

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

**IN RE:**

**Gregory S. Inggs  
Constance P. Inggs  
10909 Raven Rock Drive  
Raleigh, NC 27614**

**CASE NO.: 21-01583-5-DMW  
CHAPTER 7**

**Debtors**

**TRUSTEE'S MOTION FOR PROPOSED PUBLIC AUCTION OF  
PERSONAL PROPERTY AND COMPENSATION TO AUCTIONEER**

**TO: ALL CREDITORS, INDENTURE TRUSTEES AND COMMITTEES  
APPOINTED OR ELECTED IN THIS CASE ACCORDING TO LAW**

In accordance with Bankruptcy Rule 2002(a) and Local Rule 2002-1, Motion is hereby made and Notice is hereby given by Richard DeWitte Sparkman, Trustee ("Trustee"), of the proposed public auction of the following described personal property ("Sale Property"):

**2017 Ducati Motorcycle - VIN ZDMAAEDT1HB018630**

The Sale Property will be sold "where is, as is" without warranty express or implied.

Motion is further made and Notice is further given that the Sale Property will be sold at public auction at a date, time, and place in the manner hereinafter set out:

**Public Auction to be conducted at 10:00 a.m. on October 27, 2021 at  
1211 West 5th St. Washington, NC.**

The Trustee has filed an application with the court to approve the employment of Michael Gurkins of Country Boys Auction & Realty, Inc. as auctioneer, whose compensation, inclusive of all expense including labor and advertising, absent extraordinary circumstances, shall be fixed at a rate not to exceed the following:

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

Such compensation and reimbursement of extraordinary expenses, if any, shall be subject to final review by the court without further notice.

Section 363(m) of the Bankruptcy Code protects a good faith purchaser's interest in Sale Property purchased from a Debtor notwithstanding that the sale conducted under §363(b) is later reversed or modified on appeal.

The Department of Motor Vehicles of the state of North Carolina and similar agencies shall issue new certificates of title to the extent the Debtor believes and can attest in good faith that the bankruptcy estate has a property interest in such titled vehicles and can execute the necessary lost title affidavits or similar required forms.

Rule 6004(h) provides that an order approving sale of the Sale Property is stayed until the expiration of 10 days after entry, unless the Court rules otherwise. Request is made for waiver as this is a public auction.

**WHEREFORE**, Richard DeWitte Sparkman, Chapter 7 Trustee, prays for the entry of an Order providing the following relief:

1. Authorization to sell the Sale Property and to compensate the Auctioneer.
2. Finding that the Purchaser is a "good faith purchaser" entitled to the protections of §363(m), and authorize the Trustee to sell, transfer and convey the Sale Property.
3. The Department of Motor Vehicles of the state of North Carolina and similar agencies shall issue new certificates of title to the extent the Debtor believes and can attest in good faith that the bankruptcy estate has a property interest in such titled vehicles and can execute the necessary lost title affidavits or similar required forms.
4. Provide that such Order shall be effective immediately, as permitted by Rule 6004(h) upon conditions set forth hereinabove and for such other relief as the Court may deem just and proper.

DATE OF MAILING: October 6, 2021

RICHARD D. SPARKMAN & ASSOCIATES, P.A.

BY: /s/ Richard DeWitte Sparkman  
Richard DeWitte Sparkman Sparkman  
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