

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA**

BANKRUPTCY COURT CALENDAR

2ND FLOOR COURTROOM, 150 READE CIRCLE
GREENVILLE, NORTH CAROLINA

THE HONORABLE JOSEPH N. CALLAWAY, PRESIDING

WEDNESDAY, NOVEMBER 02, 2016

HEARING ROOM: COURTROOM

10:00 AM

15-06522-5-JNC BRADLEY MCMILLION CH: 13
#1 SHOW CAUSE FOR FAILURE TO FILE CHAPTER 13 PLAN
VACATED: *SHOW CAUSE DISMISSED **

TRUSTEE: Joseph A. Bledsoe
ATTORNEY: Thomas J. Carmon (Bradley McMillion)

12-06888-8-JNC RONALD & LINETTE JOHNSON SPRUILL CH: 13
#2 TRUSTEE'S MOTION TO DISMISS
VACATED: ** CONSENT ORDER **

TRUSTEE: RICHARD M STEARNS
ATTORNEY: H. FRANK ALLEN (RONALD SPRUILL, LINETTE JOHNSON SPRUILL)

16-04268-5-JNC BRENDA ANNE SADLER CH: 13
#3 TRUSTEE'S MOTION TO DISMISS
VACATED: ** CONSENT ORDER **

TRUSTEE: Richard M Stearns
ATTORNEY: H. Frank Allen (Brenda Anne Sadler)

14-01887-5-JNC WAYNE TYRONE GARY CH: 13
#4 TRUSTEE'S MOTION TO DISMISS
VACATED: ** CONTINUED **

TRUSTEE: Richard M Stearns
ATTORNEY: Lenita Webb Arrington (Wayne Tyrone Gary)

10:00 AM

16-03044-5-JNC **JOHNNIE RAY & SONYA SIMPSON SYKES** **CH: 13**
#10 TRUSTEE'S MOTION TO DISMISS
VACATED: ** CONSENT ORDER **

TRUSTEE: RICHARD M STEARNS
ATTORNEY: LESLIE LOCKE CRAFT (JOHNNIE RAY SYKES, SONYA SIMPSON SYKES)

16-01746-5-JNC **SUSAN ELAINE SPELL** **CH: 13**
#11 TRUSTEE'S MOTION TO DISMISS

TRUSTEE: Richard M Stearns
ATTORNEY: Leslie Locke Craft (Susan Elaine Spell)

12-07560-8-JNC **BRENDA B & DWIGHT C HUMPHREY** **CH: 13**
#12 TRUSTEE'S MOTION TO DISMISS

TRUSTEE: Richard M Stearns
ATTORNEY: Edwin M. Hardy (Brenda B Humphrey, Dwight C Humphrey)

13-00292-8-JNC **ERIC RUDOLPH & GUSTAVIA KERR SMALLWOOD** **CH: 13**
#13 TRUSTEE'S MOTION TO DISMISS
VACATED: ** CONSENT ORDER **

TRUSTEE: Richard M Stearns (, Richard M Stearns)
ATTORNEY: Edwin M. Hardy (Eric Rudolph Smallwood, Gustavia Kerr Smallwood)

13-06488-8-JNC **FANCY TOMPKINS KEYES** **CH: 13**
#14 TRUSTEE'S MOTION TO DISMISS
VACATED: ** CONSENT ORDER **

TRUSTEE: Richard M Stearns
ATTORNEY: Edwin M. Hardy (Fancy Tompkins Keyes)

10:00 AM

15-06266-5-JNC **CLINTON EARL STRICKLAND** **CH: 13**
#20 TRUSTEE'S MOTION TO DISMISS
VACATED: **MOTION WITHDRAWN**

TRUSTEE: Richard M Stearns
ATTORNEY: Patrick Donovan Riley (Clinton Earl Strickland)

13-03563-8-JNC **TAMMY LYNETTE & REGGIE ARIEL ELBERT** **CH: 13**
#21 TRUSTEE'S MOTION TO DISMISS
VACATED: ** CONSENT ORDER **

TRUSTEE: RICHARD M STEARNS
ATTORNEY: PATRICK DONOVAN RILEY (TAMMY LYNETTE ELBERT, REGGIE ARIEL ELBERT)

10:30 AM

14-05492-5-JNC **CYNTHIA DAVIS BROWN** **CH: 13**
#22 1) TRUSTEE'S MOTION TO DISMISS
#23 2) AMENDED MOTION TO MODIFY PLAN

TRUSTEE: RICHARD M STEARNS (, RICHARD M STEARNS, Richard M Stearns)
ATTORNEY: EDWIN M. HARDY (CYNTHIA DAVIS BROWN, Cynthia Davis Brown)

14-02200-5-JNC **VIRGINIA DALE CREECY** **CH: 13**
#24 AMENDED MOTION TO MODIFY PLAN
VACATED: **CONSENT ORDER**

TRUSTEE: RICHARD M STEARNS (, RICHARD M STEARNS)
ATTORNEY: MICHAEL B. SOSNA (VIRGINIA DALE CREECY)

16-02416-5-JNC **DEREK SHAWN JONES** **CH: 13**
#25 AMENDED MOTION FOR CONFIRMATION OF PLAN
VACATED: **MOTION AMENDED**

TRUSTEE: Richard M Stearns
ATTORNEY: Edwin M. Hardy (Derek Shawn Jones)
ATTORNEY: William F. Hill (Capitol Credit Company)

10:30 AM

16-04099-5-JNC

PETRINA A BAILEY

CH: 13

#26

MOTION FOR CONFIRMATION OF PLAN

VACATED: **MOTION AMENDED**

TRUSTEE: Richard M Stearns
ATTORNEY: Allen C Brown (Petrina A Bailey)
ATTORNEY: William F. Hill (Select Acceptance Corporation)

16-04216-5-JNC

CHRISTOPHER MICHAEL IMES

CH: 13

#27

1) MOTION FOR CONFIRMATION OF PLAN - Objection filed by Dare M. Wiley

VACATED: **CONTINUED**

#28

2) MOTION FOR CONFIRMATION OF PLAN - Objection filed by Debtor

VACATED: **CONTINUED**

#29

3) MOTION FOR RELIEF FROM AUTOMATIC STAY

VACATED: **CONTINUED**

TRUSTEE: Richard M Stearns
ATTORNEY: Edwin M. Hardy (Christopher Michael Imes)
ATTORNEY: William F. Hill (Dare M. Wiley)

14-03577-5-JNC

PIETROSANTE LASSITER

CH: 13

#30

MOTION TO SET ASIDE DISMISSAL

VACATED: **MOTION WITHDRAWN**

TRUSTEE: Richard M Stearns (, Richard M Stearns)
ATTORNEY: Peggy S. Levin (Pietrosante Lassiter)

15-06722-5-JNC

ULYSSES MCCOY & APRIL M. COOPER

CH: 13

#31

MOTION TO SET ASIDE DISMISSAL

VACATED: **RESPONSE WITHDRAWN**

ATTORNEY: Edwin M. Hardy (Ulysses McCoy Cooper, April M. Cooper)
ATTORNEY: Richard M Stearns (Richard M Stearns)

10:30 AM

16-05266-5-JNC **PAMELA DENISE PETTAWAY** **CH: 13**
#32 MOTION TO EXTEND AUTOMATIC STAY
VACATED: ** ALLOWED **

TRUSTEE: Richard M Stearns
ATTORNEY: Michael B. Sosna (Pamela Denise Pettaway)

16-05350-5-JNC **THOMAS & JONIE CAROL CHAVIS** **CH: 13**
#33 MOTION TO EXTEND AUTOMATIC STAY
VACATED: ** CONSENT ORDER **
**** ALLOWED AS TO OTHER CREDITORS ****

TRUSTEE: Joseph A. Bledsoe
ATTORNEY: Chad W. Hammonds (Thomas Chavis, Jonie Carol Chavis)
ATTORNEY: STEPHEN TROY STALEY (THE HUNTINGTON NATIONAL BANK)

16-03351-5-JNC **MONIQUE LASHAY REVELY** **CH: 13**
#34 MOTION FOR RELIEF FROM AUTOMATIC STAY
VACATED: ** CONSENT ORDER **

TRUSTEE: Joseph A. Bledsoe
ATTORNEY: Bruce Allen (Monique Lashay Revely)
ATTORNEY: Joseph J. Vonnegut (RoundPoint Mortgage Servicing Corporatio)

16-04706-5-JNC **CARL E. & JUDY B. HINCHEY** **CH: 7**
#35 MOTION FOR RELIEF FROM AUTOMATIC STAY
VACATED: ** RESPONSE WITHDRAWN **

TRUSTEE: Walter L Hinson
ATTORNEY: Stephen L. Beaman (Carl E. Hinchey, Judy B. Hinchey)
ATTORNEY: Kristen Price Miller (Branch Banking and Trust Company)

10:30 AM

15-04998-5-JNC

LATISA T RODGERS

CH: 13

#36

MOTION FOR RELIEF FROM AUTOMATIC STAY

VACATED: ** CONSENT ORDER **

TRUSTEE: Richard M Stearns
ATTORNEY: Allen C Brown (Latisa T Rodgers)
ATTORNEY: Pamela P. Keenan (Capital One Auto Finance)

15-00257-5-JNC

BARBARA J HESTER

CH: 13

#37

MOTION FOR RELIEF FROM AUTOMATIC STAY

VACATED: ** CONSENT ORDER **

TRUSTEE: Richard M Stearns
ATTORNEY: Allen C Brown (Barbara J Hester)
ATTORNEY: Pamela P. Keenan (Wells Fargo Bank, N.A.)

15-06348-5-JNC

FEDRICK RICK & LINDA SUE GAGLIANO

CH: 13

#38

MOTION FOR RELIEF FROM AUTOMATIC STAY

VACATED: **CONTINUED**

TRUSTEE: Richard M Stearns (, Richard M Stearns)
ATTORNEY: Richard L. Cannon (Fedrick Rick Gagliano, Linda Sue Gagliano)
ATTORNEY: Neil D. Jonas (JPMorgan Chase Bank, National Associatio)

16-03609-5-JNC

EMMITT CLIFFORD JONES

CH: 13

#39

MOTION FOR RELIEF FROM AUTOMATIC STAY

VACATED: ** CONSENT ORDER **

TRUSTEE: Richard M Stearns
ATTORNEY: Leslie Locke Craft (Emmitt Clifford Jones)
ATTORNEY: Neil D. Jonas (Citizens Bank N.A.)

10:30 AM

16-03253-5-JNC

DANA E. JOHNSON

CH: 13

#40

MOTION FOR RELIEF FROM AUTOMATIC STAY

VACATED: ** CONSENT ORDER **

TRUSTEE: Richard M Stearns
ATTORNEY: David J Haidt (Dana E. Johnson)
ATTORNEY: Joseph J. Vonnegut (Fay Servicing LLC)

16-01718-5-JNC

KATRINA INEZ SHERIDAN

CH: 13

#41

MOTION FOR RELIEF FROM AUTOMATIC STAY

VACATED: ** CASE DISMISSED **

TRUSTEE: Richard M Stearns (, Richard M Stearns)
ATTORNEY: Palmer E. Huffstetler (Katrina Inez Sheridan)
ATTORNEY: John S. Williford (Connie J Hopkins)

15-03716-5-JNC

POLLY ANNETTE WILLIAMS

CH: 13

#42

MOTION FOR RELIEF FROM AUTOMATIC STAY

VACATED: **CONSENT ORDER**

TRUSTEE: Joseph A. Bledsoe
ATTORNEY: Benner Jones (Polly Annette Williams)
ATTORNEY: Pamela P. Keenan (Ford Motor Credit Company LLC)

13-01914-8-JNC

THOMAS JUNIOR & DENISE JOLYNN RIVERS

CH: 13

#43

MOTION FOR RELIEF FROM AUTOMATIC STAY

VACATED: **CONTINUED**

TRUSTEE: Joseph A. Bledsoe
ATTORNEY: John T. Orcutt (Thomas Junior Rivers, Denise Jolynn Rivers)
ATTORNEY: William Paul Harris (CitiFinancial Services, LLC)

10:30 AM

14-04967-5-JNC **JEREMIAH & CHRISTINA MARIE BROWN** **CH: 13**
#44 MOTION FOR RELIEF FROM AUTOMATIC STAY
VACATED: **RESPONSE WITHDRAWN**

TRUSTEE: Joseph A. Bledsoe
ATTORNEY: John T. Orcutt (Jeremiah Brown, Christina Marie Brown)
ATTORNEY: Kristen M. Redman (Consumer Portfolio Services, Inc.)

16-02871-5-JNC **JOHN R & TRACIE J CHRISTIAN** **CH: 13**
#45 MOTION FOR RELIEF FROM AUTOMATIC STAY
VACATED: ** CONSENT ORDER **

TRUSTEE: Richard M Stearns (, Richard M Stearns)
ATTORNEY: John G. Rhyne (John R Christian, Tracie J Christian)
ATTORNEY: Pamela P. Keenan (Wells Fargo Bank N.A.)

16-01458-5-JNC **ALPHONZO WILLIAMS** **CH: 13**
#46 MOTION FOR RELIEF FROM AUTOMATIC STAY
VACATED: **CONTINUED**

TRUSTEE: Joseph A. Bledsoe
ATTORNEY: Robert Lee Roland (Alphonzo Williams)
ATTORNEY: Mathias H. Hunoval (CITI Mortgage Inc)

16-03544-5-JNC **PURNELL & MARCIA ANNETTE DEANS** **CH: 7**
#47 MOTION FOR RELIEF FROM AUTOMATIC STAY
VACATED: **MOTION WITHDRAWN**

TRUSTEE: Walter L Hinson
ATTORNEY: Michael B. Sosna (Purnell Deans, Marcia Annette Deans)
ATTORNEY: Stephen Troy Staley (U.S. BANK NATIONAL ASSOCIATION)

10:30 AM

13-07663-8-JNC **DANNY R. & MARGARET D. MORROW** **CH: 13**
#48 MOTION FOR RELIEF FROM AUTOMATIC STAY
VACATED: ** CONSENT ORDER **

TRUSTEE: Richard M Stearns
ATTORNEY: Michael B. Sosna (Danny R. Morrow, Margaret D. Morrow)
ATTORNEY: Stephen Troy Staley (Bank of America, N.A.)

16-03913-5-JNC **HERBERT WINBORNE FUTRELL** **CH: 12**
#49 MOTION FOR RELIEF FROM AUTOMATIC STAY
VACATED: ** CONSENT ORDER **

TRUSTEE: John C. Bircher
ATTORNEY: LAURIE B. BIGGS (HERBERT WINBORNE FUTRELL, JR.)
ATTORNEY: Marjorie K. Lynch (Bankruptcy Administrator)
ATTORNEY: Kristin Decker Ogburn (American Honda Finance Corporation)

16-04787-5-JNC **ALAN M & EMMA K PHILLIPS** **CH: 7**
#50 MOTION FOR RELIEF FROM AUTOMATIC STAY
VACATED: ** RESPONSE WITHDRAWN **

TRUSTEE: Walter L Hinson
ATTORNEY: C. Everett Thompson (Alan M Phillips, Emma K Phillips)
ATTORNEY: Marjorie K. Lynch (Bankruptcy Administrator)
ATTORNEY: Stephen Troy Staley (JPMorgan Chase Bank, National Associatio)

16-02764-5-JNC **MILLSTON FOOD MART, INC.** **CH: 7**
#51 MOTION FOR RELIEF FROM AUTOMATIC STAY
VACATED: ** CONTINUED **

ATTORNEY: Beaman & Bennington, PLLC (Stephen L Beaman)
TRUSTEE: Stephen L Beaman
ATTORNEY: PRO SE (Millston Food Mart, Inc.)
ATTORNEY: Christopher Scott Kirk (Bankruptcy Administrator)
ATTORNEY: HOLMES P HARDEN (AHMAD SHAIKH)

10:30 AM

13-07140-8-JNC **GROVER CANELL & SHIRLEY VIRGINIA RAMSEY** **CH: 13**
#52 MOTION TO INCUR DEBT
VACATED: **MOTION WITHDRAWN**

TRUSTEE: Richard M Stearns (, Richard M Stearns)
ATTORNEY: H. Frank Allen (Grover Canell Ramsey, Shirley Virginia Ramsey)

12-06761-8-JNC **CATHERINE CUTLER OWENS** **CH: 13**
#53 MOTION TO SURRENDER

TRUSTEE: Richard M Stearns
ATTORNEY: Edwin M. Hardy (Catherine Cutler Owens)
ATTORNEY: Kristen Price Miller (Branch Banking and Trust Company)

16-01318-5-JNC **MARILYN CANIPE MEJORADO** **CH: 13**
#54 OBJECTION TO CLAIM NO. 4 OF CITIMORTGAGE, INC
VACATED: **CONTINUED**

TRUSTEE: Richard M Stearns
ATTORNEY: Sharon Bey-Christopher (Marilyn Canipe Mejorado)
ATTORNEY: Neil D. Jonas (CitiMortgage, Inc.)

13-06829-8-JNC **GERALD T & RHONDA J. BATTS** **CH: 13**
#55 OBJECTION TO CLAIM NUMBER 10 OF INTERNAL REVENUE SERVICE FILED BY
EDWIN M. HARDY ON BEHALF OF GERALD T BATTS, RHONDA J. BATTS.

TRUSTEE: RICHARD M STEARNS
ATTORNEY: EDWIN M. HARDY (GERALD T BATTS, RHONDA J. BATTS)

10:30 AM

16-00521-5-JNC

DAVID LYNN ELLIS

CH: 13

#56 1) OBJECTION TO CLAIM NUMBER 4 OF INTERNAL REVENUE SERVICE

VACATED: **** CASE DISMISSED ****

#57 2) OBJECTION TO CLAIM NUMBER 4 OF INTERNAL REVENUE FILED BY PATRICK DONOVAN RILEY ON BEHALF OF DAVID LYNN ELLIS.

VACATED: **Terminated in CM/ECF on 09/27/2016**

TRUSTEE: Richard M Stearns

ATTORNEY: Patrick Donovan Riley (David Lynn Ellis, DAVID LYNN ELLIS)

ATTORNEY: G. Norman Acker (Internal Revenue Service)

16-00005-5-JNC

JIM J RICHARDSON

CH: 13

#58 MOTION TO COMPEL

VACATED: ****CONTINUED****

TRUSTEE: Richard M Stearns

ATTORNEY: John G. Rhyne (Jim J Richardson)

ATTORNEY: Matthew A. Mannering (Capital One Auto Finance)

11:00 AM

10-02216-8-JNC

MARY LINDA MOORE

CH: 13

#59 1) SHOW CAUSE FOR FAILURE TO FILE AMENDED PROOF OF CLAIM

VACATED: ****AMENDED CLAIM FILED****

#60 2) MOTION TO REDACT/RESTRICT PUBLIC ACCESS TO CLAIM NUMBER 2 FILED BY C. SCOTT MEYERS ON BEHALF OF KINSTON MEDICAL SPECIALISTS, P.A.

VACATED: ****AMENDED CLAIM FILED****

TRUSTEE: Richard M Stearns

ATTORNEY: Leslie Locke Craft (Mary Linda Moore, MARY LINDA MOORE)

11:00 AM

13-04847-8-JNC

STEVEN F. JOHNSON

CH: 13

#61 1) SHOW CAUSE FOR FAILURE TO FILE AMENDED PROOF OF CLAIM

VACATED: ****AMENDED CLAIM FILED****

#62 2) MOTION TO REDACT/RESTRICT PUBLIC ACCESS TO CLAIM NUMBER 3-1 FILED BY JENNIFER HIMES ON BEHALF OF GREEN TREE SERVICING LLC

VACATED: **Terminated in CM/ECF on 09/26/2016**

TRUSTEE: Richard M Stearns

ATTORNEY: Steven Frank Johnson (Steven F. Johnson, STEVEN F. JOHNSON)

ATTORNEY: Jennifer Himes (Green Tree Servicing LLC)

16-04035-5-JNC

GREGORY TODD & JENNIFER WILLIAMS HARRIS

CH: 13

#63 MOTION TO COMPEL

TRUSTEE: Richard M Stearns

ATTORNEY: Michael B. Sosna (Gregory Todd Harris, Jennifer Williams Harris)

ATTORNEY: James Scott Lewis (State Farm Bank)

16-04726-5-JNC

CYNTHIA R WILLAIMS

CH: 13

#64 MOTION TO AVOID LIEN

VACATED: **** CONSENT ORDER ****

TRUSTEE: Richard M Stearns

ATTORNEY: Allen C Brown (Cynthia R Willaims)

ATTORNEY: Jay B. Green (Springleaf Financial Services)

02:00 PM

16-04306-5-JNC

YAHWEH CENTER, INC.

CH: 11

#65 1) MOTION TO USE CASH COLLATERAL

VACATED: **** INTERIM CONSENT ORDER ****

#66 2) APPLICATION FOR APPROVAL OF OFFICER COMPENSATION - CARLA J. ROBERTS

VACATED: **** CONSENT ORDER ****

ATTORNEY: Trawick H Stubbs (Yahweh Center, Inc.)

ATTORNEY: BLAKE Y. BOYETTE (YAHWEH CENTER, INC.)

ATTORNEY: Christopher Scott Kirk (Bankruptcy Administrator)

02:00 PM

16-01767-5-JNC

NOSILLA, INC

CH: 7

#67

MOTION FOR PRIVATE SALE FREE AND CLEAR OF LIENS

VACATED: ** MOTION WITHDRAWN **

TRUSTEE: John C. Bircher

ATTORNEY: Clayton W. Cheek (Nosilla, Inc)

ATTORNEY: Christopher Scott Kirk (Bankruptcy Administrator)

ATTORNEY: DAVID D. LENNON (NORTH CAROLINA DEPT. OF REVENUE)

16-05626-5-JNC

SKIN SENSE, INC.

CH: 11

#68

EMERGENCY MOTION TO USE CASH COLLATERAL

ATTORNEY: Ciara L. Rogers (Skin Sense, Inc.)

ATTORNEY: Christopher Scott Kirk (Bankruptcy Administrator)