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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO - WESTERN DIVISION**

**THE HONORABLE JEFFERY P. HOPKINS PRESIDING  
CINCINNATI CALENDAR**

**Wednesday, September 28, 2016****Hearing Room: Judge Hopkins Courtroom  
2****02:00 PM**

11-17367      Joey D Gilliland And Tammy J. Gilliland      Chapter 13

- 1) RE: Doc #90; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss for Debtors Failure to File Documents . (Burks,  
Margaret)

Law Clerk (#91) Debtors' response

David A. Kruer, attorney for Joey D Gilliland (Debtor)  
David A. Kruer, attorney for Tammy J. Gilliland (Joint Debtor)  
Margaret A Burks  
Margaret A Burks (Trustee)  
Scott David Augsback, attorney for Joey D Gilliland (Debtor)  
Scott David Augsback, attorney for Tammy J. Gilliland (Joint Debtor)

12-14986      Earl G Griffin      Chapter 13

- 1) RE: Doc #89; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss Debtor for Debtors Failure to Make Plan  
Payments . (Burks, Margaret)

Law Clerk (#90) Debtor's response

Margaret A Burks  
Margaret A Burks (Trustee)  
Paul J Minnillo, attorney for Earl G Griffin (Debtor)

13-11853      Marcia L. Yarbrough      Chapter 13

- 1) RE: Doc #88; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss Debtor for Debtors Failure to Make Plan  
Payments . (Burks, Margaret)

Law Clerk (#89) Debtor's response

David A. Kruer, attorney for Marcia L. Yarbrough (Debtor)  
Margaret A Burks  
Margaret A Burks (Trustee)  
Scott David Augsback, attorney for Marcia L. Yarbrough (Debtor)

- 13-14836 Paul Michael Mayes Chapter 13  
1) RE: Doc #55; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss Debtor for Debtors Failure to File Documents .  
(Burks, Margaret)  
Law Clerk (#56) Debtor's response  
L. Joshua Davidson, attorney for Paul Michael Mayes (Debtor)  
Margaret A Burks  
Margaret A Burks (Trustee)
- 14-10043 Paul W Malott And Barbara D Malott Chapter 13  
1) RE: Doc #83; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss for Debtors Failure to Make Plan Payments .  
(Burks, Margaret)  
Law Clerk (#84) Debtors' response  
Margaret A Burks  
Margaret A Burks (Trustee)  
Paul J Minnillo, attorney for Barbara D Malott (Joint Debtor)  
Paul J Minnillo, attorney for Paul W Malott (Debtor)
- 14-10432 Jeffrey Zimmerman And Joanne Staas-Zimmerman Chapter 13  
1) RE: Doc #72; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss for Debtors Failure to File Documents . (Burks,  
Margaret)  
Law Clerk (#73) Debtors' response  
Margaret A Burks  
Margaret A Burks (Trustee)  
Mark E Godbey, attorney for Jeffrey Zimmerman (Debtor)  
Mark E Godbey, attorney for Joanne Staas-Zimmerman (Joint Debtor)
- 14-12639 Yvonne G Richards Chapter 13  
1) RE: Doc #69; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss Debtor for Debtors Failure to File Documents .  
(Burks, Margaret)  
Law Clerk (#70) Debtor's response  
Margaret A Burks  
Margaret A Burks (Trustee)  
Paul J Minnillo, attorney for Yvonne G Richards (Debtor)
- 14-13509 Adam D. Shelpmann And Mary A. Shelpmann Chapter 13  
1) RE: Doc #38; Motion to Pay  
Motion to Pay *Use Social Security Disability Benefits to Pay Off Case Early*  
Filed by Debtor Adam D. Shelpmann, Joint Debtor Mary A. Shelpmann

(Augsback, Scott) Modified text on 8/9/2016 (3a).

Law Clerk (#39) Trustee's objection

David A. Kruer, attorney for Adam D. Shelpmann (Debtor)  
David A. Kruer, attorney for Mary A. Shelpmann (Joint Debtor)  
Margaret A Burks (Trustee)  
Scott David Augsback, attorney for Adam D. Shelpmann (Debtor)  
Scott David Augsback, attorney for Mary A. Shelpmann (Joint Debtor)

14-14690 Mildret Appleton Chapter 13

1) RE: Doc #46; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss Debtor for Debtors Failure to Make Plan  
Payments . (Burks, Margaret)

Law Clerk (#47) Debtor's response

2) RE: Doc #51; Motion to Retain  
Motion to Retain Withdrawal from Retirement Filed by Debtor Mildret  
Appleton (Ryan, Shawn)

Law Clerk (#55) Trustee's objection

Margaret A Burks  
Margaret A Burks (Trustee)  
Shawn Robert Ryan, attorney for Mildret Appleton (Debtor)

14-14808 Melissa J. Stewart Chapter 13

1) RE: Doc #47; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss Debtor for Debtors Failure to Make Plan  
Payments . (Burks, Margaret)

Law Clerk (#48) Debtor's response

Arthur M Richard, attorney for Melissa J. Stewart (Debtor)  
Margaret A Burks  
Margaret A Burks (Trustee)

15-10036 Emily J Brown Chapter 13

1) RE: Doc #48; Motion to Modify Plan  
Motion to Modify Plan Filed by Debtor Emily J Brown (Ruben, Andrew)

Law Clerk (#52) Trustee's objection

Andrew L. Ruben, attorney for Emily J Brown (Debtor)  
Margaret A Burks (Trustee)  
Paul J Minnillo, attorney for Emily J Brown (Debtor)

15-10875 Jason Lee Spivey And Meghan R. Spivey Chapter 13

1) RE: Doc #51; Objection to Claim  
Objection to Claim 19 of Ohio Department of Taxation Filed by Debtor Jason  
Lee Spivey, Joint Debtor Meghan R. Spivey. (Augsback, Scott)

Law Clerk (#53) Ohio Dept. of Taxation response; (#57) Order Sustaining Claim Objection; (#60) Motion to Vacate Order; (#62) Debtor's response to Motion to Vacate; (#65) Order Reassigning Case to from Judge Perlman to Judge Hopkins;  
David A. Kruer, attorney for Jason Lee Spivey (Debtor)  
David A. Kruer, attorney for Meghan R. Spivey (Joint Debtor)  
Margaret A Burks (Trustee)  
Scott David Augsback, attorney for Jason Lee Spivey (Debtor)  
Scott David Augsback, attorney for Meghan R. Spivey (Joint Debtor)

15-10944 Gregory A. Duckson Chapter 13

1) RE: Doc #46; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss Debtor for Debtors Failure to Make Plan  
Payments . (Burks, Margaret)

Law Clerk (#48) Debtor's response

David A. Kruer, attorney for Gregory A. Duckson (Debtor)  
Margaret A Burks  
Margaret A Burks (Trustee)  
Scott David Augsback, attorney for Gregory A. Duckson (Debtor)

15-11343 Morris L Porter Chapter 13

1) RE: Doc #67; Motion to Approve Mortgage Loan Modification  
Motion to Approve Mortgage Loan Modification Filed by Debtor Morris L  
Porter (Augsback, Scott)

Law Clerk (#70) Trustee's response

David A. Kruer, attorney for Morris L Porter (Debtor)  
Margaret A Burks (Trustee)  
Scott David Augsback, attorney for Morris L Porter (Debtor)

15-11757 Darrin L. Howard, Sr. Chapter 13

1) RE: Doc #36; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss Debtor for Debtors Failure to File Documents .  
(Burks, Margaret)

Law Clerk (#37) Debtor's response

David A. Kruer, attorney for Darrin L. Howard Sr. (Debtor)  
Margaret A Burks  
Margaret A Burks (Trustee)  
Scott David Augsback, attorney for Darrin L. Howard Sr. (Debtor)

15-12854 Herbert Davis And Cheryl Davis Chapter 13

1) RE: Doc #58; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss for Debtors Failure to File Documents . (Burks,  
Margaret)

Law Clerk (#59) Debtors' response

Margaret A Burks  
Margaret A Burks (Trustee)  
Mark E Godbey, attorney for Cheryl Davis (Joint Debtor)  
Mark E Godbey, attorney for Herbert Davis (Debtor)

15-13599 John A. Phipps And Jan Phipps Chapter 13

1) RE: Doc #30; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss for Debtors Failure to File Documents . (Burks,  
Margaret)

Law Clerk (#31) Debtors' response

Margaret A Burks  
Margaret A Burks (Trustee)  
Shawn Robert Ryan, attorney for Jan Phipps (Joint Debtor)  
Shawn Robert Ryan, attorney for John A. Phipps (Debtor)

15-13736 Gary Price Chapter 13

1) RE: Doc #40; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss Debtor for Debtors Failure to Make Plan  
Payments . (Burks, Margaret)

Law Clerk (#41) Debtor's response

Dennis S Risch, attorney for Gary Price (Debtor)  
Margaret A Burks  
Margaret A Burks (Trustee)  
Mark E Godbey, attorney for Gary Price (Debtor)

15-14095 Theodore A. Howell, Jr. And Mona L. Howell Chapter 13

1) RE: Doc #61; Application for Compensation  
Application for Compensation *Pre-Confirmation* for G. Timothy Dearfield,  
Debtor's Attorney, Fee: \$7210.50, Expenses: \$. Filed by Attorney G. Timothy  
Dearfield (Dearfield, G.)

Law Clerk (#62) Trustee's response

2) RE: Doc #67; Objection to Claim  
Objection to Claim 12 of WesBanco Bank, Inc fka Oak Hill Bank Filed by  
Joint Debtor Mona L. Howell, Debtor Theodore A. Howell Jr.. (Dearfield, G.)

Law Clerk (#75) Creditor's response

3) RE: Doc #68; Objection to Claim  
Objection to Claim 13 of WesBanco Bank Inc. fka Oak Hill Bank Filed by  
Joint Debtor Mona L. Howell, Debtor Theodore A. Howell Jr.. (Dearfield, G.)

Law Clerk (#76) Creditor's response

4) RE: Doc #70; Application for Compensation  
Application for Compensation *Pre-Confirmation-First Amended* for G.  
Timothy Dearfield, Debtor's Attorney, Fee: \$6880.50, Expenses: \$. Filed by  
Attorney G. Timothy Dearfield (Dearfield, G.)

Law Clerk (#62) Trustee's response

G. Timothy Dearfield, attorney for Mona L. Howell (Joint Debtor)  
G. Timothy Dearfield, attorney for Theodore A. Howell Jr. (Debtor)  
Margaret A Burks (Trustee)  
Robert D. Plumby, attorney for WesBanco Bank, Inc.

15-14151 Kevin W Lytle Chapter 13

1) RE: Doc #50; Motion to Modify Plan  
Motion to Modify Plan Filed by Debtor Kevin W Lytle (Ryan, Shawn)

Law Clerk (#51) Trustee's response

Margaret A Burks (Trustee)  
Shawn Robert Ryan, attorney for Kevin W Lytle (Debtor)

15-14500 Lenore Covington Chapter 13

1) RE: Doc #36; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss Debtor for Debtors Failure to Make Plan  
Payments . (Burks, Margaret)

Law Clerk (#37) Debtor's response

Margaret A Burks (Trustee)  
Shawn Robert Ryan, attorney for Lenore Covington (Debtor)

15-14868 Micah B. Davis And Portia D. Davis Chapter 13

1) RE: Doc #44; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss for Debtors Failure to File Documents . (Burks,  
Margaret)

Law Clerk (#46) Debtors' response

Margaret A Burks (Trustee)  
Shawn Robert Ryan, attorney for Micah B. Davis (Debtor)  
Shawn Robert Ryan, attorney for Portia D. Davis (Joint Debtor)

16-10355 Scott E. Fleenor, Sr. And Nancy J. Fleenor Chapter 13

1) RE: Doc #31; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss for Debtors Failure to Make Plan Payments .  
(Burks, Margaret)

Law Clerk (#33) Debtors' response

David A. Kruer, attorney for Nancy J. Fleenor (Joint Debtor)  
David A. Kruer, attorney for Scott E. Fleenor Sr. (Debtor)  
Margaret A Burks (Trustee)  
Scott David Augsback, attorney for Nancy J. Fleenor (Joint Debtor)  
Scott David Augsback, attorney for Scott E. Fleenor Sr. (Debtor)

16-10510 Brian D Wells Chapter 13

- 1) RE: Doc #29; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss Debtor for Debtors Failure to Make Plan  
Payments . (Burks, Margaret)
- Law Clerk (#30) Debtor's response  
Margaret A Burks (Trustee)  
Shawn Robert Ryan, attorney for Brian D Wells (Debtor)
- 16-11853 Dawn Smith Chapter 13
- 1) RE: Doc #30; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss Debtor for Debtors Failure to Make Plan  
Payments . (Burks, Margaret)
- Law Clerk (#32) Debtor's response  
H Leon Hewitt, attorney for Dawn Smith (Debtor)  
Margaret A Burks (Trustee)
- 16-11937 Harry M Miller Chapter 13
- 1) RE: Doc #16; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss Debtor for Debtors Failure to Make Plan  
Payments . (Burks, Margaret)
- Law Clerk (#21) Debtor's response  
David A. Kruer, attorney for Harry M Miller (Debtor)  
Margaret A Burks (Trustee)  
Scott David Augsback, attorney for Harry M Miller (Debtor)
- 16-12042 Rosemary Foster Chapter 13
- 1) RE: Doc #23; Trustee's Motion to Dismiss Debtor(s)/Case  
Trustee's Motion to Dismiss Debtor for Debtors Failure to Make Plan  
Payments . (Burks, Margaret)
- Law Clerk (#24) Debtor's response  
Margaret A Burks (Trustee)  
Robert A Goering, attorney for Rosemary Foster (Debtor)
- 16-12284 Deidre Vanessa Bennett Chapter 13
- 1) RE: Doc #28; Motion to Vacate  
Motion to Vacate (related documents [25](#) Order Dismissing Debtor(s)) Filed  
by Debtor Deidre Vanessa Bennett (Lindner, Rebecca)
- Law Clerk (#29) Trustee's response  
Margaret A Burks (Trustee)  
Rebecca S Lindner, attorney for Deidre Vanessa Bennett (Debtor)
- 16-12757 Dwight Earl Jones Chapter 13

1) RE: Doc #21; Show Cause Order

Order Denying Debtor's Motion and Setting Show Cause Hearing (RE: related document(s) 15 Motion to Extend/Shorten Time filed by Debtor Dwight Earl Jones). Hearing to be held on 8/24/2016 at 02:00 PM Judge Hopkins Courtroom 2 for 15, (1nb)

Law Clerk Show Cause Hearing:

Dwight Earl Jones (Debtor)  
Margaret A Burks (Trustee)

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