARINGS**

Delafield      DWIGHT & BARBARA CARTER      7-03-03627      Connelly/NS  
Mod Plan filed 10/22; d/e # 20  
Trustee Report, Obj & Showcause: Dismiss/convert filed 10/3; d/e # 16 *contd from 11/24*

Taylor  
(Gibson)      BRENDA LOVE      7-02-02841      Connelly/GR  
Mod Plan filed 10/17; d/e # 27, 28

Delafield      VALENCIA JERNIGAN-SMITH      7-03-02198      Connelly/AF  
Mod Plan filed 10/7; d/e # 25, 26, 27, 28, 29  
Trustee Showcause: Dismiss/convert:d/e # 16, contd by ord of 10/9 to hear w/mod plan

M Hart      DAVID (Jr) & KIMBERLEE HUGHES      7-03-03863      Connelly/VS  
Plan filed 9/10; d/e # 6  
Trustee Report, Obj & Showcause: Dismiss/convdert filed 10/27; d/e # 20  
  
Valuation: Friedman's: Jewelry, filed 9/22; d/e # 13  
***–Order of 10/28 fixed value at \$100 (to be paid under debtors' plan)***  
  
Valuation: Dow Financial: Vacuum, filed 9/22; d/e # 14  
***Order of 10/28 fixed value @ \$300***

Valuation: Transouth Financial: 1997 Volkeswagen Jetta, filed 9/22; d/e # 15\  
***Order of 10/28 values vehicle at \$5,500***

Valuation: Heilig-Meyers Furn: Furniture; filed 9/22; d/e # 16  
***Order of 10/28 fixed value at \$100***

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**9:30 A. M. - CONFIRMATION HEARINGS**

Mayer                      DANIEL DEAN-chl3    7-03-03952    Connelly/SJ  
***Mod Plan filed 11/26; set for conf hrg on 1/26 @ 9:30***  
Trustee Report, obj & Showcause: Dismiss/convert, filed 10/27 ; d/e # 15

M Hart                      MONTY & CANDICE HELMICK-chl3    7-03-03862    Connelly/SJ  
***–note: plan confirmed 12/8Plan*** filed 9/10; d/e # 6  
Trustee Report, obj & Showcause: Dismiss/convert, filed 10/27 ; d/e # 17

Valuation: FNB/Salem Bank & Trust: 1997 Dodge Neon, filed 9/22; d/e # 13  
***–ORDER of 10/29 (default) fixes value at \$3225***

M Giles                      HORACE & GLORIA CANDIS    7-03-03949    Connelly/S  
Plan filed 10/3 w/stmt of scheds; stmt of affairs & atty compensation but no notice of plan to creditors  
**Obj.:** Roanoke City (                      )  
Trustee Report, obj & Showcause: Dismiss/convert, filed 10/27 ; d/e # 18  
Trustee Report, Objection & Showcause: Dismiss/convert, filed 11/21; d/e # 20

Delafield                      JEFFERY, SR., & FREDA BARNETT - Ch. 13    7-03-03878    Connelly/AF  
***Mod Plan filed 11/6; d/e # 18, 19, 20, scheduled for conf. 12/22 @ 9:30***  
**Objection:** ABN AMRO Mortgage Group, Inc. (C. Patterson)  
***– note: ord rec'd 12/5 to withdraw objection placed in court's file***

Trustee's Report, Objection & Show Cause on Dismissal/Conversion [d/e # 17]

P. Brown      LINDA FERRELL - Ch. 13      7-02-03979      Connelly/NS  
Mod. Plan filed 10/10 [d/e # 41, 42]

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**9:30 A. M. - CONFIRMATION HEARINGS**

P Brown      PEGGIE DUNCAN      7-03-02943      Connelly/VS  
Confirmation (Recusal from RWK) of Amended Plan #1 filed 10/7; d/e # 27  
**Obj:** Wachovia Bank NA (Bryant)  
Trustee showcause d/e # 15 filed 10/6; contd from prev. calendar to hear w/mod plan

Creasy      DANIEL & SANDRA MARTIN - Ch. 13      7-03-02713      Connelly/VS  
Mod. Plan filed 10/14 [d/e # 25, 26]  
Trustee Showcause filed 8/11; d/e # 16, contd from 9/8 & 9/22 to hear w/mod plan

Delafield      KRISTINE & STEVEN HERRON - Ch. 13      7-03-03956      Connelly/JJ  
***Mod Plan filed 11/5; d/e # 21, 23, set for conf hrg on 12/22 @ 9:30***  
Trustee's Report, Objection & Show Cause on Dismissal/Conversion [d/e # 19]

Valuation: 1986 Conversion Van: American General Finance Services of America aka  
American General Finance Services Inc., filed 10/17 , d/e # 16

M. Hart      PHYLLIS WILLIAMS - Ch. 13      7-03-04058      Connelly/AF  
Plan filed 10/1; d/e # 13  
Trustee's Report, Objection and Show Cause on Dismissal/Conversion [d/e # 16]

P Brown      THEODORE & HEATHER JACKSON      7-03-03193      Connelly/VS  
Plan filed 10/7; d/e # 27, 28  
Trustee's Report, Objection and Show Cause:Dismiss/Convert: filed 10/27; d/e #32  
Trustee's Report, Objection and Show Cause:Dismiss/Convert: filed 11/21; d/e #39  
**Obj:** City of Roanoke (Collins) filed 12/3; d/e # 41  
*See also relief Motion #1 at 11:00 - Option One Mortgage @ Pg.6*

*see also 11:00 confirmation next page @ 11:00*

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### **11:00 A. M. - CHAPTER 13 CONFIRMATIONS**

M Hart      MELVIN & IRIS MCLEAN-ch13      7-03-01986      Connelly/JJ  
Mod Plan filed 8/12 d/e # 26, 27; *contd from 10/27 to hear w/pending motion re relief*  
Trustee Showcause filed 6/30; d/e # 18 ; d/e # 16, filed 6/25 & d/e # 18, filed 6/30  
*contd from 10/27*

Debtor Motion filed 9/24; d/e # 34, to Reconsider/Vacate Order of 9/10 , d/e # 32,  
in Relief Motion #1, d/e # 19, of Chase Manhattan Mortgage Corp(Sasser/Scott)  
Response of movant filed to motion to reconsider on 10/2, d/e#36  
*Amended Motion to Reconsider/Vacate filed 10/8 , d/e # 39*

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

M Hart      DWIGHT CARTER JR      7-02-03737      Connelly/NS  
Trustee's Motion to Dismiss filed 10/8; d/e # 56 *contd from 10/27 & 12/8*

Lance Hale      RODNEY GRAHAM-ch13      7-03-04420      Connelly/SJ  
*orig. conf set 1/12;*  
Motion of Trustee to d ismiss case filed 11/21; d/e # 19  
Motion of Trustee to Shorten Notice Requirements filed 11/21, d/e # 20  
**Answer of Debtor to Trustee's Motion filed 11/24, d/e # 23 (**  
*–Debtor also filed Plan 11/24 & Mot to Extend time d/e#21, 22 – w/no ntc*

P Brown      THEODORE & HEATHER JACKSON      7-03-03193      Connelly/VS  
Motion #1: Relief - filed 8/26; d/e # 10, 11, 12, 17, 23, 30 & 33  
Option One Mortgage ( Bierman/R Hart) v. debtors & trustee  
Answer of Respondent filed 11/13, d/e # 37  
*See also 9:30 a.m. Confirmation & related matters*  
**–consent order in transit (Bierman) –see file at Pg.5**

Delafield      RODNEY & PEGGY AKERS-      7-03-03448      Connelly/AF  
Obj of Debtor to Claim #3 of Roanoke Dept of Social Services, filed 10/29; d/e #31  
*–see also 9:30 a.m. confirmation matters –see file at Pg.2*

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

Delafield      THEONA & JOHN SMITH - Ch. 13      7-03-02686      Connelly/JJ  
Debtors' Objection to Claim # 13 of Dell Financial in the amount of  
\$1,445.43, filed 10/24; d/e # 38

M Hart      GEOVANNY & EILEEN MALDONADO      7-02-03641      Connelly/GR  
Motion #2: Relief - filed 11/14; d/e #68, 71  
Snap-On Credit LLC( Fleischhauer) v. debtors & trustee  
Response of Debtors filed `11/26, d/e #72

Krippendorf      JOSEPH & LINDA SIMMONS      7-02-03300      Connelly/SO  
***–Case dismissed 11/21 on Debtors' Motion***  
Post-Dismissal Motion s of Debtors to Disburse Plan Funds, filed 11/26; d/e # 92  
and Shorten Notice Requirement filed 12/1 [d/e # 94]

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

Smith, C      KAREN BUSHNELL      7-03-01811      Vogel/JM  
A/P 7-03-00105: Recover money or property; *contd from 10/27 for ord OR default mot*  
Debtor (Smith) v. Platinum Financial Services Corp (      ) and  
Wolpoff & Abramson LLP (      )

***-Order entered 11/10***

***-AP closed 11/21***

Pro se                      KERMIT GILES, JR. - Ch. 7                      7-03-01084                      Krippendorf/S  
A/P No. 7-03-00171: Object to or revoke a discharge  
W. Clarkson McDow, Jr., U.S.Trustee (Garber) v. Debtor  
ANSWER filed by Defendant 11/17

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

Huffman                      ERNEST HELTON-ch7                      7-03-03045                      Creasy/SL  
Motion #1: Relief - filed 8/14; d/e # 10, 11 - *contd from 10/6 w/conditions*  
U S Bank fka First Bank (Clarke) v. debtor & trustee  
Answer of Debtor filed 8/28; d/e # 17 (Huffman)  
Answer of Trustee filed 9/3, d/e # 19 (Creasy)  
Amended Answer of Trustee filed 9/9; d/e # 22  
**-Order entered dismissing motion 11/26-hrg. cancelled [d/e # 34]**

Goldstein                      WANDA SEARS-ch7                      7-03-03328                      Vogel/AF  
Motion of U. S. Trustee (Cosby) to extend issuance of discharge & time for  
filing motion to dismiss case or complaint to deny discharge filed 10/31, d/e # 15

Motion of U. S. Trustee for examination of debtor under R2004 filed 10/31; d/e # 16

Smith                      DANNY & AUDREY BRUGH                      7-03-03735                      Creasy/SL  
Motion of Trustee for extension of time to file obj. to exemptions and/or complaints  
re: Discharge/Dischargeability, filed 11/3; d/e # 11, 12



**~~–Order entered dismissing/withdrawing motion for extension of time–hrg. cancelled~~**

Shelor                      SUSAN TROUT-ch7                      7-03-03948                      Creasy/AF  
Motion #1: Relief - filed 11/6; d/e # 14, 16  
G E Mortgage Services LLC ( Sasser) v. debtor & trustee  
***–ORDER of Recusal to Judge Krumm of 11/12 fixed new hearing 12/4 @3:00(Video)***

Jamison                      DONNA JEAN MCPHERSON-ch7                      7-03-04326RKR                      Creasy/JJ  
Motion #1: Relief - Recusal from Judge Krumm  
Wachovia Bank NA (Smith) v. debtor & trustee  
***–ORDER of 11/25 resolved motion, cancels hearing***

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

Marino                      DHS OF VIRGINIA LP-ch7                      7-02-02717                      Creasy/NS  
Trustee Appl. For Appointment of Attorney (Law Firm Perkinson & Perkinson  
as Collections Attorney) , filed 7/21, d/e # 60; amended 7/28; d/e # 61; & ntc d/e # 63  
***–contd from 11/10 [d/e # 67, 68]***

Shelor                      ROY & TRESSIE BYRNES                      7-02002803                      Vogel/VS  
Trustee Notice of Intent to Sell Property filed 11/14; d/e #37, 38  
***-- contd from 12/8 for trustee to consider upset bid of debtors***

Krippend                      FREDERICK DOUGLAS-ch7                      7-03-02561                      Vogel/GR  
Motion #1: Relief - filed 11/14; d/e # 33, 35  
Regional Acceptance Corp (D.Kirkpatrick) v. debtor & trustee

*-Consent order circulating; to be forwarded to court by D.Kirkpatrick – see fax*

Mayer                      HENRY & LINDA MILLS - Ch. 7                      7-03-04279                      Krippendorf/NS  
                                 Motion # 1: Relief–filed 11/14 [d/e # 14]  
                                 Household Realty Corp. of. Va. (Zimm) v. Debtor & Trustee

P. Brown                      LARRY & FLORA PUGH - Ch. 7                      7-03-02622                      Creasy/SJ  
                                 Motion to Settle Claim in Camera filed by Trustee [d/e # 27]

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

Allen                      JUBB'S MAIL SERVICE INC-ch11                      7-02-05074                      DIP/NS  
                                 Motion of U S Trustee (Garber) to convert to Ch 7 filed 9/11, d/e # 57 - *contd from 11/10*

Motion of Debtor to approve sale of Assets Free & Clear of Liens, Claims, Interests and Encumbrances; for Bidding Protection; and for Order Approving Asset Purchase Agreement & Sale ; filed 11/12; d/e # 65 filed with Mot to Shorten Notice, d/e # 66 contd from court's 11/24 calendar

**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

**Limited Obj:** Winner Acceptance Corp & Winner Leasing Group (Magee)

Motion of Winner Acceptance Corp & Winner Leasing Group for Allowance of Admin Expense Claim for Unpaid Lease Pmts & Motion to Shorten Notice  
*contd from court's 11/24 calendar*

Motion to Reject Executory Contract/Motion for Approval to Reject Unexpired Real Estate Lease w/Cardinal Freight & Motion to Shorten Notice filed 12/3; d/e # 91 & #92

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

M Hart

MELVIN GARRETT

7-03-02161

Connelly/GR

Mod Plan filed 8/11; d/e # 39, 40 – *plan & objs contd from 9/22 & 11/24*

**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

**Obj :** City of Roanoke (Collins) d/e # 30,

Trustee Mot to Dismiss or Convert, d/e # 29

Motion #1: Relief - filed 6/19; d/e # 24 25 *contd fr 8/25 & 9/22 & 11/24*

W.C.Butler Heating & AirConditioning Inc & Special Plumbing Inc (J.Patterson)

v. Debtor & trustee

Response filed 7/7, d/e # 32