

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

IN RE:

RICHARD RIVERA SALINAS

DEBTOR

CASE NO:

22-02421-5-PWM

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 A. Scott McKellar, Chapter 7 Trustee in the above referenced case ("Trustee") proposes to sell the following described property:

2014 Toyota Tundra, VIN# 5TFGY5F17EX172383

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

DATE: February 3, 2023
TIME: 10:00 AM
PLACE: 1211 West 5th St.
Washington, NC 27889

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

Personal Property
20% on first \$20,000.00
10% on next \$50,000.00
4% on the balance

Real Property
10% on first \$25,000.00
4% on the balance

The auctioneer shall be reimbursed for all reasonable and necessary expenses of sale. Such compensation and reimbursement of expenses shall be subject to final review by the court, without further notice. 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 **January 23, 2023**, unless otherwise ordered, you or your attorney must file with the court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing.

Pursuant to that Memorandum from Chief Bankruptcy Judge J. Rich Leonard, EDNC, dated February 24, 2005, attorneys practicing in the United States Bankruptcy Court for the Eastern District of North Carolina, including attorneys admitted pro hac vice, are required to file electronically all documents [including new

bankruptcy petitions, motions, memoranda of law, and other pleadings, but excluding proofs of claim and documents to be placed under seal in accordance with Local Bankruptcy Rule 5005-4(6)]. Any documents required to be filed electronically pursuant to Local Bankruptcy Rule 5005-4(1) but presented in paper form on or after April 1, 2005, shall be accompanied by an application for an exemption from this rule and a proposed order granting the relief sought. The application shall state the reason(s) why electronic filing would impose an extreme hardship on the attorney. Local Bankruptcy Rules pertaining to electronic filing, including Local Bankruptcy Rules 5005-4(1) and 5005-4(2) may be found on the Court's website www.nceb.uscourts.gov. Electronic filing may be done through the Court's web site. The Court's mailing address is at: Clerk, U.S. Bankruptcy Court, Eastern District of North Carolina, PO Box 791, Raleigh, North Carolina 27602

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:

Brian C. Behr, Esquire Bankruptcy Administrator 434 Fayetteville Street, Suite 640 Raleigh, NC 27601	A. Scott McKellar Chapter 7 Trustee 2343 Professional Dr. Rocky Mount, NC 27804
Matthew A. Schmidt Law Offices Of John T. Orcutt, Pc 6616-203 Six Forks Road Raleigh, NC 27615	Richard Rivera Salinas 3444 Summer Cove Drive Fayetteville, NC 28306

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.

If you or your attorney do not take these steps, the court may decide that you do not oppose the sale and compensation and may enter an order granting that relief.

DATED: December 29, 2022

s/ A. Scott McKellar
A. Scott McKellar, Chapter 7 Trustee
State Bar No. 27965
2343 Professional Dr.
Rocky Mount, NC 27804
Telephone: (252) 937-2200
Facsimile: (252) 937-8100
smckellar@bws.com

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

IN RE: RICHARD RIVERA SALINAS DEBTOR		CASE NO: 22-02421-5-PWM CHAPTER 7
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CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury that she is over eighteen (18) years of age and the **NOTICE OF PROPOSED PUBLIC SALE AND NOTICE OF COMPENSATION OF AUCTIONEER** was this day served upon the below named persons, parties and/or counsel by mailing, postage prepaid, first class mail, a copy of such instruments to such persons, parties and/or counsel at the address shown or as indicated below:

Brian C. Behr, Esquire Bankruptcy Administrator <i>Served via cm/ecf and by email to</i> <i><u>Lesley_Dean@nceba.uscourts.gov</u> and</i> <i><u>Karen_Cook@nceba.uscourts.gov</u></i>	Matthew A. Schmidt Law Offices of John T. Orcutt, Pc 6616-203 Six Forks Road Raleigh, NC 27615
Richard Rivera Salinas 3444 Summer Cove Drive Fayetteville, NC 28306	Country Boys Auction and Realty Co. Inc. 1211 West 5 th St. Washington, NC 27889

See attached creditor matrix

DATED: December 29, 2022

s/ Judy Tharrington
 Judy Tharrington, Paralegal
 Battle Winslow Scott & Wiley, P.A.
 Post Office Box 7100
 Rocky Mount, NC 27804
 Telephone: (252) 937-2200
 Facsimile: (252) 937-8100

A Scott McKellar
Battle, Winslow, Scott & Wiley, PA
PO Box 7100
Rocky Mount, NC 27804-0100

All American Homes Rental Mgmt
6432 Yadkin Road
Fayetteville, NC 28303-2167

Alltran Financial
Post Office Box 15618
Wilmington, DE 19850-5618

Alltran Financial, LP
Post Office Box 722929
Houston, TX 77272-2929

American Home Shield
Post Office Box 609
Lagrange, GA 30241-0011

Bankruptcy Administrator
Two Hannover Square, Ste. 640
434 Fayetteville Street
Raleigh, NC 27601-1701

child of (Marilyn Rivera)
7886 Mill Creek Circle
West Chester, OH 45069-5808

Cumberland County Tax Collector
Attn: Officer
Post Office Box 449
Fayetteville, NC 28302-0449

Employment Security Commission
Attn: Benefit Payment Control
Post Office Box 26504
Raleigh, NC 27611-6504

Equifax Information Systems LLC
P.O. Box 740241
Atlanta, GA 30374-0241

Everready Recovery & Towing
Attn: Officer
1620 Rogers Street
Savannah, GA 31415-1437

Experian
P.O. Box 2002
Allen, TX 75013-2002

Internal Revenue Service (ED)**
Post Office Box 7346
Philadelphia, PA 19101-7346

JPMORGAN CHASE BANK N A
BANKRUPTCY MAIL INTAKE TEAM
700 KANSAS LANE FLOOR 01
MONROE LA 71203-4774

KOA Savannah South
4915 US Hwy 17
Richmond Hill, GA 31324-8808

M&T BANK
LEGAL DOCUMENT PROCESSING
626 COMMERCE DRIVE
AMHERST NY 14228-2307

Matthew A. Schmidt
Law Offices of John T. Orcutt, PC
6616-203 Six Forks Road
Raleigh, NC 27615-6524

NC Child Support
Centralized Collections
Post Office Box 900006
Raleigh, NC 27675-9006

North Carolina Dept. of Revenue**
Post Office Box 1168
Raleigh, NC 27602-1168

Ohio Child Support Payment Central
Post Office Box 182372
Columbus, OH 43218-2372

Richard Rivera Salinas
3444 Summer Cove Drive
Fayetteville, NC 28306-3946

Shermon D. Collins
4512 Plainview Court
Fayetteville, NC 28304-5123

Trans Union Corporation
P.O. Box 2000
Crum Lynne, PA 19022-2000

U. S. Bankruptcy Court
300 Fayetteville Street, 4th Floor
P.O. Box 791
Raleigh, NC 27602-0791

U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Ave. NW
Washington, DC 20530-0001

US Attorney's Office
150 Fayetteville Street
Suite 2100
Raleigh, NC 27601-2959

US Attorney's Office (ED)**
150 Fayetteville Street
Suite 2100
Raleigh, NC 27601-2959

USAA
9800 Fredericksburg Road
San Antonio, TX 78288-0002

USAA Credit Card Services
Post Office Box 65020
San Antonio, TX 78265-5020

Veterans Administration
Regional Office
251 North Main Street
Winston-Salem, NC 27155-0002

Wells Fargo Home Mortgage
Attn: Officer
Post Office Box 14547
Des Moines, IA 50306-3547

Wells Fargo Home Mortgage
Attn: Officer
Post Office Box 10335
Des Moines, IA 50306-0335