

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

**Honorable Frank W. Volk  
Wednesday, October 19, 2016**

*Current as of 10/13/2016 at 11:06 AM*

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**Charleston  
Bankruptcy Courtroom A**

**Bankruptcy Courtroom A  
6400 Robert C. Byrd U.S. Courthouse  
Charleston, WV 25301**

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10:00 AM **2:16-bk-20440** Charles Eliga Thomas Nobles and  
Ch 13 Carolyn Denise Nobles  
Trustee: Morris

**Confirmation Hearings**

**Moving:** Elizabeth G. Kavitz

**Opposing:**

**Debtor or Plaintiff Attorney:** Elizabeth G. Kavitz

**Matter:** **Confirmation Hearing Re: [16] Debtors' Chapter 13 Plan, with Motion to Value Secured Property (2015 Honda ATV) of American Honda Finance Corp., with Motion to Value Secured Property (2015 Yamaha YZ250) of Community Trust Bank, [26] Objection by Creditor Community Trust Bank, Inc., [27] Objection by Creditor PHH Mortgage Corporation, [28] Objection by Creditor American Honda Finance Corporation to Confirmation.**

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10:00 AM **2:16-bk-20225** Randall Clarence Gilman  
Ch 13  
Trustee: Morris

**Confirmation Hearings**

**Moving:** Robert H. Carlton

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert H. Carlton

**Matter:** **Confirmation Hearing Re: [8] Debtor's Chapter 13 Plan; [30] Objection thereto, filed by Creditor WVSTDR.**

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10:00 AM **2:16-bk-20139** Donald Gene Huffman  
Ch 13  
Trustee: Morris

**Confirmation Hearings**

**Moving:** Brian Richard Blickenstaff

**Opposing:**

**Debtor or Plaintiff Attorney:** Brian Richard Blickenstaff

**Matter:** **Confirmation Hearing Re: [23] Debtor's Chapter 13 Plan; [26] Objection thereto by Creditor Sterling Jewelers, Inc., d/b/a LeRoy's Jewelers.**

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10:00 AM **2:16-bk-20063** Wesley Kevin Crist  
Ch 13  
Trustee: Morris

### Confirmation Hearings

**Moving:** Shari L. Collias

**Opposing:**

**Debtor or Plaintiff Attorney:** Shari L. Collias

**Matter:** Confirmation Hearing Re: [44] Debtor's Amended Chapter 13 Plan, with Motion to Value Secured Property (Sectional; table; queen bed; night stand) of Acceptance Now, and [51] Objection by Creditor State of West Virginia/ Department of Tax and Revenue.

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10:00 AM **2:16-bk-20265** Mark Vernon Ramsey and  
Ch 13 Sara Jane Ramsey  
Trustee: Morris

### Confirmation Hearings

**Moving:** Shari L. Collias

**Opposing:**

**Debtor or Plaintiff Attorney:** Shari L. Collias

**Matter:** 1). Confirmation Hearing Re: [17] Debtors' Chapter 13 Plan.  
2). Preliminary Hearing Re: [29] Motion to Lift Automatic Stay upon a 2013 Ford Escape, filed by Creditor AmeriCredit Financial Services, Inc., dba GM Financial; [36] Debtors' Response thereto.

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10:00 AM **3:15-bk-30510** Mitzi Dawn Parsons  
Ch 13  
Trustee: Morris

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Shari L. Collias

**Matter:** Preliminary Hearing Re: [35] Motion by Creditor Carl A. Rose to Lift Automatic Stay upon 2790 Poca River Rd., S, Poca, WV 25159, [40] Debtor's response thereto.

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10:00 AM **6:16-bk-60075** David Russell Phillips  
Ch 13  
Trustee: Morris

**Moving:** Waymon B. McLeskey II

**Opposing:**

**Debtor or Plaintiff Attorney:** Mitchell Lee Klein

**Matter:** 1). Preliminary Hearing Re: [50] Amended Motion for Relief from the Automatic Stay upon a 2013 Pitts Trailer ("Collateral"), filed by Creditor Advantage Leasing Corporation; [59] Trustee's Response thereto.  
2). Preliminary Hearing Re: [53] Motion for Relief from the Automatic Stay upon 2010 Saw Head, 2003 Barko 160A Log Loader with saw and frame and Pitts KB 39 Trailer, filed by Creditor Leslie Equipment Co.; [60] Trustee's Response thereto.  
3). Preliminary Hearing Re: [57] Motion to Vacate the Automatic Stay upon 540G III Cable Skidder (the "Skidder"), filed by Creditor John Deere Construction & Forestry Company; [61] Trustee's Response thereto.  
4). Preliminary Hearing Re: [67] Amended Motion to Automatic Stay upon John Deere, Model No. 260GL, filed by Creditor Ascentium Capital LLC..

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10:00 AM **5:16-bk-50207** Daniel Wayne Dorsey  
Ch 13  
Trustee: Morris

**Moving:** Jacob C. Zweig

**Opposing:**

**Debtor or Plaintiff Attorney:** Mitchell Lee Klein

**Matter:** **Preliminary Hearing on [17] Motion by Creditor c/o Jacob Zweig TD Auto Finance LLC to Lift Automatic Stay upon 2015 Dodge Ram 2500.**

**Comment** **Reset for 10/19/2016 at 10:00 am**

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10:00 AM **2:16-bk-20246** James Harold Womack  
Ch 13  
Trustee: Morris

**Moving:** Johnie R Muncy

**Opposing:**

**Debtor or Plaintiff Attorney:** Mitchell Lee Klein

**Matter:** **Preliminary Hearing Re: [36] Motion by Creditor PHH Mortgage Corporation to Lift Automatic Stay and Co-Debtor Stay with Regard to Patricia Hensley or in the alternative Adequate Protection of Secured Property: 425 Fairmont Drive, Eden, NC 27288.**

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10:00 AM **2:13-bk-20424** Robert Lee Brown, Jr.  
Ch 13  
Trustee: Morris

**Moving:** James M. Pierson

**Opposing:**

**Debtor or Plaintiff Attorney:** James M. Pierson

**Matter:** **Application by James M. Pierson for Compensation of James M. Pierson, Attorney, For the Period of: 8/19/2013 to 9/22/2016 in the Amount of Fees: \$38832.50, Expenses: \$1659.25 and [242] Response Filed by Trustee Helen M. Morris, [247] Objection by Creditor Cheryl A. Brown to Professional Fees.**

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10:00 AM **2:15-bk-20512** Shelia Mae Wilson and  
Ch 13 Keith Howell Wilson, II  
Trustee: Morris

### **Confirmation Hearings**

**Moving:** Andrew S. Nason

**Opposing:**

**Debtor or Plaintiff Attorney:** Andrew S. Nason

**Matter:** **Confirmation Hearing Re: [79] Debtors' Amended Chapter 13 Plan, with Motion to Value Secured Property (2012 Chevy) of Ally, [88] Objection by Creditor State of West Virginia/ Department of Tax and Revenue to Confirmation and [94] Objection thereto by IRS.**

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10:00 AM **2:16-bk-20241** Michael Francis Powell and  
Ch 13 Susan Denise Powell  
Trustee: Morris

### Confirmation Hearings

**Moving:** Andrew S. Nason

**Opposing:**

**Debtor or Plaintiff Attorney:** Andrew S. Nason

**Matter:** **Confirmation Hearing Re: [20] Chapter 13 Plan, with Motion to Value Secured Property (2011 Hyundai Sonata) of Hyundai Motor Finance, [35] Objection by Creditor State of West Virginia Department of Tax & Revenue.**

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10:00 AM **2:13-bk-20205** Timbera Carte Wilcox  
Ch 13  
Trustee: Morris

### Status Hearing

**Moving:** Helen M. Morris

**Opposing:**

**Debtor or Plaintiff Attorney:** Andrew S. Nason

**Matter:** **[100] Trustee's Request for a Continued Status Hearing.**

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10:00 AM **2:15-bk-20102** Robert Lee Blackwell and  
Ch 13 Shirley Mae Blackwell  
Trustee: Morris

**Moving:** Helen M. Morris

**Opposing:**

**Debtor or Plaintiff Attorney:** William W. Pepper

**Matter:** **[96] Trustee's Motion to Dismiss Case for Failure to Make Plan Payments and [98] Debtors' Response thereto.**

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10:00 AM **2:15-bk-20304** Byron Kent Massie and  
Ch 13 Aprile Lynn Massie  
Trustee: Morris

**Moving:** Helen M. Morris

**Opposing:**

**Debtor or Plaintiff Attorney:** Andrew S. Nason

**Matter:** **[61] Trustee's Motion to Dismiss Case for Failure to Make Plan Payments.**

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10:00 AM **2:09-bk-20649** Gregory Ward Thaxton and  
Ch 13 Pamela Gay Thaxton  
Trustee: Morris

**Moving:** Andrew S. Nason

**Opposing:**

**Debtor or Plaintiff Attorney:** Andrew S. Nason

**Matter:** **[254] Objection by Debtor Gregory Ward Thaxton, Joint Debtor Pamela Gay Thaxton to Claim Number #008 Held by IRS; [257] Response by Creditor Internal Revenue Service; [264] Note of Argument in Support of the Debtors' Request to Determine that the IRS may Not Collect any Interest on the Responsible Office Assessment of the 941 Taxes.**

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10:00 AM **2:16-bk-20374** Ashley Paige Staggs  
Ch 13  
Trustee: Morris

**Moving:** Andrew S. Nason

**Opposing:**

**Debtor or Plaintiff Attorney:** Andrew S. Nason

**Matter:** [\[33\] Motion Filed by Debtor Ashley Paige Staggs to SET ASIDE DISMISSAL ORDER ENTERED SEPTEMBER 15, 2016.](#)

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1:30 PM **2:16-bk-20492** Kevin Eugene Slate and  
Ch 7 Cassandra Renee Slate  
Trustee: Standish

**Moving:** Jacob C. Zweig

**Opposing:**

**Debtor or Plaintiff Attorney:** Elizabeth G. Kavitz

**Matter:** [14 - Motion by Creditor American Honda Finance Corporation to Lift Automatic Stay upon 2015 Honda CRF250RF](#)

[16- Response of Debtors thereto](#)

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1:30 PM **2:14-bk-20543** Kathleen Sadd Ellis  
Ch 7  
Trustee: Standish

**Moving:** Arthur M. Standish

**Opposing:**

**Debtor or Plaintiff Attorney:** Andrew S. Nason

**Matter:** [31 Motion of Trustee to remove Debtor's Deceased Son from joint investment account](#)

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1:30 PM **2:16-bk-20503** Justin Christopher Clendenin and  
Ch 7 Misty Dawn Clendenin  
Trustee: Standish

**Moving:** David C Nalley

**Opposing:**

**Debtor or Plaintiff Attorney:** William W. Pepper

**Matter:** [Preliminary Hearing](#)

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1:30 PM **2:16-bk-20517** Mona Jean Russell  
Ch 7  
Trustee: Standish

**Moving:** David C Nalley

**Opposing:**

**Debtor or Plaintiff Attorney:** William W. Pepper

**Matter:** [Preliminary Hearing](#)

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1:30 PM **2:15-bk-20073** Millard Ray Ellis and  
Ch 7 Dorothy Jean Ellis  
Trustee: Johns

**Moving:** William W. Pepper

**Opposing:**

**Debtor or Plaintiff Attorney:** William W. Pepper

**Matter:** **1) 28 Objection by Joint Debtor Dorothy Jean Ellis, Debtor Millard Ray Ellis to Claim Number 4 Held by Internal Revenue Service in the Amount of \$858,236.41**  
**2) Response of IRS filed thereto**

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1:30 PM **2:15-bk-20070** Law Land and Leasing, Inc., a Corporation  
Ch 11

**Moving:** James M. Pierson

**Opposing:**

**Debtor or Plaintiff Attorney:** James M. Pierson

**Matter:** **[119] - Motion Filed by Debtor Law Land and Leasing, Inc., a Corporation to to Request Hearing on Entry of an Order and with Certificate of Service Re: [118] Proposed Agreed Order.**

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1:30 PM **3:15-bk-30351** Rhino Excavating, LLC  
Ch 11

**Moving:** Joe M. Supple

**Opposing:**

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

**Matter:** **[85] Motion filed by Debtor Rhino Excavating, LLC to Sell Certain Equipment and Tools as Identified in Motion Free and Clear of Liens, [95] Objection by Creditor D.A.N. Joint Venture III, L.P.**

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1:30 PM **2:15-bk-20624** Stollings Trucking Company, Inc.  
Ch 11

**Moving:** Angela D Herdman

**Opposing:**

**Debtor or Plaintiff Attorney:** Joseph W. Caldwell

**Matter:** **1. Final Hearing [190] Third Stipulated Agreed Order for Adequate Protection and Use of Cash Collateral as to Claim 5-1 Re: [44] Motion by Creditor Branch Banking and Trust Company to Lift Automatic Stay upon Collateral**  
**2. [196] - Motion filed by Debtor Stollings Trucking Company, Inc. to Sell 2004 Ford F-150 Pickup Truck VIN Number 1FTRF04574KD56175 Free and Clear of Liens.**

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