

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

CHAPTER 7

**CHARLES LAYTON DUPREE
SANDRA BRYANT DUPREE**

CASE NO.: 11-09335-8-JRL

DEBTORS

**NOTICE OF PROPOSED PUBLIC SALE OF REAL AND PERSONAL PROPERTY
AND NOTICE OF COMPENSATION TO AUCTIONEER**

1. Per Bankruptcy Rules 2002(a), 6004 and 6007 and 11 U.S.C. §363, notice is hereby given of the proposed public sale filed simultaneously herewith (the "Motion for Sale") of certain real and personal property of Charles Layton Dupree and Sandra Bryant Dupree (the "Debtors") as more particularly defined in the Motion and referred to individually as the "Real Property" and the "Personal Property" and in the collective as the "Property".

2. The sale is subject to approval of bids by the Chapter 7 Trustee and subsequent confirmation by the Bankruptcy Court. All bids made prior to approval and confirmation are subject to rejection.

3. Notice is further given that pending approval of the Motion for Sale, filed simultaneously herewith, the Trustee proposes to sell the Personal Property at a public auction held on **Friday, February 24th, 2012 at 10:00 a.m. or shortly thereafter at Country Boys Auction sale yard located beside 5997 Hwy 264 W., Washington, NC**, and the second sale shall include the Real Property and will be held on **Thursday, March 8, 2012 at 10:00 a.m. or shortly thereafter onsite at 94 Stancil Road, Angier, NC in Johnston County**, as may further be detailed in the advertisements and notices by the Auctioneer.

4. At the filing of this Motion, an order is pending with the Court that authorizes the employment of Mike Gurkins and Country Boys Auction & Realty, Inc. as the case appraiser and auctioneer in this bankruptcy case. The proposed Order authorizing employment of Mr. Gurkins seeks authority from the Court to allow commission rates at the following fixed rates:

REAL PROPERTY

10% of first \$25,000.00
4% of balance

PERSONAL PROPERTY

20% of first \$20,000.00
10% of next \$50,000.00
4% of balance

5. The above scale includes compensation for all expenses associated with conducting a sale, such as advertising, fliers, postage mailing, electronic mail and signage. The Auctioneer may apply to the court for additional expenses such as hauling, repairs, locksmiths, and expenses incurred for preserving the subject property. Said application for additional expenses may be included in the Trustee's report of sale.

DATED: January 27, 2012

s/ Marlo B. Ricks

Marlo B. Ricks, State Bar No. 40025
BATTLE, WINSLOW, SCOTT & WILEY P.A.
Attorney for Trustee
Post Office Box 7100
Rocky Mount, NC 27804-0100
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CERTIFICATE OF SERVICE

I, Marlo B. Ricks, Attorney for Trustee in this action, hereby certify that on the 27th day of January, 2012, I caused the documents to which this certificate is attached:

**NOTICE OF PROPOSED PUBLIC SALE OF REAL AND PERSONAL PROPERTY
AND NOTICE OF COMPENSATION TO AUCTIONEER**

to be served on each of the following parties of interest in this action by the method specified below:

Ms. Marjorie K. Lynch Bankruptcy Administrator Eastern District of North Carolina Post Office Box 3758 Wilson, NC 27895-3758 (CM-ECF)	United States Attorney - EDNC Attn: Civil Processing Clerk 310 New Bern Avenue Suite 800, Federal Building Raleigh, NC 27601-1461 (US Mail)
Office of the Attorney General Department of Justice 10th St. & Constitution Ave. Washington, DC 20530 (US Mail)	Internal Revenue Service PO Box 7346 Philadelphia, PA 19101-7346 (US Mail)
North Carolina Department of Revenue Office Services Division Bankruptcy Unit Post Office Box 1168 Raleigh, NC 27602-1168 (US Mail)	Richard D. Sparkman Attorney for Debtors Richard D. Sparkman & Assoc., P.A. P.O. Drawer 1687 Angier, NC 27501
Charles Layton Dupree Sandra Bryant Dupree 94 Stencil Drive Angier, NC 27501	Branch Banking & Trust Co. Attn: Jack R. Hayes, VP P.O. Box 1847 Wilson, NC 27894-1847
TF Business Vehicle Finance Attn: Officer/Managing Agent P.O. Box 1334 Roanoke, TX 76262	Johnston County Tax Department Attn: Managing Agent P.O. Box 451 Smithfield, NC 27577
See Attached Mailing Matrix	

s/ Marlo B. Ricks

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WILSON NC 27894-1847

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

Absolute Collection Sv
Attn: Managing Agent
421 Fayetteville St. Mall, Ste. 600
Raleigh, NC 27601-1777

Asset Acceptance
Attn: Managing Agent
PO Box 1630
Warren, MI 48090-1630

Bank of America
Attn: Officer/Managing Agent
PO Box 17309
Baltimore, MD 21297-1309

Blue Cross of Blue Shield NC
Attn: Managing Agent
PO Box 580017
Charlotte, NC 28258-0017

Bradford Collection Service
Attn: Managing Agent
2733 Horse Pen Creek Rd.
Greensboro, NC 27410-8399

Capital One
Attn: Officer/Managing Agent
PO Box 71083
Charlotte, NC 28272-1083

Carolina Plumbing Supply, Inc.
Attn: Managing Agent
4601 Trademark Drive
Raleigh, NC 27610-3059

Caterpillar Financial Services Corp.
Attn: Officer/Managing Agent
PO Box 340001
Nashville, TN 37203-0001

Charles Layton Dupree
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Angier, NC 27501-7980

Credit Financial Services
Attn: Managing Agent
3800 Guess Road
Durham, NC 27705-1506

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& Starling
Attorneys for First Citizens Bank
401 College St.

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106 S. Alston Street
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Don Lee's Grocery
Attn: Managing Agent
13718 Hwy. 50 North
Willow Spring, NC 27592

Duke Raleigh Hospital
Attn: Managing Agent
PO Box 70841
Charlotte, NC 28272-0841

Duke University Health Systems
Attn: Managing Agent
PO Box 751274
Charlotte, NC 28275-1274

Employment Security Commission
P.O. Box 26504
Raleigh, NC 27611-6504

Equifax Credit Information Svcs.
Attn: Managing Agent
PO Box 740241
Atlanta, GA 30374-0241

Experian
Attn: Managing Agent
5909 Peachtree Dunwoody Dr., Ste. 1000
Atlanta, GA 30328-7275

First Citizens Bank & Trust Co.
Attn: Mr. J. Barry Dumser
DAC 36
P.O. Box 25187

GECRB
Attn: Officer/Managing Agent
PO Box 965001
Orlando, FL 32896-5001

HD Supply Plumbing/HVAC, Ltd.
Partnership f/k/a Hughes Supply, Inc.
c/o Poyner & Spruill, LLP
301 S. College Street, Ste. 2300

Howarth Family Dental Center
Attn: Managing Agent
530 New Waverly Place, Ste. 302
Cary, NC 27518-7414

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Johnston County Tax
Attn: Managing Agent
P.O. Box 451
Smithfield, NC 27577-0451

Main Street America Group
Attn: Managing Agent
3 Golf Rd., Ste. 352
Hoffman Estates, IL 60169-4601

Marjorie K. Lynch
Bankruptcy Administrator
PO Box 3758
Wilson, NC 27895-3758

Montgomery Insurance
Attn: Managing Agent
PO Box 2050
Keene, NH 03431-7050

NC Department of Revenue
Office Services Division
Bankruptcy Unit
P.O. Box 1168

Private Diagnostic Clinic, PLLC
Attn: Managing Agent
PO Box 900002
Raleigh, NC 27675-9000

Recovery Management Systems Corporation
25 SE 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Republic Waste Services
Attn: Managing Agent
5111 Chin Page Rd.
Durham, NC 27703-8405

Rex Health Care
Attn: Managing Agent
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Charlotte, NC 28272-1058

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