

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

IN THE MATTER OF:

CASE NO.:

**MARCUS GRAHAM ROBERSON
Debtor**

**21-00092-5-JNC
CHAPTER 12**

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

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

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 the Debtor in the above referenced case (“Trustee”) proposes to sell the personal property detailed on Exhibit “A” (“Property”) attached hereto.

Previously, the Court entered an Order (DE 52) allowing the sale of this equipment free and clear of liens. The Court has also entered an Order (DE 46) allowing the employment and compensation of the auctioneer.

NOTICE IS HEREBY GIVEN the Debtor proposes to sell at public auction the property described below at the date, time and place and in the manner hereinafter set out:

SALE DATE & TIME: JANUARY 5, 2022, 10:00 a.m.

DESCRIPTION: The Equipment and real estate listed on Exhibit A attached hereto shall be sold.

SALE LOCATION: 6436 Heathsville Road, Enfield, NC 27823

FURTHER NOTICE IS GIVEN that the Debtor reserves the right to withdraw equipment from the sale, without further notice, up to and including 48 hours prior to the sale. The Debtor reserves the right to recommend to the Court that some high bids not be confirmed.

FURTHER NOTICE IS GIVEN that the Debtor previously filed an application with the Court to approve the employment of Goins Auction, Inc., as auctioneer, whose compensation shall be fixed at a rate not greater than the following:

PERSONAL PROPERTY

20% on first \$20,000

10% on next \$50,000

4% on the 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 on or before **November 18, 2021**, 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.

You must also mail a copy to:

John C. Bircher, III
White & Allen, PA
P.O. Drawer U
New Bern, NC 28563
Trustee

Mr. Marcus G. Roberson
4237 Hedgepeth Road
Littleton, NC 27850

John G. Rhyne, Esq.
P.O. Box 8327
Wilson, NC 27893

Bankruptcy Administrator, EDNC
434 Fayetteville Street Mall
Suite 640
Raleigh, NC 27601

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.

This the 25th day of October, 2021.

/S/ John G. Rhyne
John G. Rhyne
State Bar No: 17570
P.O. Box 8327
Wilson, NC 27893
Telephone: (252) 234-9933
Telecopier: (252) 991-5567
johnrhyne@johnrhynelaw.com

EXHIBIT A TO NOTICE OF PROPOSED PUBLIC SALE

EQUIPMENT

2003 JD Sprayer 4710 Serial #NO4710X004269
John Deere 7800 tractor 4wd duals 10,000 hrs
Agricultural Fertilizer Spreader
Agricultural Tender Box 8 ton
2-reddick sprayer 60' 300 gal
Case Disc 3900 Serial #07740755
16- Tobacco Trailers 16'
Roanoke Long Reach Mower G-195
2010 Kubota Tractor M7040 Serial #66115
IH 16'Disc
Long Switch Bottom Plow Serial #1232
Sukup 4 row Plow Serial #03072
IH Disc 475
Case Disc 3900 21' Serial #JAG0740753
KMC Strip Till 8 Row
KMC Bedder 8 Row
Ford blade 8'
JD 7300 Plantar 4 row Serial#C655217
PTO Auger
1980 Roanoke Bulk barn 126 Serial #752159
1980 Roanoke Bulk barn 126 Serial #751332
1980 Roanoke Bulk Barn 126

1980 Roanoke Bulk Barn 126 Serial #AGJ0151
1980 Roanoke Bulk barn 126 Serial #AAP4248
1980 Roanoke bulk barn 126 Serial #751614
1980 Roanoke bulk barn 126 Serial #AGJ0388
1980 Roanoke Bulk barn 126 Serial #AGP082
1980 Roanoke Bulk barn 126 Serial #AGP044
1985 Roanoke bulk barn Serial #R752596

1985 Roanoke bulk barn Serial #AA813513G4FF
1985 Roanoke Bulk barn serial #731478
1985 Roanoke bulk barn Serial #754252
1985 Roanoke bulk barn Serial #75203
1985 Roanoke Bulk Barn
1985 Roanoke Bulk Barn

JD 825 Danish Tine Cultivator Serial#N00825X012935
JD cultivator 8 row
JD Rotary ED400 Hoe Serial #524231
Red ball hooded sprayer 8 row Serial #98-0995
KMC tobacco plow with fertilizer 4 row
2- Tobacco Plant trailer
Reddick Tobacco spreader 8 row
Granville Tobacco Bailer and scales
Ferguson Peanut Fluffer 4 row
Hobbs Peanut combine 2 row Serial #8557

10- Long Peanut Trailers 569 Serial#4202,4585,5024,4957,5026,4612,4816,4621
JD 544 Corn Head
M&W Grain Wagon 350 Bushel serial#B762

1-Bush Hog rotary mower Serial #T8869188,T9150587
Hardee Offset Rotary Cutter Serial #M8458977

REAL ESTATE

26 Acres farm land -- Halifax County. Parcel Number 0400171. PIN 3970-00-95-3971

CERTIFICATE OF SERVICE

I, John G. Rhyne, of the law firm of John G. Rhyne, Attorney at Law, of P.O. Box 8327, Wilson, NC, certify:

That I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age.

That on October 25, 2021, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system. By filing the pleading using the CM/ECF system, the parties listed below will either receive notification of such filing by way of CM/ECF or by depositing copies thereof in the United States mail, first class mail, postage prepaid, an envelope addressed as shown below.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: October 25, 2021.

/s/ John G. Rhyne

John G. Rhyne
P. O. Box 8327
Wilson, NC 27893
(252) 234-9933

RECIPIENTS:

Attached Matrix

Mr. Marcus G. Roberson
4237 Hedgepeeth Road
Littleton, NC 27850

John C. Bircher, III
Chapter 12 Trustee
P.O. Drawer U
New Bern, NC 28563

Bankruptcy Administrator, EDNC
434 Fayetteville Street Mall
Suite 640
Raleigh, NC 27601

North Carolina Department of Revenue
Attn: Bankruptcy Section
P.O. Box 1168
Raleigh, NC 27602

North Carolina Department of Commerce
Division of Employment Security
P.O. Box 26504
Raleigh, NC 27611

U.S. Securities & Exchange Commission
Atlanta Regional Office
950 E Paces Ferry Rd. NE, Suite 900
Atlanta, GA 30326-1382

Secretary of the Treasury
1500 Pennsylvania Ave., NW
Washington, DC 20220

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

IRS/Office of Chief Counsel
Alamance Bldg., Mail Stop 9
4905 Koger Blvd.
Greensboro, NC 27407-2734

Civil Process Clerk of US Attorney
150 Fayetteville Street
Suite 2100
Raleigh, NC 27601

The Honorable Merrick Garland
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

Attorney General of North Carolina
901 Mail Service Center
114 W. Edenton Street
Raleigh, NC 27699-9001

Best Egg/SST
Attn: Officer
4315 Pickett Rd.
Saint Joseph, MO 64503

Branch Banking & Trust--Service Agt
Attn: Chad Fluno
PO Box 1847
Wilson, NC 27894-1847

Capital One Bank USA-FDIC
Attn: Officer
4851 Cox Rd.
Glen Allen, VA 23060

Farm Bureau Bank -- FDIC
Attn: Officer
2165 Green Vista Drive
Sparks, NV 89431

FBN Inputs
c/o Kutak Rock LLP - Officer
1650 Farnam St.
Omaha, NE 68102-2103

Halifax Farm Service, Inc.
Attn: Officer
10680 Justice Branch Rd.
Halifax, NC 27839

Lending Club Corp
Attn: Officer
595 Market Street, Suite 200
San Francisco, CA 94105

Mariner Finance North Carolina
Attn: Officer - Corporate Office
8211 Town Center Drive
Nottingham, MD 21236

Monsanto
c/o Mr. Nathan Robinson
PO Box 17249
Raleigh, NC 27619

Monsanto Company
c/o D&S Ltd. - Officer
13809 Research Blvd., Suite 800
Austin, TX 78750

One Main
Attn: Officer
300 Becker Dr.
Roanoke Rapids, NC 27870-3207

PNC Bank
c/o Brian Darer
PO Box 389
Raleigh, NC 27602

Southern Bank and Trust- FDIC
Attn: Officer
100 N. Center St.
Mount Olive, NC 28365

The Green Law Firm
Attn: Officer
908 E. Edenton St.
Raleigh, NC 27601

Willie C. Wood CTE, Inc.
Attn: Officer
61 Clarence Moye Rd
Ayden, NC 28513

Brian D. Darer, Esq.
Attorney for PNC Bank, NA
301 Fayetteville Street, Suite 1400
Raleigh, NC 27601

Patricia M Adcroft, Esq.
Attorney for PNC Bank, NA
301 Fayetteville Street, Suite 1400
Raleigh, NC 27601

LVNV Funding, LLC
c/o Resurgent Capital Services - Officer
P.O. Box 10587
Greenville, SC 29603-0587

OneMain Financial Group, LLC
Attn: Officer
P.O. Box 3251
Evansville, IN 47731-3251

Atlas Acquisitions LLC
Attn: Avi Schild, President
492C Cedar Lane, Suite 442
Teaneck, NJ 07666

PNC Bank National Association
Attn: Officer
P.O. Box 94982
Cleveland, OH 44101

Capital One Bank (USA), N.A. by
American InfoSource - Officer
4515 Santa Fe Ave.
Oklahoma City, OK 73118

Farm Bureau Bank
Attn: Officer
P.O. Box 9013
Addison, Texas 75001

Trust Bank, fka BB&T
Attn: Bankr. Dept. RVW 3034 - Officer
P.O. Box 27767
Richmond, VA 23261