

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

August 28, 2014

THE HONORABLE BENJAMIN A. KAHN PRESIDING

Calendar Summary:

- Total Number of Cases: 74
- Total Number of Matters to be Heard: 86
- Total Number of Hearings: 57
- Total Number of Motions to Dismiss: 29

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. | Riley, Jr
v.
AmTrust Mortgage
Corporation
14-09037
(bak) | *10* Motion by the Plaintiff for a Default
Judgment. | ATY PLA:
Cheryl Capron |
| | | | |
| 2. | Harvey et al
v.
Dambowsky
14-09010
(bak) | *16* Answer to Counterclaim. | ATY PLA: J.
Daniel Bishop
ATY DEF:
Daniel C. Bruton |
| | | | |
| 3. | Linda Holder Clark
13-80733 7
(bak) | *70* Motion by the Debtor for Contempt. | ATY DEBTOR:
Carena Lemons
TR: Sara A.
Conti |
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| 4. | Greenscape Vass LLC
14-80251 11
(bak) | *24* Motion by the Debtor to use cash
collateral. (2) | ATY DEBTOR:
Richard Hutson
ATY VSB:
George
Sanderson |
| | | *41* Motion by VantageSouth Bank for Relief
from Stay regarding 120 and 124 Main Street,
Vass, NC. (1) | |
| | | *47* Objection by the Debtor to Claim
Number 1 of VantageSouth Bank. | |
| | | *50* Disclosure Statement. | |

11:00 AM

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| 5. Meza
v.
Specified Credit
Association, Inc.
13-09032
(bak) | Pre-Trial. (1) | ATY PLA:
Edward C. Boltz
ATY DEF:
Samuel D. Fleder |
| *21* Motion by Samuel D. Fleder to withdraw
as Attorney of Record. (1) | | |
| *29* Motion for an Order to Show Cause. | | |
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| 6. Atkins
v.
Credit Financial
Services, Inc.
14-09045
(bak) | Pre-Trial. | ATY PLA:
Edward C. Boltz
ATY DEF:
Jonathan C.
Thomas |
| | | |
| 7. Smith
v.
SunTrust Bank
14-09039
(bak) | Pre-Trial. (1) | ATY PLA:
Benjamin D.
Busch
ATY DEF: Brian
D. Darer |
| *14* Motion by Kenneth Dale Smith to
Intervene. | | |
| *17* Motion by SunTrust Bank to Dismiss
Adversary Proceeding. | | |
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| 8. Accie Caldwell and
Margie Caldwell
08-81352 13
(bak) | *84* Show Cause Hearing to determine if
Debtors' case should be closed without entry of
a Discharge. | ATY DEBTOR:
Neil M. O'Toole
TR: Richard M.
Hutson, II |

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| 9. Mary Louise Toombs
09-80999 13
(bak) | *61* Motion by the Trustee to modify Plan. | ATY DEBTOR:
John T. Orcutt
TR: Richard M.
Hutson, II |
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| 10. Calvin Edward
McGee and Darlene
Taylor McGee
10-80983 13
(bak) | *39* Motion by J & J Properties of NC, LLC,
for Relief from Stay regarding Lot 22, Pleasant
Ridge, Angier, NC. | ATY DEBTOR:
A. B. Harrington,
III
ATY JJ: James
B. Craven, III
TR: Richard M.
Hutson, II |
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| 11. Pamela W.
Marcinowski
10-81148 13
(bak) | *34* Motion by SunTrust Mortgage, Inc. for
Relief from Stay regarding 1197 East
Middleton Drive, Creedmoor, NC; and Relief
from Co-Debtor Stay as to Frank Marcinowski.
(1) | ATY DEBTOR:
John T. Orcutt
ATY SM:
Matthew L.
Underwood
TR: Richard M.
Hutson, II |
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| 12. Todd Michael Stanley
and Adrienne June
Stanley
10-81415 13
(bak) | *105* Motion by the Debtors to approve
Ratification of Oil and Mineral Lease. | ATY DEBTOR:
Brandi L.
Richardson
TR: Richard M.
Hutson, II |
| | *106* Motion by the Debtors to modify Plan. | |

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| 13. Thomas Edward
Wilson and Sandra
Lynn Wilson
10-81481 13
(bak) | *38* Motion by the Internal Revenue Service
to Dismiss Case or Convert Case to Chapter 7. | ATY DEBTOR:
John T. Orcutt
ATY IRS: Cheryl
T. Sloan
TR: Richard M.
Hutson, II |
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| 14. Ronald Pena and Siria
Maria Pena
10-81734 13
(bak) | *50* Motion by the Trustee to modify Plan. (1) | ATY DEBTOR:
John T. Orcutt
TR: Richard M.
Hutson, II |
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| 15. Pamela Madeline
Carroll
10-81893 13
(bak) | *30* Objection by the Debtor to Notice of
Postpetition Fees, Expenses, and Charges. (1) | ATY DEBTOR:
Donald D.
Pergerson
TR: Richard M.
Hutson, II |
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| 16. Donald Lee Bray and
Sara Neal Bray
10-81972 13
(lmj) | *25* Motion by the Debtors to modify Plan.

26 Motion by the Debtors to incur debt with
Santander Consumer USA, INC. | ATY DEBTOR:
Virginia B.
Collins
TR: Richard M.
Hutson, II |
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| 17. Alex Lee Boone and
Sarah Kathryn Boone
10-81995 13
(bak) | *44* Objection by the Debtors to Claim
Number 5 of Aurora Loan Services, LLC. | ATY DEBTOR:
John T. Orcutt
TR: Richard M.
Hutson, II |

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| 18. | David Earl Dixon and
Kelly Albertson Dixon
10-82035 13
(bak) | *31* Show Cause Hearing to determine if
Debtors' case should be closed without entry of
a Discharge. | ATY DEBTOR:
A. B. Harrington,
III
TR: Richard M.
Hutson, II |
| 19. | Michael A Rye and
Brandy B Rye
11-80491 13
(bak) | *38* Motion by the Debtors to modify Plan. | ATY DEBTOR:
Brent C. Wootton
TR: Richard M.
Hutson, II |
| 20. | Jacqueline Denise
Brown
11-80926 13
(bak) | *30* Motion by the Debtor to replace a 2008
Nissan Altima. | ATY DEBTOR:
John T. Orcutt
TR: Richard M.
Hutson, II |
| 21. | Kenneth Marvin
Purcell
11-81328 13
(bak) | *141* Motion by the Trustee to convert
Debtor's Case from Chapter 13 to Chapter 7. | ATY DEBTOR:
Kenneth M.
Johnson
TR: Richard M.
Hutson, II |
| 22. | Richard Leroy Smith
and Patricia Ann
Smith
11-81402 13
(bak) | *37* Motion by Lakeview Loan Servicing,
LLC, for Relief from Stay regarding 112
Brookfield Circle, Sanford, NC. (1) | ATY DEBTOR:
John T. Orcutt
ATY LLS: Daria
A. Barrett
TR: Richard M.
Hutson, II |

23.	Tammy Denise Hamlett 11-81469 13 (bak)	*67* Motion by the Trustee to convert Debtor's Case from Chapter 13 to Chapter 7.	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
24.	Alzata Carr Eubanks 11-81506 13 (bak)	*29* Motion by the Debtor to modify Plan.	ATY DEBTOR: Christian B. Felden TR: Richard M. Hutson, II
25.	Kenneth Darrell Tilley and Lisa Renee Tilley 11-81548 13 (bak)	*30* Motion by the Trustee to modify Plan.	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
26.	Harry Cox, Jr. and Sherri Y. Cox 11-81576 13 (bak)	*46* Show Cause Hearing to determine if Debtors' case should be closed without entry of a Discharge.	ATY DEBTOR: Brent C. Wootton TR: Richard M. Hutson, II
27.	Patricia Louise Keith Mercer 11-81601 13 (bak)	*48* Motion by the Debtor to approve Settlement Agreement.	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
28.	Jeffrey D Brown 12-80823 13 (bak)	*20* Motion by the Trustee to allow the Claim of the IRS; and to modify Plan. (1)	ATY DEBTOR: Neil M. O'Toole TR: Richard M. Hutson, II

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| 29. | Lenore Anne Jackson
12-81177 13
(bak) | *45* Motion by the Trustee to modify Plan. (2) | ATY DEBTOR:
James C. White
TR: Richard M.
Hutson, II |
| 30. | Freddrick Ladel
Edwards and Arnita
Verbal Edwards
12-81261 13
(bak) | *44* Motion by the Debtors to incur debt with
Carmax. | ATY DEBTOR:
Kristin A. Rice
TR: Richard M.
Hutson, II |
| 31. | Cargina Dixon Taylor
12-81452 13
(bak) | *37* Motion by the Debtor to modify Plan. | ATY DEBTOR:
Sara W.
Harrington
TR: Richard M.
Hutson, II |
| 32. | Sherry Denise
Henderson
13-80795 13
(bak) | *32* Motion by the Debtor to modify Plan. | ATY DEBTOR:
John T. Orcutt
TR: Richard M.
Hutson, II |
| 33. | Shalonda Renee Drake
13-80924 13
(bak) | *17* Motion by the Debtor to modify Plan;
and Motion to incur debt with Drive Time. | ATY DEBTOR:
John T. Orcutt
TR: Richard M.
Hutson, II |

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| 34. James Therean
McMillan
13-81079 13
(bak) | *29* Motion by the Debtor to modify Plan. | ATY DEBTOR:
Michael J.
McCran
TR: Richard M.
Hutson, II |
| 35. Jumal Augustus Black
13-81208 13
(bak) | *23* Motion by the Debtor to incur debt with
Landmark Auto, Inc. | ATY DEBTOR:
John T. Orcutt
TR: Richard M.
Hutson, II |
| 36. Perry Andrew Jenkins
13-81440 13
(bak) | *23* Motion by the Trustee modify Plan. (1) | ATY DEBTOR:
John T. Orcutt
TR: Richard M.
Hutson, II |
| | *25* Objection by the Debtor to Claim
Number 7 of U.S. Bank, N.A. | |
| 37. Tonia Lafaye Alston
14-80063 13
(bak) | *25* Objection by the Debtor to Claim
Number 8 of JPMorgan Chase Bank, National
Association. (1) | ATY DEBTOR:
John T. Orcutt
TR: Richard M.
Hutson, II |
| 38. Louise S. Henry
14-80096 13
(bak) | *17* Motion by GreenTree Servicing, LLC,
for Relief from Stay regarding 270
Springwood Drive, Henderson, NC. | ATY DEBTOR:
Donald D.
Pergerson
ATY GTS: Craig
S. Haskell
TR: Richard M.
Hutson, II |

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| 39. | Brian Leonard
Schauder
14-80227 13
(bak) | *14* Motion by the Debtor to avoid the Lien of Branch Banking and Trust Company regarding 174 Brookfield Circle, Sanford, NC. | ATY DEBTOR:
A. B. Harrington, III
TR: Richard M. Hutson, II |
| 40. | Juanita Small
14-80374 13
(bak) | *12* Objection by the Debtor to Claim Number 4 of NC Housing Finance Agency, PNC Bank, NA. (2) | ATY DEBTOR:
Donald D. Pergerson
TR: Richard M. Hutson, II |
| 41. | Terry Samuel Bowen
14-80378 13
(bak) | *20* Motion by the Trustee to modify Plan. | ATY DEBTOR:
John T. Orcutt
TR: Richard M. Hutson, II |
| 42. | Mary Faines
14-80393 13
(bak) | *24* Motion by the Debtor to modify Plan. | ATY DEBTOR:
Donald D. Pergerson
TR: Richard M. Hutson, II |
| 43. | Sandra Ann Taylor
14-80428 13
(bak) | *17* Amended Motion by the Debtor to avoid the Lien of Branch Banking and Trustee Company regarding 3248 Blackstone Rd, Sanford, NC.

24 Objection by the Trustee to Debtor's Claim for Property Exemptions. | ATY DEBTOR:
Michael J. McCrann
TR: Richard M. Hutson, II |

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| 44. Dorothy R Hargrove
14-80652 13
(bak) | *13* Motion by North State Acceptance for
Relief from Stay regarding a 2009 Lincoln
MKZ. | ATY DEBTOR:
Brent C. Wootton
ATY NSA:
William F. Hill
TR: Richard M.
Hutson, II |
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| 45. Franklin Andrew
Alston and Amy Lee
Alston
14-80346 13
(bak) | *15* Confirmation of Plan. (1) | ATY DEBTOR:
John T. Orcutt
TR: Richard M.
Hutson, II |
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| | *17* Objection by the Trustee to Confirmation
of Plan. (1) | |

12:00 PM

Motions to Dismiss

46.	08-81826 13 (bak)	Alvin Jay Chambers	John T. Orcutt
47.	09-81011 13 (bak)	Serafin Perez and Gloria Lynn Perez	John T. Orcutt
48.	10-81900 13 (bak)	Pamela E. Thompson	Cheryl Y. Capron
49.	11-80118 13 (bak)	Rashieka Monique Barr	Christian Bennett Felden
50.	11-80496 13 (bak)	James C. Taborn and Sandra L. Taborn	James W. Tolin, Jr.
51.	12-80212 13 (bak)	Michelle LaSaundra Reed	John T. Orcutt
52.	12-80504 13 (bak)	Jonathan B Caudle and Deitre D Caudle	Brent Clifton Wootton
53.	12-81387 13 (bak)	Robert Ben Wilson	John T. Orcutt
54.	12-81444 13 (bak)	Lisa Darlene Howze	John T. Orcutt
55.	12-81606 13 (bak)	Ronda Melton Oakley	John T. Orcutt
56.	12-81852 13 (bak)	Keith J. Marable	John T. Orcutt
57.	13-80183 13 (bak)	Lenex Mcneil	Eleanette Maccene Brown

58.	13-80431 13 (bak)	Michael Carl Ellis	John T. Orcutt
59.	13-80612 13 (bak)	Clara B Clayton	James W. Tolin, Jr.
60.	13-80948 13 (bak)	Bonnie L. Henson	John T. Orcutt
61.	13-81111 13 (bak)	Sean T Marshall and Melody M Marshall	Robert Lewis, Jr.
62.	13-81234 13 (bak)	Carol Nualease Snellings	John T. Orcutt
63.	13-81283 13 (bak)	Lamonty Mondrale Leathers and Natasha Nelica Rhodd-Leathers	John T. Orcutt
64.	13-81312 13 (bak)	Ludwig David Balbuena	Carena Brantley Lemons
65.	13-81337 13 (bak)	Keillen L Johnson	Brandi Leigh Richardson
66.	13-81463 13 (bak)	Pamela A. Burnett	John T. Orcutt
67.	13-81523 13 (bak)	Ralph Edward Price and Laura White Price	John T. Orcutt
68.	13-81600 13 (bak)	Dequane M Mosley and Naima B Mosley	Donald D. Pergerson
69.	14-80029 13 (bak)	Douglas Leroy Logan and Vivette Lynee Jeffries-Logan	John T. Orcutt
70.	14-80145 13 (bak)	Frances W Beckham	Brandi Leigh Richardson

71.	14-80343 13 (bak)	Gail Lorraine Harris	John T. Orcutt
72.	14-80415 13 (bak)	Jennifer Renee Weakley	A. B. Harrington, III
73.	14-80509 13 (bak)	Nikkia Atawa Spearman	Donald D. Pergerson
74.	14-80669 13 (bak)	James Evan Taylor	Donald Louis Coomes