

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
NEW BERN DIVISION

IN RE:

JOSEPH C HOWELL

CASE NO: 21-00588-5-DMW

DEBTOR

CHAPTER 7

**NOTICE OF PROPOSED PUBLIC SALE AND  
NOTICE OF COMPENSATION OF AUCTIONEER**

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

TO: ALL PARTIES IN INTEREST

Pursuant to 11 U.S.C. §363(b), Federal Rules of Bankruptcy Procedure 6004, 2002 (a), and 2002 (c) (1), notice is hereby given that JOHN C. BIRCHER III, Chapter 7 Trustee in the above referenced case (“Trustee”) proposes to sell the following described property:

2017 Sylvan Sport Go, VIN: TWHBCO911HF001498  
(collectively the “Property”)

Notice is further given that the Trustee proposes to sell said Property at the date, time and place as hereinafter set out:

**DATE: September 11, 2021**  
**TIME: 10:00 a.m.**  
**PLACE: Country Boys Auction & Realty**  
**1211 W. 5<sup>th</sup> Street**  
**Washington, NC 27889**

The Trustee has filed an application with the Court for an order authorizing employment and compensation of Country Boys Auction & Realty Co., Inc. as auctioneer whose compensation shall be fixed at a rate not to exceed the following:

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

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 and assembly.

If you do not want the Court to allow the sale and compensation, or if you want the Court to consider your views on the sale and compensation, then within twenty-one days (21) of the date of this Notice, unless otherwise ordered, you or your attorney must file with the Court, pursuant to 9014-2, a written response, an answer explaining your position. If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the notice at a date, time and place to be later set and all parties will be notified accordingly.

DATED: August 23, 2021

s/ John C. Bircher III  
John C. Bircher III  
N.C. State Bar No. 24119  
DAVIS HARTMAN WRIGHT PLLC  
209 Pollock Street  
New Bern, NC 28560  
Telephone: (252) 514-2828  
Facsimile: (252) 514-9878  
Email: jcb@dhwlegal.com