

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF TX

2002 FEB 12 AM 11:18

U.S. BANKRUPTCY COURT

BY Mh DEPUTY

IN RE:)
)
STEWART, ROBBY & LINDA) CASE NO. 00-40781-S
) CHAPTER 7
)
DEBTOR)

**TRUSTEE'S
FINAL REPORT AND PROPOSED DISTRIBUTION**

LINDA PAYNE, trustee of the estate of the above-named Debtors, certifies to the Court and the United States Trustee, that the trustee has faithfully and properly fulfilled the duties of the office of the trustee, that the trustee has examined all proofs of claims as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of court.

Therefore, the trustee requests that the Final Report and Proposed Distribution be accepted.

Date: 1/21/02

Linda Payne
Linda Payne, Trustee

+++++

REVIEW BY UNITED STATES TRUSTEE

I have reviewed the Trustee's Final Report and Proposed Distribution.

William T. Neary
United States Trustee
Eastern District of Texas

Dated: 1-25-02

W. Neary
By:

47

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:)	
)	
STEWART, ROBBIE & LINDA)	CASE NO. 00-40781-S
)	CHAPTER 7
)	
DEBTOR)	

**TRUSTEE'S FINAL REPORT AND APPLICATION TO CLOSE CASE AND
DISCHARGE TRUSTEE**

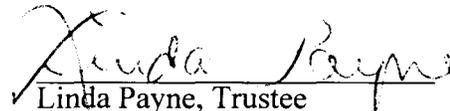
The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth in Schedule A and states: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced moneys from personal funds for expenses, and the Trustee has not been reimbursed.
2. The Trustee submits Form I as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. Sec. 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. Sec. 554 (c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Form II as the account of estate cash receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this final report.
7. The trustee has examined each and every claim filed and noted her approval of claims as filed, or she has filed objections to allowance or requests for reclassification.

8. The Trustee further requests that after final distribution of all moneys in accordance with the Trustee's Report of Final Distribution, and upon filing of a Supplemental Final Report and Account and certification by the U. S. Trustee the trustee be discharged from office and that the case be closed.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Dated: 1/21/03



Linda Payne, Trustee
100 North Main Street
Paris, TX 75460-4171
903 784 4393

SCHEDULE A-1

Case Name: STEWART

Case Number: 00-40781-S

A: Receipts -----\$11,574.27

B. Disbursements

1. Secured Creditors-----	0
2. Administrative-----	155.00
3. Priority-----	0
4. Other-----	0
Total disbursements-----	\$ 155.00

C. Current Balance -----\$11,419.27

TRUSTEE'S FINAL REPORT CASE SUMMARY

TRUSTEE:

PAYNE

COMMENTS:

CASE NAME:

STEWART, ROBBY/LINDA

CASE NUMBER:

00-40781

DATE UST APPROVED:

02-05-02

ESTATE INCOME:

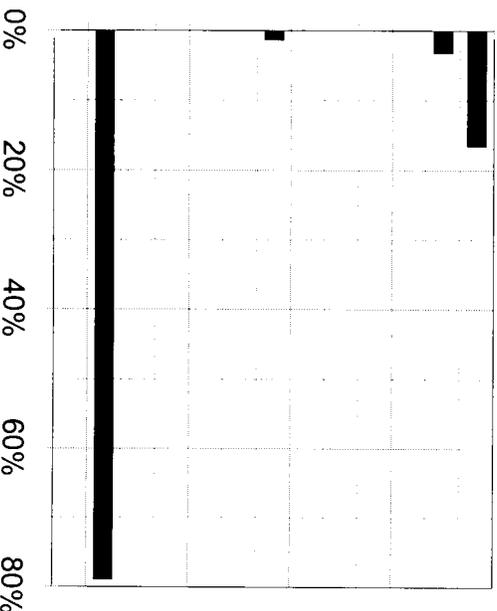
TOTAL RECEIPTS:

\$11,574.27

100.00%

ESTATE EXPENSES:

TRUSTEE'S COMMISSION	1,907.43	16.48%
TRUSTEE'S EXPENSES	370.48	3.20%
FIRM'S PROFESSIONAL FEES	0.00	0.00%
FIRM'S PROFESSIONAL EXPENSES	0.00	0.00%
OTHER ATTORNEY FEES	0.00	0.00%
OTHER PROFESSIONAL FEES	0.00	0.00%
COURT COSTS	155.00	1.34%
ESTATE EXPENSES(TAXES, ETC)	0.00	0.00%
PRIOR CHAPTER COSTS	0.00	0.00%
SECURED CLAIMS PAID	0.00	0.00%
PRIORITY CLAIMS PAID	0.00	0.00%
UNSECURED CLAIMS PAID	9,141.36	78.98%
OTHER(RETURN TO DEBTOR, ETC)	0.00	0.00%



UNSECURED CLAIMS ALLOWED

100,703.51

UNSECURED CLAIMS PAID

9,141.36

PERCENT RECOVERED FOR UNSECURED

9.08%

Individual Estate Property Record and Report Asset Cases

Case Number: 00-40781 DRS
 Case Name: STEWART, ROBBY & LINDA
 Period Ending: 01/21/02

Trustee: (631540) LINDA S. PAYNE
 Filed (f) or Converted (c): 03/14/00 (f)
 \$341(a) Meeting Date: 05/08/00
 Claims Bar Date: 03/12/01

Ref. #	Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=\$554(a) abandon. DA=\$554(c) abandon.	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	HOMESTEAD - 7205 NETERLANDS LAND	180,000.00	0.00	DA	0.00	FA
2	CHECKING & SAVINGS ACCOUNTS Funds used for living expenses	1,076.85	1,076.85	DA	0.00	FA
3	HOUSEHOLD GOODS	4,335.00	0.00	DA	0.00	FA
4	WEARING APPAREL AND JEWELRY	1,700.00	0.00	DA	0.00	FA
5	FIREARMS AND HOBBY EQUIPMENT	1,000.00	0.00	DA	0.00	FA
6	401K, IRA AND STOCK OPTIONS	141,062.44	0.00	DA	0.00	FA
7	1997 FORD MUSTANG	19,175.00	0.00	DA	0.00	FA
8	1999 OLDSMOBILE	29,030.00	0.00	DA	0.00	FA
9	COMPUTER AND PRINTER	300.00	0.00	DA	0.00	FA
10	TOOLS, HAMMERS, SAWS, ETC	300.00	0.00	DA	0.00	FA
11	BBQ & LAWN FURNITURE	200.00	0.00	DA	0.00	FA
12	TAX REFUND (U)	0.00	11,355.00		11,355.00	FA
Int	INTEREST (u)	Unknown	N/A		219.27	Unknown
13	Assets	Totals (Excluding unknown values)	\$378,179.29	\$12,431.85	\$11,574.27	\$0.00

Individual Estate Property Record and Report
Asset Cases

Case Number: 00-40781 DRS
Case Name: STEWART, ROBBY & LINDA
Period Ending: 01/21/02

Trustee: (631540) LINDA S. PAYNE
Filed (f) or Converted (c): 03/14/00 (f)
\$341(a) Meeting Date: 05/08/00
Claims Bar Date: 03/12/01

1	2	3	4	5	6
Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #			OA=\$554(a) abandon. DA=\$554(c) abandon.		

Major Activities Affecting Case Closing:

Received claims file - need to make recommendations.
 Case was closed as a No Asset. Debtor received a tax refund that was not scheduled. Reopened case to administer funds.
Initial Projected Date Of Final Report (TFR): August 1, 2001 **Current Projected Date Of Final Report (TFR):** November 1, 2001

Form 2

Cash Receipts And Disbursements Record

Case Number: 00-40781 DRS
Case Name: STEWART, ROBBY & LINDA
Taxpayer ID #: 75-6577199
Period Ending: 01/21/02
Trustee: LINDA S. PAYNE (631540)
Bank Name: THE CHASE MANHATTAN BANK
Account: 312-8032948-66 - Checking Account
Blanket Bond: \$300,000.00 (per case limit)
Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
11/02/01		From Account #312803294865	Final Report	11,394.99		11,394.99
11/05/01		From Account #312803294867	Tying to correct mistake	11,394.99		22,789.98
11/05/01		To Account #312803294867	Transfer back to money market - not ready to close.		11,394.99	11,394.99
11/05/01		To Account #312803294867			11,394.99	0.00
01/21/02		From Account #312803294867	Final Report	11,419.27		11,419.27

ACCOUNT TOTALS
 Less: Bank Transfers 34,209.25 22,789.98 \$11,419.27
Subtotal 0.00 22,789.98
 Less: Payments to Debtors 0.00
NET Receipts / Disbursements \$0.00 \$0.00

0 Asset reference(s)

I-Not printed or not transmitted

Form 2

Cash Receipts And Disbursements Record

Case Number: 00-40781 DRS
 Case Name: STEWART, ROBBY & LINDA
 Taxpayer ID #: 75-6577199
 Period Ending: 01/21/02

Trustee: LINDA S. PAYNE (631540)
 Bank Name: THE CHASE MANHATTAN BANK
 Account: 312-8032948-67 - Money Market Account
 Blanket Bond: \$300,000.00 (per case limit)
 Separate Bond: N/A

1 Trans. Date	2 {Ref #}/ Check #	3 Paid To / Received From	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
11/05/01		From Account #312803294866	Transfer back to money market - not ready to close.	11,394.99		11,394.99
11/05/01		From Account #312803294866		11,394.99		22,789.98
11/05/01		To Account #312803294866	Trying to correct mistake		11,394.99	11,394.99
11/30/01	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.05000%	8.62		11,403.61
12/31/01	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.05000%	10.17		11,413.78
01/21/02	Int	Interest Posting	Current Interest Rate is 0.95000%	5.49		11,419.27
01/21/02		To Account #312803294866	Final Report		11,419.27	0.00

ACCOUNT TOTALS
 Less: Bank Transfers 22,814.26 **22,814.26**
 Subtotal 22,789.98 22,814.26
 Less: Payments to Debtors 24.28 0.00
NET Receipts / Disbursements **\$24.28** **\$0.00**

TOTAL - ALL ACCOUNTS

MMA # 312-8032948-65	Net Receipts	11,549.99	Net Disbursements	155.00	Account Balances	0.00
Checking # 312-8032948-66	Net Receipts	0.00	Net Disbursements	0.00	Account Balances	11,419.27
MMA # 312-8032948-67	Net Receipts	24.28	Net Disbursements	0.00	Account Balances	0.00
		\$11,574.27		\$155.00		\$11,419.27

SCHEDULE B

TRUSTEE COMPENSATION:

Total Receipts \$11,574.27

25% of first \$5,000.00 =	\$ 1,250.00
10% over \$5,000.00 and under \$50,000 =	657.43
5% over \$50,000.00 and under \$1,000,000.00 =	0
3% over \$1,000,000.00 =	0

Total Trustee Fees = \$ 1,907.43

UNREIMBURSED EXPENSES: (SEE EXHIBIT "A")

Recording Fees-----	\$
Premium on bond-----	
Travel-----	154.00
Clerical & Stenographic-----	98.00
Copies-----	95.75
Postage-----	22.73
Long Distance-----	
Copy Service-----	
Federal Express-----	

TOTAL UNREIMBURSED EXPENSES-\$ 370.48

RECORDS:

Trustee did not take possession of business or
personal records of the debtor.

_____X_____

Trustee did take possession of business or
personal records of the debtor.

Notice given to debtor on
to pick up business or personal records in
hands of trustee. If not picked up within
30 days such records or work files may be
destroyed.

Exhibit "A" - Expenses of Stewart 00-40781

Travel:

341(a) meeting - Plano -----220 miles
Objection to Claims - Plano— 220 miles

440 miles @ .35 per mile = \$ 154.00

Secretarial, Copies & Postage:

	<u>Copies</u>	<u>Postage</u>
Motion to Reopen Chapter 7 Case and Appoint a Trustee 1.20	24	1.91
Objection to Proof of Claims 3.10	103	11.26
Final Report 3.00	150	3.25
Distribution Checks 1.00	11	3.06
Supplemental Final Report 1.50	95	3.25

Totals:

Travel = 220 miles @ 0.35 per mile----- \$ 154.00
Secretarial = 9.80hrs @ \$10.00 per hour ----- 98.00
Copies = 383 \$0.25 each ----- 95.75
Postage----- 22.73

Total = \$370.48

**SCHEDULE C
EXPENSES OF ADMINISTRATION**

	AMOUNT CLAIMED	AMOUNT PAID	AMOUNT DUE
1. 11 U.S.C. Sec 507(a)(1) <u>Court Cost and Fees</u>			
A. Notice & Claim Fees \$			
B. Adv. filing fees			
C. Quarterly Chapt 11			
D. Fee to Reopen Case	155.00	155.00	0
2. 11 U.S.C. Sec 503(b)(1)(a) <u>Preservation of estate</u>			
A. Transportation			
B. Storage			
C. Wages			
D. Estates share FICA			
E. Watchman			
F. Insurance			
G. Upkeep			
H. Advertising			
I. Expenses in Sale of Real Estate			
J. Trustee's Bond			
3. 11 U.S.C. Sec.503(b)(2) <u>Post-Petition Taxes and related penalties</u>			
4. 11 U.S.C. Sec.503(b)(2) <u>Compensation and Reimbursement</u>			
A. Trustee Fees	1,907.43	0	1,907.43
B. Trustee Expenses	370.48	0	370.48
C. Attorney to Trustee			
D. Expenses for Attorney			
E. Attorney to Debtor			
F. Expenses for Attorney			
G. Auctioneers			
H. Appraiser			
I. Accountant			

5. 11 U.S.C. Sec.503(b)(3)
Expenses of Creditors
or Committees

6. 11 U.S.C. Sec 503(b)(4)
Compensation of professionals
for creditors or committees

7. Other

TOTAL----- \$ 2,432.91 155.00 2,277.91

SCHEDULE D

**PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES
IN THE FOLLOWING ORDER OF PRIORITY**

(1) Claim No.	(2) Amt. Claimed	(3) Amt. Allowed	(4) Amt. Paid	(5) Amt. Due
---------------------	------------------------	------------------------	---------------------	--------------------

1. For Credit
Extended
Sec.364(e)(1)

2. Claims from
failure of
adequate
protection
Sec.307(a)(b)

3. "Gap Claims"
Sec.507(a)(2)

4. Wages, etc.
Sec.507(a)(3)

5. Contributions
to benefit plans
Sec.507(a)(4)

6. Engaged in raising
of grain or fisherman
Sec.507(a)(5)

7. Consumer deposits
Sec.507(a)(6)

8. Alimony or support
of child
Sec 507(a)(7)

7. Taxes
Sec.507(a)(8)

TOTAL PRIORITY CLAIMS = \$ 0

SCHEDULE E
SECURED CLAIMS

<u>Claim No.</u>	(1) <u>Creditor</u>	(2) <u>Amt of Claim</u>	(3) <u>Amt. Not Determined</u>	(4) <u>Amt. Allowed</u>	(5) <u>Amt. Paid</u>	(5) <u>Amt Due</u>
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Total of ALLOWED Secured Claims \$ 0

Total UNSECURED CLAIMS Allowed: \$ 131,236.15

Eastern District of Texas
CLAIMS REGISTER

05/04/01 Last Date to File Claims: 03/12/01 00-40781 drs Page 2
 Last Date to File Claims for Governmental Unit: 06/11/01
 Linda Stewart
 Robby Lee Stewart

 Name and Address of Claimant Amount of Claims Filed and Allowed Remarks

No: 8 Filed: 07/24/01 Filed Amt:
 SB Properties No. 21 Ltd. 34,114.15 g *base*
 Glast, Phillips & Murray
 2200 One Galleria Tower
 13355 Noel Rd. LB 48
 Dallas, TX 75240-6602

No: 9 Filed: 07/25/01 Filed Amt:
 Chase Manhattan Bank USA, NA *dup # 10* 14,403.43 g *4263 11012316 5562*
 100 Duffy Avenue, 4H1
 Hicksville, NY 11801

No: 10 Filed: 02/15/01 Filed Amt:
 Chase Manhattan Bank USA, NA 14,403.43 g
 8700 Tesoro Dr., 4th Floor
 San Antonio, TX 78217 *4263 11012316 5562*

No: 11 Filed: 03/12/01 Filed Amt:
 James M. Hurst *obv* 16,400.00 s *no document*
 Attorney at Law
 2400 Garden Park Court, Ste. C
 Arlington TX 76013 *(see serial #)*

copy No: 12 Filed: 04/12/01 Filed Amt: *007150834 11001*
 Bank of America *obv* 30,532.64 g
 NC4-105-03-14
 P. O. Box 26012
 Greensboro, NC 27420-6012 *12/13/01*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:)	
)	
STEWART, ROBBY & LINDA)	CASE NO. 00-40781-S
)	CHAPTER 7
)	
DEBTOR)	

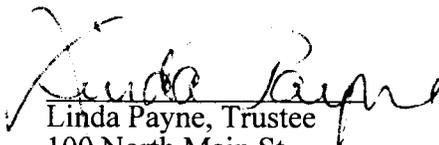
**TRUSTEE'S REPORT OF
PROPOSED FINAL DISTRIBUTIONS**

The undersigned trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all objections to the trustee's Final Report, all applications for compensation, and all other matters which must be determined by the Court before final distribution can be made.

2. The trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution upon certification by the U. S. Trustee unless written objection thereto is filed and served on the trustee and on the U. S. Trustee.

1. Balance on hand		\$11,419.27
2. Administrative Expenses to be paid (see attached schedule of payees and amounts)	\$ 2,277.91	
3. Priority Claims to be paid (see attached schedule of payees and amounts)	\$	
4. Secured Claims to be paid (see attached schedule of payees and amounts)	\$	
5. Unsecured Claims to be paid (see attached schedule of payees and amounts)	\$ 9,141.36	
6. Miscellaneous distributions to be paid (see attached schedule of payees and amounts)	\$	
7. Total Distributions to be made	\$11,419.27	
8. Zero Balance		\$ 0


 Linda Payne, Trustee
 100 North Main St
 Paris, TX 75460

Claims Proposed Distribution

Case: 00-40781 STEWART, ROBBY & LINDA

Case Balance: \$11,419.27 **Total Proposed Payment:** \$11,419.27 **Remaining Balance:** \$0.00

Claim #	Claimant Name	Type	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Remaining Funds
	LINDA S. PAYNE FEES-TRUSTEE (CH7)	Admin Ch. 7	1,907.43	1,907.43	0.00	1,907.43	1,907.43	9,511.84
	LINDA S. PAYNE EXP.-TRUSTEE (CH7)	Admin Ch. 7	370.48	370.48	0.00	370.48	370.48	9,141.36
	CLERK, U. S. BANKRUPTCY COURT U.S. BANKRUPTCY COURT	Admin Ch. 7	155.00	155.00	155.00	0.00	0.00	9,141.36
3	IRS	Priority	0.00	0.00	0.00	0.00	0.00	9,141.36
1	Refrigerated Specialist Inc.	Unsecured	97.43	97.43	0.00	97.43	8.84	9,132.52
2	Multifoods Dist.	Unsecured	3,093.54	3,093.54	0.00	3,093.54	280.82	8,851.70
4	Golden Eagle Credit Corp.	Unsecured	1,464.54	1,464.54	0.00	1,464.54	132.94	8,718.76
5	MBNA America Bank NA	Unsecured	29,665.88	29,665.88	0.00	29,665.88	2,692.92	6,025.84
6	Golden Eagle Credit Corp.	Unsecured	1,464.54	1,464.54	0.00	1,464.54	132.95	5,892.89
7	James M. Hurst	Unsecured	16,400.00	0.00	0.00	0.00	0.00	5,892.89
8	SB Properties No. 21 Ltd.	Unsecured	34,114.15	34,114.15	0.00	34,114.15	3,096.71	2,796.18
9	Chase Manhattan Bank USA, NA	Unsecured	14,403.43	0.00	0.00	0.00	0.00	2,796.18
10	Chase Manhattan Bank USA, NA	Unsecured	14,403.43	14,403.43	0.00	14,403.43	1,307.47	1,488.71
11	James M. Hurst	Unsecured	16,400.00	16,400.00	0.00	16,400.00	1,488.71	0.00
12	Bank of America	Unsecured	30,532.64	0.00	0.00	0.00	0.00	0.00
Total for Case 00-40781 :			\$164,472.49	\$103,136.42	\$155.00	\$102,981.42	\$11,419.27	\$0.00

CASE SUMMARY

	Amount Filed	Amount Allowed	Paid to Date	Proposed Payment	% paid
Total Administrative Claims :	\$2,432.91	\$2,432.91	\$155.00	\$2,277.91	100.000000%
Total Priority Claims :	\$0.00	\$0.00	\$0.00	\$0.00	0.000000%
Total Unsecured Claims :	\$162,039.58	\$100,703.51	\$0.00	\$9,141.36	9.077499%

(*) Denotes objection to Amount Filed

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE: ROBBY & LINDA STEWART / BANKRUPTCY CASE: 00-40781
/
/ CHAPTER 7

**NOTICE OF FILING OF FINAL REPORT OF TRUSTEE.
APPLICATION FOR COMPENSATION AND PROPOSED DISTRIBUTIONS**

NOTICE IS GIVEN that the Trustee's Final Report and Account, report of Proposed Final Distribution and Applications for Compensation have been filed. These documents are available for public inspection at the office of the Bankruptcy Clerk, 200 E. Ferguson, Tyler, Texas 75702, or at the trustee's office whose name and address is as follows:

LINDA PAYNE 100 NORTH MAIN STREET PARIS, TX 75460

The following Applications for Compensation have been filed:

<u>Applicants</u>	<u>Fees Requested</u>	<u>Expenses Requested</u>
<u>LINDA PAYNE</u> Trustee	<u>1907.43</u>	<u>370.48</u>
<u>Attorney for Trustee</u>	<u> </u>	<u> </u>
<u>U. S. Bankruptcy Court</u>	<u>0.00</u>	<u> </u>

The trustee's account shows:

Total Receipts	Total Disbursements	Balance
<u>\$ 11574.27</u>	<u>\$ 155.00</u>	<u>\$ 11419.27</u>

In addition to the commissions and fees that may be allowed by the Court, liens and priority claims which must be paid in advance of general creditors have been allowed in the total amount of \$ 0.00 ; general unsecured claims have been allowed in the amount of \$ 100703.51 .
The debtor has/has not been discharged.

Written objections to the Final Report, Application for Compensation and/or proposed Distributions must be filed with the Clerk of the Court and served on the trustee at the above mentioned address within 30 days from the date of this notice. If no objections are filed, the Court may consider the Report and Applications without hearing. If objections are filed, a hearing will be held on _____

at _____ .

Date: _____

JAMES D. TOKOPH, Clerk of Court

By: _____
Deputy Clerk

