

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

August 18, 2016

THE HONORABLE BENJAMIN A. KAHN PRESIDING

Calendar Summary:

- Total Number of Cases: 64
- Total Number of Matters to be Heard: 77
- Total Number of Hearings: 54
- Total Number of Motions to Dismiss: 23

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

09:30 AM

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| 1. | Sabha<br>v.<br>Houchins<br>15-09009<br>(bak)                            | *69* Motion by Plaintiff for Preliminary<br>Injunction              | ATY PLA:<br>Jonathan W.<br>Anderson                                      |
| 2. | Gully Brook<br>Revocable Trust et al<br>v.<br>Cook<br>16-09015<br>(bak) | Pre-Trial   | ATY PLA:<br>Jonathan D.<br>Keeler<br>ATY DEF:<br>Stephanie<br>Osborne    |
| 3. | David M Kimbrough<br>14-80971 7<br>(bak)                                | *31* Motion by Trustee to Authorize Payment<br>of Secured Claim (1) | ATY DEBTOR:<br>James W. Tolin,<br>Jr.<br>ATY TR:<br>Stephanie<br>Osborne |
| 4. | Oakley and Son, Inc.<br>14-81411 11<br>(bak)                            | *156* Motion by Attorney for Debtor to<br>Withdraw                  | ATY DEBTOR:<br>J.P. Cournoyer  |

11:00 AM

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| 5. | Wilkerson<br>v.<br>Roxboro Savings<br>Bank, SSB<br>16-09011<br>(bak)                   | Pre-Trial. (1)   | ATY PLA: Koury<br>L. Hicks   |
|    |  | *7* Affidavit for Entry of Default.<br><br>*8* Motion by the Plaintiff to Strike; and for<br>Default Judgment. |  |
| 6. | Hollis Dalton<br>Broomes and Dolores<br>Broomes<br>10-81327 13<br>(bak)                | *79* Motion by the Debtors to modify Plan.   | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II      |
| 7. | David William<br>Biessener and<br>Maureen Theresa<br>Biessener<br>10-82292 13<br>(bak) | *46* Motion by the Female Debtor for Entry of<br>Discharge and Certification Regarding Plan<br>Completion.     | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II      |
| 8. | Jennifer Stephanie<br>Brown<br>11-80625 13<br>(bak)                                    | *45* Objection by the Debtor to Claim<br>Number 15 of Freedom Mortgage Corporation.                            | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II      |
| 9. | Waldo Nathan Fenner<br>11-81392 13<br>(bak)  | *40* Motion by the Trustee to modify Plan. (1)   | ATY DEBTOR:<br>Carena B.<br>Lemons<br>TR: Richard M.<br>Hutson, II |

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| 10. Earl Brodie and Traci Brodie<br>11-81854 13<br>(bak)                      | *42* Motion by the Female Debtor to approve Settlement Agreement.                   | ATY DEBTOR:<br>Donald D. Pergerson<br>TR: Richard M. Hutson, II   |
| 11. Dennis Stanley Carswell and Teresa Diane Carswell<br>12-81346 13<br>(bak) | *65* Application by the Debtors to employ Attorney Anne M. Tarvin nunc pro tunc.    | ATY DEBTOR:<br>Joseph M. Wilson, Jr.<br>TR: Richard M. Hutson, II |
| 12. Liddie Jane Howard<br>12-81423 13<br>(bak)                                | *37* Amended Motion by the Debtor to modify Plan.                                   | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M. Hutson, II        |
| 13. Tabitha Chanelle McGhee<br>12-81590 13<br>(bak)                           | *30* Motion by the Debtor to modify Plan. (1)                                       | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M. Hutson, II        |
| 14. Yolanda Ann Brewer<br>12-81693 13<br>(bak)                                | *73* Motion by the Debtor to incur debt with Hendrick Chevrolet Buick GMC Cadillac. | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M. Hutson, II        |
| 15. Tina Maxine Suggs Bunch<br>13-80011 13<br>(bak)                           | *85* Request by the Debtor for Voluntary Dismissal of case.                         | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M. Hutson, II        |

\*86\* Motion by the Bankruptcy Administrator  
and Standing Trustee for a 2004 Examination  
of the Debtor.

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| 16. Restless Olivia<br>Thompson<br>14-80473 13<br>(bak)                      | *38* Motion by Wells Fargo Bank, N.A. for<br>Relief from Stay regarding 2003 Lime Street,<br>Durham, NC. (1) | ATY DEBTOR:<br>John T. Orcutt<br>ATY WFB:<br>Michael J. Emrey<br>TR: Richard M.<br>Hutson, II |
| 17. Dallas Jonathan<br>Howard, Jr.<br>14-80541 13<br>(bak)                   | *37* Motion by the Debtor for private sale of<br>260 West Creek Road, Henderson, NC.                         | ATY DEBTOR:<br>Donald D.<br>Pergerson<br>TR: Richard M.<br>Hutson, II                         |
| 18. John Elbert Crews, Jr.<br>14-80854 13<br>(bak)                           | *76* Motion by the Debtor to modify Plan.  | ATY DEBTOR:<br>Florence A.<br>Bowens<br>TR: Richard M.<br>Hutson, II                          |
| 19. Thomas Cody Kunik<br>and Melissa Cardon<br>Kunik<br>14-80884 13<br>(bak) | *21* Application by the Debtor for approval of<br>Contingency Fee Agreement.                                 | ATY DEBTOR:<br>John T. Orcutt<br>BA: William P<br>Miller<br>TR: Richard M.<br>Hutson, II      |
| 20. Doris Lavon Revels<br>15-80013 13<br>(bak)                               | *36* Motion by the Trustee to modify Plan.   | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II                                 |

\*39\* Objection by the Debtor to Notice of  
Mortgage Payment Change.

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| 21. Crystal C. Bass<br>15-80185 13<br>(bak)                            | *22* Motion by Jeff Watts, Executor for the<br>Estate of John F. Watts for Relief from Stay<br>regarding Lot 2, Glen H. Tellefsen, Person<br>County, NC; and Relief Co-Debtor Stay. (1)                      | ATY DEBTOR:<br>Brent C. Wootton<br>ATY JW: Ashley<br>S. Rusher<br>TR: Richard M.<br>Hutson, II |
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| 22. Alita R Copney<br>15-80325 13<br>(bak)                             | *24* Motion by the Debtor to modify Plan.  | ATY DEBTOR:<br>Brent C. Wootton<br>TR: Richard M.<br>Hutson, II                                |
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| 23. Hannah Aldridge<br>Inglan<br>15-80629 13<br>(bak)                  | *58* Motion by the Debtor for private sale of<br>real property located at 77 McCaskill Road<br>East, Pinehurst, NC.<br><br>*66* Motion by the Debtor to vacate Order<br>Granting Relief from Automatic Stay. | DEBTOR: PRO SE<br>TR: Richard M.<br>Hutson, II   |
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| 24. John N Nichols and<br>Elona M Nichols<br>15-80758 13<br>(bak)      | *58* Motion by Santander Consumer USA, Inc.<br>for Relief from Stay regarding a 2013 Dodge<br>Charger; and Relief from Co-Debtor Stay as<br>to Melissa Ann Nichols.  | DEBTOR: PRO SE<br>ATY SC: Pamela<br>P. Keenan<br>TR: Richard M.<br>Hutson, II                  |
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| 25. Michael Cheek and<br>Tonita Sherelle Cheek<br>15-80883 13<br>(bak) | *24* Motion by the Debtors to modify Plan.   | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II                                  |

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| 26. Teria J. Bouknight<br>15-80924 13<br>(bak)                                | *43* Motion by the Debtor to modify Plan.   | ATY DEBTOR:<br>Christian B.<br>Felden<br>TR: Richard M.<br>Hutson, II                              |
| 27. Robert Lee Kozora<br>and Suzanne Jessup<br>Kozora<br>15-81015 13<br>(bak) | *33* Motion by CitiMortgage, Inc. for Relief from Stay regarding 318 Fleming Road, Youngsville, NC; and Relief from Co-Debtor Stay as to Suzanne Kozora. (1)      | ATY DEBTOR:<br>James C. White<br>ATY CI: Kyle D.<br>Stewart<br>TR: Richard M.<br>Hutson, II        |
| 28. Mary Alice Bradford<br>15-81118 13<br>(bak)                               | *32* Motion by Nationstar Mortgage, LLC, for Relief from Stay regarding 43980 Hedgewood Lane, California, Maryland. (2)   | ATY DEBTOR:<br>Donald D.<br>Pergerson<br>ATY NM: Jacob<br>C. Zweig<br>TR: Richard M.<br>Hutson, II |
|   | *36* Motion by the Debtor to incur debt with Matthews Motors. (1)   |  |
| 29. Victoria Ann Vaughan<br>12-81400 13<br>(bak)                              | *57* Motion to Modify Plan to lower plan payment ., Motion to Incur Debt with Michael Jordan Nissan in the amount of: \$20,000.00 in order to purchase a vehicle. | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II                                      |
| 30. Carmen Patrice Irson<br>12-81723 13<br>(bak)                              | *30* Motion by the Debtor to modify Plan; and to incur debt with Hendrick Chevrolet Buick GMC Cadillac.   | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II                                      |

31. Coretta D Harris 15-81308 13 (bak)	*32* Motion by Santander Consumer USA Inc. for Relief from Stay regarding a 2014 Dodge Charger; and Relief from Co-Debtor Stay as to Eldon Kyreedeshawn Daye.	ATY DEBTOR: Brent C. Wootton ATY SC: Pamela P. Keenan TR: Richard M. Hutson, II
32. Courtney Tyler Patterson 16-80122 13 (bak)	*18* Motion by Matrix Financial Services Corporation for Relief from Stay regarding 3921 Sterling Pointe Drive Winterville, NC; and Relief from Co-Debtor Stay as to Bradley J. Miller.	ATY DEBTOR: John T. Orcutt ATY MFS: Daria A. Barrett TR: Richard M. Hutson, II
33. Latoria Waters Britto 16-80136 13 (bak)	*17* Motion by the Trustee to modify Plan.	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
34. Lavo Kittomia Smith 16-80266 13 (bak)	*20* Motion by the Trustee to allow the Claim of United Consumer Financial Services. (1)	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
35. Patrick L. Green 16-80398 13 (bak)	*14* Motion by State Employees Credit Union for Relief from Stay regarding a 2003 Ford Mustang.	ATY DEBTOR: Donald D. Pergerson ATY SECU: Craig S. Haskell TR: Richard M. Hutson, II



36. Darrin Thompson 16-80433 13 (bak)	*18* Application by the Debtor to employ Attorney Charles G. Pittman.	ATY DEBTOR: Brent C. Wootton TR: Richard M. Hutson, II
37. Thomas Wayne Decker 16-80526 13 (bak)	*11* Motion by Northwest Federal Credit Union for Relief from Stay regarding a 2015 Dodge 1500 Quad Cab SLT 4WD.	ATY DEBTOR: Brandi L. Richardson ATY NFCU: Daria A. Barrett TR: Richard M. Hutson, II
38. Clinton Douglas Edwards and Elizabeth Godwin Edwards 16-80564 13 (bak)	*16* Motion by American Honda Finance Corporation for Relief from Stay regarding a 2013 Honda Foreman 4x4.	ATY DEBTOR: John T. Orcutt ATY AHF: Kristin D. Ogburn TR: Richard M. Hutson, II
39. Mary Ethel Grubbs 16-80594 13 (bak)	*15* Hearing to determine if the Debtor's Case should be dismissed for failure to pay filing fee.	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
40. Victor Gustavo Hiraldo 15-80918 13 (bak)	*46* Amended Confirmation of Plan.	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
41. Angela Lynn Coley 15-81092 13 (bak)	*57* Objection by Vanderbilt Mortgage and Finance, Inc. to Confirmation of Plan. (1)	ATY DEBTOR: Donald L. Coomes ATY VM: Christine M. Lamb

TR: Richard M.  
Hutson, II

42.	Rose Marie Johnson Wilkerson 15-81263 13 (bak)	*37* Amended Confirmation of Plan. (1)	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
43.	Martha Jane Alston 15-81305 13 (bak)	*46* Amended Confirmation of Plan.	ATY DEBTOR: Donald D. Pergerson TR: Richard M. Hutson, II
44.	Warren Ballentine 16-80308 13 (bak)	*20* Confirmation of Plan. (1)	ATY DEBTOR: Robert Lewis, Jr. TR: Richard M. Hutson, II
		*25* Objection by the Trustee to Confirmation of Plan. (1)	ATY DEBTOR: Robert Lewis, Jr. TR: Richard M. Hutson, II
45.	Pamela Renee Baysmore 16-80377 13 (bak)	*15* Confirmation of Plan.	ATY DEBTOR: Lynn E. Coleman TR: Richard M. Hutson, II
		*18* Objection by the Trustee to Confirmation of Plan.	ATY DEBTOR: Lynn Coleman TR: Richard M. Hutson, II

46. James Earl Peoples,      \*16\* Confirmation of Plan.  
Jr. and Melissa Ann  
Peoples  
16-80422 13  
(bak)

ATY DEBTOR: A.  
B. Harrington, III  
TR: Richard M.  
Hutson, II

12:00 PM

**Motions to Dismiss**

47.	10-81327 13 (bak)	Hollis Dalton Broomes and Dolores Broomes	Edward C. Boltz John T. Orcutt
48.	12-80484 13 (bak)	Amanda Elizabeth Johnson	John T. Orcutt
49.	12-81423 13 (bak)	Liddie Jane Howard	John T. Orcutt
50.	12-81677 13 (bak)	Robby Maurice Davis, Sr.	James C. White
51.	13-80158 13 (bak)	Velma Corless Smith	John T. Orcutt
52.	13-80564 13 (bak)	Matthew Paul Aug and Barbara Ann Aug	Virginia B. Collins
53.	13-80766 13 (bak)	Sharron Lynn Penney	John T. Orcutt
54.	14-80854 13 (bak)	John Elbert Crews, Jr.	Florence A. Bowens
55.	14-80938 13 (bak)	Leon Perry	Brandi Leigh Richardson
56.	15-80325 13 (bak)	Alita R Copney	Brent Clifton Wootton
57.	15-80455 13 (bak)	Lydia C Joseph	Brent Clifton Wootton
58.	15-80566 13 (bak)	Kevin Michael Felder	John T. Orcutt

59.	15-80643 13 (bak)	Jacqueline Ann Terry	Donald D. Pergerson
60.	15-80828 13 (bak)	Lisa Russell Barber	John T. Orcutt
61.	15-80883 13 (bak)	Michael Cheek and Tonita Sherelle Cheek	John T. Orcutt
62.	15-81114 13 (bak)	Jacqueline Denise Gibson	Joseph M. Wilson, Jr.
63.	15-81154 13 (bak)	Richard Anthony Jenkins, Jr.	John T. Orcutt
64.	15-81195 13 (bak)	Jan E Blount	Brent Clifton Wootton
65.	15-81244 13 (bak)	Ronald J. Gregory and Jessica M. Gregory	Brent Clifton Wootton
66.	15-81302 13 (bak)	Monique Latoaia Rodgers	John T. Orcutt
67.	15-81328 13 (bak)	John Robert Jones and Ronisha McDonald Jones	Michael J. McCrann
68.	16-80106 13 (bak)	Dennis Glen Cheek	John T. Orcutt
69.	16-80232 13 (bak)	Keith Richard Horner	Brett Smith Yauger