

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

IN RE:

DUSTIN ALAN KEMMERER

CASE NO: 25-05055-5-PWM

DEBTOR

CHAPTER 7

**NOTICE OF MOTION TO SELL FREE AND CLEAR OF LIENS, NOTICE OF
PROPOSED PUBLIC AUCTION, AND NOTICE OF COMPENSATION TO
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).

NOTICE IS HEREBY GIVEN of the **MOTION TO SELL FREE AND CLEAR OF LIENS, NOTICE OF PROPOSED PUBLIC AUCTION, AND NOTICE OF COMPENSATION TO AUCTIONEER** filed herewith by John C. Bircher III, Trustee.

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:

2021 Pace enclosed trailer
VIN 53BPTEA10MP020497

FURTHER NOTICE IS HEREBY GIVEN that the Trustee proposes to sell said property at the date, time, and location set forth below:

DATE AND TIME: April 15, 2026 at 10:00 a.m.

PLACE: 1211 W. 5th 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:

PERSONAL PROPERTY

20% of first \$20,000.00

10% of next \$50,000.00

8% 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. Upon completion of the auction, and after the period established for payment and claim of property has lapsed, there may be items that the winning bidder has not paid for or for which the winning bidder has not claimed. The Trustee is authorized to direct Country Boys Auction to sell such items to the backup bidder or readvertise and resell such items by public auction without further notice or authority from the Court.

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: 03/18/2026

s/John C. Bircher III

John C. Bircher III

N.C. State Bar No. 24119

DAVIS HARTMAN WRIGHT LLP

209 Pollock Street

New Bern, NC 28560

Telephone: (252) 262-7055

Facsimile: (252) 262-7055

Email: john.bircher@dhwlegal.com