

**U.S. BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**Honorable Frank W. Volk**

**Thursday, June 16, 2016**

*Current as of 6/15/2016 at 3:31 PM*

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**Robert C. Byrd U. S. Courthouse  
Magistrate Courtroom**

**Magistrate Courtroom  
2nd Floor Robert C. Byrd U.S. Courthouse  
Beckley, WV 25801**

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10:00 AM **2:15-bk-20130**            Zeth Christian Yarber  
Ch 13  
Trustee: Morris

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** William R. Wooton

**Matter:** [\[60\] - Notice and Request for a Status Conference Filed by Trustee Helen M. Morris Re: \[59\] Notice of Mortgage Payment Change which Appears to Render the Confirmed Plan not Feasible.](#)

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10:00 AM **2:15-bk-20601**            Joseph Lee Dixon  
Ch 13  
Trustee: Morris

**Confirmation Hearings**

**Moving:** Paul W. Roop II

**Opposing:**

**Debtor or Plaintiff Attorney:** Paul W. Roop

**Matter:** [Confirmation Hearing Re: \[12\] Chapter 13 Plan filed by Joseph Lee Dixon, \[22\] Objection to Confirmation of Plan filed by Vanderbilt Mortgage & Finance Inc..](#)

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10:00 AM **2:15-bk-20353**            Richard Lee Boyd  
Ch 13  
Trustee: Morris

**Moving:** Arthur M. Standish

**Opposing:**

**Debtor or Plaintiff Attorney:** Paul W. Roop

**Matter:** [1. \[73\] Application by Trustee Arthur M. Standish for Administrative Expenses in the Amount of \\$14,319.00, and \[82\] Debtor's objection thereto.](#)  
[2. \[80\] Motion filed by Trustee Helen M. Morris to Convert Case to Chapter 7.](#)

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10:00 AM **5:10-bk-50344** Stephen Conard Kirk  
Ch 13  
Trustee: Morris

**Moving:** George L. Lemon

**Opposing:**

**Debtor or Plaintiff Attorney:** George L. Lemon

**Matter:** **[116] Debtor's Objection to Claim Number 4 Held by West Virginia State Tax Dept. in the Amount of \$10,441.66, [119] Trustee's Response thereto.**

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10:00 AM **5:15-bk-50100** Donald Warren Osborne and  
Ch 12 Cathy Denise Osborne  
Trustee: Morris

### Confirmation Hearings

**Moving:** George L. Lemon

**Opposing:**

**Debtor or Plaintiff Attorney:** George L. Lemon

**Matter:** **1. Confirmation Hearing Re: [64] Debtors' Amended Chapter 12 Plan and [35], [36] Objections thereto by Branch Banking and Trust Company.  
2. [100] - Motion filed by Joint Debtor Cathy Denise Osborne, Debtor Donald Warren Osborne to Sell Home and 43.09 acres Free and Clear of Liens, [104],[105] Objection thereto by Branch Banking & Trust Company, [106] Trustee's objection thereto.**

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10:00 AM **5:14-bk-50097** Kenneth Gene Halterman and  
Ch 13 Tina Virginia Halterman  
Trustee: Morris

**Moving:** John F. Leaberry

**Opposing:**

**Debtor or Plaintiff Attorney:** John F. Leaberry

**Matter:** **[65] Debtors' Motion to Obtain Credit or to Refinance or for Post Petition Financing.**

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10:00 AM **1:15-bk-10137** Mark Eugene Williams  
Ch 13  
Trustee: Morris

### Confirmation Hearings

**Moving:** John F. Leaberry

**Opposing:**

**Debtor or Plaintiff Attorney:** John F. Leaberry

**Matter:** **Confirmation Hearing Re: [7] Debtor's Chapter 13 Plan.**

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10:00 AM **5:15-bk-50248** Ernest Lee Gardner and  
Ch 13 Elizabeth Marie Gardner  
Trustee: Morris

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** John F. Leaberry

**Matter:** **1). Confirmation Hearing Re: [27] Debtors' Amended Chapter 13 Plan; [41] Objection thereto filed by Creditor The Bank of New York Mellon f/k/a The Bank of New York.  
2). [33] Trustee's Motion to Dismiss Case.**

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11:00 AM **5:14-ap-05021** Caldwell v. Draven  
†  
5:14-bk-50184 Matthew Carlton Draven

**Moving:**  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Amanda Jo Gardner  
**Matter:** **Status Conference**

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11:00 AM **1:15-ap-01005** Johns, Trustee et al v. Wimmer et al  
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1:14-bk-10124 Clara Maud Conner

**Status Hearing**  
**Moving:** Randal W. Roahrig  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Joseph T Johns  
**Matter:** **Status Hearing**

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1:30 PM **5:14-bk-50143** Nola Gay Justice  
Ch 7  
Trustee: Standish

**Moving:**  
**Opposing:**  
**Debtor or Plaintiff Attorney:** John F. Leaberry  
**Matter:** **52 - Motion Filed by Debtor Nola Gay Justice to Reconsider [43] Order Granting Trustee's Motion to Sell and Objection of Debtor to [48] Amended Application of Trustee to employ Realtor. [55] 2nd objection of Debtor (letter format) to employ Realtor and sale of home**

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1:30 PM **2:15-bk-20656** Steven Arnell Cales  
Ch 7  
Trustee: Standish

**Moving:** George L. Lemon  
**Opposing:**  
**Debtor or Plaintiff Attorney:** George L. Lemon  
**Matter:** **Motion by Debtor Steven Arnell Cales to Avoid Judicial Lien held by Bank of America and recorded with the County Clerk of Fayette County, West Virginia at Book #, Page # with Notice of Motion and with Certificate of Service. Objection Due: 4/28/2016.**

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**Robert C. Byrd U.S. Courthouse**  
**Jury Assembly Room**

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**Room G07, Robert C. Byrd U.S. Courthouse**  
**Beckley, WV 25801**

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1:30 PM **5:16-bk-50007** Annie Maragret Sweeney  
Ch 7  
Trustee: Johns

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** George L. Lemon

**Matter:** **Reaffirmation Agreement Between Debtor(s) Annie Margaret Sweeney and CitiFinancial, Inc**

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1:30 PM **5:14-bk-50033** DBK Investments and Development Corp., a Virginia  
Ch 11

**Moving:** Joe M. Supple

**Opposing:**

**Debtor or Plaintiff Attorney:** Joe M. Supple

**Matter:** **1. [116] Amended Application by Creditor Town of Hillsville, Virginia Re: [110] Application for Administrative Expenses.**  
**2. [123] Motion to Sell Property filed by Debtor In Possession DBK Investments and Development Corp., a Virginia Corporation, [128] Objection filed by Creditor Town of Hillsville, Virginia. .**

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