

UNITED STATES BANKRUPTCY COURT
SUITE 280
302 EAST PETTIGREW STREET
DURHAM, NORTH CAROLINA

March 12, 2015

THE HONORABLE LENA M. JAMES PRESIDING

Calendar Summary:

- Total Number of Cases: 81
- Total Number of Matters to be Heard: 89
- Total Number of Hearings: 49
- Total Number of Motions to Dismiss: 40

Note: Please be aware that **entry into the facilities** of this Court **will generally require a photo I.D.**

10:00 AM

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|---|--|---|
| 1. Andrew Clinton
Salley and Barbara
Jean Salley
13-81532 7
(lmj) | *36* Motion by Bankruptcy Administrator for
Order Denying Discharge of Andrew C. Salley | ATY DEBTOR:
Joseph Wilson,
Jr.
TR: Sara A.
Conti
BA: William
Miller |
| | | |
| 2. Joseph James Novara
and Linda Lee Novara
14-81072 7
(lmj) | *35* Objection by Trustee to Debtor's Claim
for Property Exemptions (1) | ATY DEBTOR:
James White
ATY TR: J. P.
Cournoyer
TR: Northen
Blue
BA: William P.
Miller |
| | | |
| 3. Charles Francis
Paterno, Jr. and
Jacquelyn Nye Paterno
14-80278 11
(lmj) | *220* Application by ArborOne for
Administrative Expenses in the amount of
\$16,331.50 | ATY DEBTOR:
James White
ATY AO:
Christine Myatt
BA: William P.
Miller |
| | | |
| 4. Atlantic Retail
Construction, Inc.
14-11216 11
(lmj) | *89* Motion by Debtor for Private Sale of
Personal Property to Various Parties | ATY DEBTOR:
Katherine
Clayton
BA: William P.
Miller |

5. Earl L. Pickett
Enterprises, Inc.
12-81284 11
(lmj)

365 Chapter 11 Plan of Reorganization

ATY DEBTOR:
Douglas
Wickham
TR: J. P.
Cournoyer
BA: William
Miller

11:00 AM

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| 6. | Carnegie
v.
North Carolina
Housing Finance
Agency
14-09066
(lmj) | *1* Pre-Trial Hearing | ATY PLTF:
Koury Hicks
TR: Richard
Hutson |
| 7. | Felton
v.
HSBC Bank USA,
National Association,
as Trustee fo
14-09067
(lmj) | *1* Pre-Trial Hearing | ATY PLTF:
Koury Hicks
TR: Richard
Hutson |
| 8. | Hutson II
v.
State Farm Bank, FSB
15-09001
(lmj) | *1* Pre-Trial Hearing | ATY PLTF:
Benjamin Lovell
TR: Richard
Hutson |
| 9. | James Isley
09-81235 13
(lmj) | *50* Show Cause Hearing regarding closing of
case without Entry of Order of Discharge for
failure to file a Motion for Entry of Discharge
and Certificate of Plan Completion | ATY DEBTOR:
Koury Hicks
TR: Richard M.
Hutson, II |
| 10. | Christopher Trent
Frazier and Amy Lynn
Frazier
10-81313 13
(lmj) | *69* Amended Objection by Debtors to Notice
of Mortgage Payment Change with Specialized
Loan Servicing | ATY DEBTOR:
Koury Hicks
TR: Richard M.
Hutson, II |

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| 11. Larry Donald Cernik
10-81679 13
(lmj) | 1. *56* Motion by HSBC Mortgage Services to Modify Mortgage on a Note executed Sept. 22, 2006 in the amount of \$153,000.00 | ATY DEBTOR:
Teresa Weik
ATY HSBC:
Matthew Phelan
TR: Richard M. Hutson, II |
| | 2. *57* Motion by HSBC Mortgage Services Inc. to Modify Mortgage of a Note executed on Sept. 22, 2006 in the amount of \$36,000.00 | ATY DEBTOR:
Teresa Weik
ATY HSBC:
Matthew Phelan
TR: Richard M. Hutson, II |
| 12. Robert Andrew Hibble
10-81809 13
(lmj) | *27* Show Cause Hearing regarding closing of case without Entry of Order of Discharge for failure to file a Motion for Entry of Discharge and Certification of Plan Completion | ATY DEBTOR:
Koury Hicks
TR: Richard M. Hutson, II |
| 13. Humphrey Enweluzor
10-82255 13
(lmj) | *77* Amended Motion by Nationstar Mortgage LLC for Relief from Stay and Abandonment regarding 3009 Banner St. Durham NC | ATY DEBTOR:
Neil O'Toole
ATY NM:
Elizabeth Parrott
TR: Richard M. Hutson, II |
| 14. Yolanda Littlejohn
11-81904 13
(lmj) | 1. *34* Motion by Debtor to Modify Plan (1) | ATY DEBTOR:
Neil O'Toole
TR: Richard M. Hutson, II |

41 Motion by PennyMac Loan Services,
LLC for Relief from Stay and Co-Debtor Stay
(Byron Solomon) regarding 123 Nicklaus
Drive, Garner, NC

ATY DEBTOR:
Neil O'Toole
ATY PMLS:
Joseph Vonnegut
TR: Richard M.
Hutson, II

15. Ida Mae Williams
11-82049 13
(lmj)

28 Motion by The Bank of New York
Mellon for Relief from Stay regarding 5133
Antioch Road, Oxford, NC

ATY DEBTOR:
Donald
Pergerson
ATY BNY:
Matthew
Underwood
TR: Richard M.
Hutson, II

16. Kevin Charles Rich
and Cynthia Ella
Headrick Rich
12-80112 13
(lmj)

51 Motion by Debtors to Modify Mortgage
of JP Morgan Chase Bank, NA

ATY DEBTOR:
Christian Felden
TR: Richard M.
Hutson, II

17. Rita Frances Gross
12-81508 13
(lmj)

26 Motion by Wells Fargo Bank, N.A. for
Relief from Stay regarding 1419 Sundown
Drive, Mebane, NC

ATY DEBTOR:
Neil O'Toole
ATY WF: Daria
Barrett
TR: Richard M.
Hutson, II

18. Carlos Marquet
McCall and Marlo
Davis McCall
12-81656 13
(lmj)

33 Motion by Debtors to Modify Plan

ATY DEBTOR:
Koury Hicks
TR: Richard M.
Hutson, II

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| 19. | Theodora Petty
Sanders
12-81781 13
(lmj) | *58* Motion by Consumer Portfolio Services
for Relief from Stay regarding a 2008 Nissan
Altima | ATY DEBTOR:
Koury Hicks
ATY CPS:
Brandy Mills
TR: Richard M.
Hutson, II |
| 20. | Stanley W. Farrington
and Maria Chavis
Farrington
12-81929 13
(lmj) | *36* Motion by Debtors to Incur Debt | ATY DEBTOR:
Brent Wootton
TR: Richard M.
Hutson, II |
| 21. | Renardo Richardson
13-80154 13
(lmj) | *24* Motion by Debtor to Modify Mortgage of
Bank of America | ATY DEBTOR:
Donald
Pergerson
TR: Richard M.
Hutson, II |
| 22. | Billy Wayne Fowler,
Jr. and Elizabeth Carol
Fowler
13-80257 13
(lmj) | *37* Motion by Debtors for Sanctions against
Green Tree Servicing LLC (1) | ATY DEBTOR:
A. B. Harrington,
III
TR: Richard M.
Hutson, II |
| 23. | Pamela Denise
Shamburger
13-80475 13
(lmj) | *42* Motion by Debtor directing Southern
General Insurance to pay full amount for
vehicle repairs (1) | ATY DEBTOR:
Sara Harrington
TR: Richard M.
Hutson, II |

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| 24. Toney Moore and
Loretta Denise Palmer
14-80024 13
(lmj) | *36* Motion by Debtors to Incur Debt with
Hendrick Durham Automall | ATY DEBTOR:
Koury Hicks
TR: Richard M.
Hutson, II |
| 25. Rosa C. Shearin
14-80025 13
(lmj) | *33* Motion by Debtor to Modify Plan | ATY DEBTOR:
Brent Wootton
TR: Richard M.
Hutson, II |
| 26. Georgeann Jane Mark
14-80169 13
(lmj) | *58* Motion by Sara Harrington to Withdraw
as Attorney of Record for the Debtor (1) | ATY DEBTOR:
Sara Harrington
TR: Richard M.
Hutson, II |
| 27. Kenric McClary and
Constance Michele
McClary
14-80333 13
(lmj) | 1. *21* Motion by Trustee to Modify Plan (1) | ATY DEBTOR:
Koury Hicks
TR: Richard M.
Hutson, II |
| | 2. *24* Objection by Debtors to Claim
Number 10 of Select Portfolio Servicing, Inc. | ATY DEBTOR:
Koury Hicks
TR: Richard M.
Hutson, II |
| 28. Jerry W Phelps and
Donna C Phelps
14-80531 13
(lmj) | *19* Motion by Bank of America, N.A. for
Relief from Stay regarding 232 Gun Club
Road, Henderson, NC | ATY DEBTOR:
Brent Wootton
ATY BA:
Matthew Phelan
TR: Richard M. |

29. Clorie Kimble Carnegie 14-80536 13 (lmj)	1. *29* Motion by Trustee to Allow Late Filed Claim of Nationstar as an administrative claim (1)	ATY DEBTOR: Koury Hicks TR: Richard M. Hutson, II
	2. *35* Objection by Debtor to Notice of Postpetition Fees, Expenses, and Charge with Nationstar Mortgage LLC	ATY DEBTOR: Koury Hicks ATY NSM: Matthew Phelan TR: Richard M. Hutson, II
30. Nelson L. White and Linda J White 14-80659 13 (lmj)	*17* Motion by Debtors to Incur Debt	ATY DEBTOR: Brent Wootton TR: Richard M. Hutson, II
31. Wyzell Lenard Johnson and Carrie Blue Johnson 14-80762 13 (lmj)	*25* Motion by Carolina Lease Management Group for Relief from Stay regarding a storage utility building	ATY DEBTOR: Michael McCrann ATY CLM: Amy Oleksa TR: Richard M. Hutson, II
32. Jennifer V Jones 14-80888 13 (lmj)	1. *31* Amended Notice and Proposed Order of Confirmation (1)	ATY DEBTOR: Eleanette Brown TR: Richard M. Hutson, II

	2. *32* Objection by Trustee to Confirmation of Plan	ATY DEBTOR: Eleanette Brown TR: Richard M. Hutson, II
33. Donald Edward Burleson, II and Kristie P Burleson 14-80918 13 (lmj)	*33* Motion by Carmax Business Services, LLC for Relief from Stay and Co-Debtor Stay (Nora Lockemy Currin) regarding a 2014 Kia Optima	ATY DEBTOR: Donald Pergerson ATY CBS: Pamela Keenan TR: Richard M. Hutson, II
34. Jerry Milton Jackson 14-81133 13 (lmj)	*14* Objection by Trustee to Confirmation of Plan (1)	ATY DEBTOR: Koury Hicks TR: Richard M. Hutson, II
35. Ingrid Thomas Rodriguez 14-81160 13 (lmj)	1. *26* Objection by Debtor to Claim Number 4 of SunTrust Mortgage, Inc. 2. *27* Objection by Debtor to Notice of Postpetition Fees, Expenses, and Charge with SunTrust Mortgage Inc.	ATY DEBTOR: Koury Hicks TR: Richard M. Hutson, II ATY DEBTOR: Koury Hicks TR: Richard M. Hutson, II
36. Frances T. Burt 14-81193 13 (lmj)	*15* Objection by Debtor to Claim Number 5 of MidFirst Bank	ATY DEBTOR: Donald Pergerson TR: Richard M. Hutson, II

37.	Gary Neal Mosher 14-81241 13 (lmj)	*14* Objection by Trustee to Confirmation of Plan (1)	ATY DEBTOR: Koury Hicks TR: Richard M. Hutson, II
38.	Sandra Leigh Adams 14-81376 13 (lmj)	*18* Objection by Ally Financial Inc. to Valuation of a 2008 Ford Escape	ATY DEBTOR: A. B. Harrington, III ATY AF: Pamela Keenan TR: Richard M. Hutson, II
39.	Patrick James Mimranek and Abby Jo Steen 14-81391 13 (lmj)	*18* Notice and Proposed Order of Confirmation	ATY DEBTOR: Koury Hicks TR: Richard M. Hutson, II
40.	Wilbert Junior Smith 14-81415 13 (lmj)	*15* Objection by Wells Fargo Bank N.A. to Confirmation of Plan	ATY DEBTOR: Koury Hicks ATY WF: Pamela Keenan TR: Richard M. Hutson, II
41.	George W. Alston 15-80071 13 (lmj)	*14* Hearing to determine if case should be dismissed for failure by debtor to pay filing fee in accordance with prior order of the court	ATY DEBTOR: Donald Pergerson TR: Richard M. Hutson, II

42. Tom Harris 14-80882 13 (lmj)	1. *16* Objection by 21st Mortgage Corporation to Valuation of a 2000 Fleetwood Mobile Home (3)	ATY DEBTOR: Donald Pergerson ATY 21st: Matthew Underwood TR: Richard M. Hutson, II
	2. *21* Amended Objection by 21st Mortgage Corp. to Valuation of a 2000 Fleetwood Mobile Home	ATY DEBTOR: Donald Pergerson ATY 21st: Matthew Underwood TR: Richard M. Hutson, II

12:00 PM

Motions to Dismiss

43.	09-80934 13 (lmj)	Delores A. Glover	Donald D. Pergerson
44.	09-80990 13 (lmj)	Marcus Vale Black and Lisa Gaye Atkins Black	Michael J. McCrann
45.	09-80997 13 (lmj)	Raleigh Lambeth Williams and Gwendolyn Elizabeth Williams	John T. Orcutt
46.	09-81287 13 (lmj)	Timothy Alan Larkin and Tiffany Diane Larkin	John T. Orcutt
47.	09-81491 13 (lmj)	Jennifer Woods Williams	John T. Orcutt
48.	09-82046 13 (lmj)	McQuilla Smith and Rosetta W Smith	Clyde A. Wootton
49.	10-81361 13 (lmj)	Waverley Williams	Brandi Leigh Richardson
50.	10-81959 13 (lmj)	Theresa Mai Ditchfield	John T. Orcutt
51.	10-82069 13 (lmj)	Defraziernal Walter Shipman	Donald D. Pergerson
52.	10-82160 13 (lmj)	John Howard Reedy	John T. Orcutt
53.	10-82248 13 (lmj)	Timothy Allen Garrity and Heather Jernigan Garrity	Teresa Marie Weik

54.	11-80385 13 (lmj)	Ronnie McRae	John T. Orcutt
55.	11-80445 13 (lmj)	Rebekah Sue Wilson	Virginia B. Collins
56.	11-81617 13 (lmj)	Jennifer Lee Hedgepeth and Travis Sentel Hedgepeth	Christian Bennett Felden
57.	11-81633 13 (lmj)	Alma L Haywood	Brent Clifton Wootton
58.	11-81773 13 (lmj)	Joyce Haire Johnson	John T. Orcutt
59.	11-81782 13 (lmj)	Francine Yvonne Bailey	James B. Craven, III
60.	12-81615 13 (lmj)	Catherine Al-Asad	John T. Orcutt
61.	12-81656 13 (lmj)	Carlos Marquet McCall and Marlo Davis McCall	John T. Orcutt
62.	12-81679 13 (lmj)	Denita Renee Hopkins	John T. Orcutt
63.	12-81881 13 (lmj)	Brenda Thomas Brower	Arthur M. Blue
64.	12-81911 13 (lmj)	Alfreda A Ruffin	Donald D. Pergerson
65.	13-80182 13 (lmj)	Pamela Denise Gaddy	John T. Orcutt
66.	13-80493 13 (lmj)	Jean Terrell Mebane	John T. Orcutt

67.	13-80627 13 (lmj)	Robert Lee Kester and Marilyn Faye Kester	John T. Orcutt
68.	13-80744 13 (lmj)	Effie O Hayes	Brent Clifton Wootton
69.	13-81198 13 (lmj)	Horace Reginald Fields, Sr. and Peggy Martin Fields	Edward C. Boltz John T. Orcutt
70.	13-81486 13 (lmj)	Charis E Martin	John T. Orcutt
71.	14-80070 13 (lmj)	Calvin Landon McKenzie and Tonya Perryman McKenzie	Michael J. McCrann
72.	14-80180 13 (lmj)	James E Parker	John T. Orcutt
73.	14-80304 13 (lmj)	Seretha A Williams	Donald D. Pergerson
74.	14-80329 13 (lmj)	Erica Angelina Mika	James C. White
75.	14-80618 13 (lmj)	Michele Shanette Kelly	John T. Orcutt
76.	14-80739 13 (lmj)	Kenita Latreise Stubbs	John T. Orcutt
77.	14-80803 13 (lmj)	Franklin L. Fleming	Donald D. Pergerson
78.	14-80901 13 (lmj)	Vance E Hendrick and Elaine H Hendrick	Donald D. Pergerson

79.	14-81173 13 (lmj)	Sandra Faye Sutton	Donald D. Pergerson
80.	14-81340 13 (lmj)	Ronnie Gentry	Joe Charles Weinberger, Jr.
81.	14-81363 13 (lmj)	Stella Vannetta McSwain	Donald Louis Coomes
82.	14-81383 13 (lmj)	Herbert Kyle Sloan and Donna Charlene Sloan	Brett Smith Yauger