

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

IN RE:

MY OWN BACK YARD, INC.

DEBTOR

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**CASE NO. 01-42909-R
CHAPTER 7**

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

LINDA S. PAYNE, trustee of the estate of the above-named Debtor(s), certifies under penalty of perjury, to the Court and the United States Trustee, that the trustee has faithfully and properly fulfilled the duties of her office and 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. The Trustee applies for the commissions and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document once filed, constitutes my valid signature for the purposes of 11 U.S.C. § 704(9) and Fed.R.Bankr.Pro.9011.

Therefore, the Trustee requests that the Final Report, Application for Compensation and Report of Proposed Distribution be approved.

Date: March 31, 2004

/s/ Linda Payne
Linda Payne, Trustee

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

IN RE:

MY OWN BACK YARD, INC.

DEBTOR

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**CASE NO. 01-42909-R
CHAPTER 7**

**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: March 31, 2004

/s/ Linda Payne
Linda Payne, Trustee

SCHEDULE A-1

FINAL ACCOUNT AS OF: 03/30/04

A: Receipts \$6,380.54

B. Disbursements

- 1. Secured Creditors-----\$
- 2. Administrative-----4,050.80
- 3. Priority-----
- 4. Other-----

- Total disbursements----- \$4,050.80

C. Current Balance \$2,329.74

Form 1
Individual Estate Property Record and Report
Asset Cases

Case Number: 01-42909 DRS
Case Name: MY OWN BACK YARD, INC.
 DBA MY OWN BACKYARD INC
Period Ending: 03/31/04

Trustee: (631540) LINDA S. PAYNE
Filed (f) or Converted (c): 07/27/01 (f)
\$341(a) Meeting Date: 09/17/01
Claims Bar Date: 12/20/01

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	Bank Account	230.00	164.75		164.75	FA
2	Lease deposit Preston Trail Broke lease.	3,500.00	0.00		0.00	FA
3	Lease deposit Actev Broke lease.	4,000.00	0.00		0.00	FA
4	Inventory at all locations Employed auctioneer and noticed sale - nothing sold to date.	30,836.00	20,000.00		6,208.00	FA
Int	INTEREST (u)	Unknown	N/A		7.79	Unknown
5	Assets	Totals (Excluding unknown values)	\$38,566.00	\$20,164.75	\$6,380.54	\$0.00

Major Activities Affecting Case Closing:
 Hired auctioneer. Waiting for sale.
 Having trouble selling. Landlord filed administrative claims. Agreed order that they will be paid after Flusche
Initial Projected Date Of Final Report (TFR): December 1, 2002
Current Projected Date Of Final Report (TFR): March 31, 2004

Form 2

Cash Receipts And Disbursements Record

Case Number: 01-42909 DRS
 Case Name: MY OWN BACK YARD, INC.
 DBA MY OWN BACKYARD INC
 Taxpayer ID #: 75-2719639
 Period Ending: 03/31/04

Trustee: LINDA S. PAYNE (631540)
 Bank Name: JPMORGAN CHASE BANK
 Account: 312-8580709-65 - 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	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
09/22/01	{1}	North Dallas Bank & Trust	Close out of bank account	1129-000	164.75		164.75
09/28/01	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.3000%	1270-000	0.03		164.78
10/31/01	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.1500%	1270-000	0.17		164.95
11/30/01	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.0500%	1270-000	0.15		165.10
12/31/01	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.0500%	1270-000	0.15		165.25
01/31/02	Int	THE CHASE MANHATTAN BANK	Interest posting at 0.9500%	1270-000	0.14		165.39
02/28/02	Int	THE CHASE MANHATTAN BANK	Interest posting at 0.8500%	1270-000	0.11		165.50
03/29/02	Int	THE CHASE MANHATTAN BANK	Interest posting at 0.8500%	1270-000	0.12		165.62
04/30/02	Int	THE CHASE MANHATTAN BANK	Interest posting at 0.8500%	1270-000	0.12		165.74
05/31/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.8000%	1270-000	0.12		165.86
06/28/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.8000%	1270-000	0.11		165.97
07/31/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.8000%	1270-000	0.11		166.08
08/30/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.7500%	1270-000	0.11		166.19
09/30/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.7500%	1270-000	0.10		166.29
10/31/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.7500%	1270-000	0.11		166.40
11/29/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	0.07		166.47
12/31/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	0.06		166.53
01/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	0.06		166.59
02/28/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	0.05		166.64
03/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4000%	1270-000	0.06		166.70
04/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4000%	1270-000	0.05		166.75
05/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4000%	1270-000	0.06		166.81
06/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.3000%	1270-000	0.05		166.86
07/14/03	{4}	Flusche Auction Co.	Proceeds from court approved sale	1129-000	6,208.00		6,374.86
07/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.3000%	1270-000	0.86		6,375.72

Subtotals :

\$6,375.72

\$0.00

{ Asset reference(s)

Form 2

Cash Receipts And Disbursements Record

Case Number: 01-42909 DRS
 Case Name: MY OWN BACK YARD, INC.
 DBA MY OWN BACKYARD INC
 Taxpayer ID #: 75-2719639
 Period Ending: 03/31/04

Trustee: LINDA S. PAYNE (631540)
 Bank Name: JPMORGAN CHASE BANK
 Account: 312-8580709-65 - 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	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
08/29/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2500%	1270-000	1.35		6,377.07
09/18/03	1001	Flusche Auction Company	Court approved auctioneer fees	3610-000		620.80	5,756.27
09/18/03	1002	Flusche Auction Company	Court approved auctioneer expenses	3620-000		3,430.00	2,326.27
09/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2500%	1270-000	1.14		2,327.41
10/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	0.45		2,327.86
11/28/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	0.38		2,328.24
12/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	0.40		2,328.64
01/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	0.39		2,329.03
02/27/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	0.37		2,329.40
03/30/04	Int	JPMORGAN CHASE BANK	Current Interest Rate is 0.1500%	1270-000	0.34		2,329.74
03/30/04		To Account #312858070966	Final Report	9999-000		2,329.74	0.00

ACCOUNT TOTALS
 Less: Bank Transfers 6,380.54 6,380.54 \$0.00
 0.00 2,329.74
Subtotal 6,380.54 4,050.80
 Less: Payments to Debtors 0.00
NET Receipts / Disbursements \$6,380.54 \$4,050.80

Form 2

Cash Receipts And Disbursements Record

Case Number: 01-42909 DRS
 Case Name: MY OWN BACK YARD, INC.
 DBA MY OWN BACKYARD INC
 Taxpayer ID #: 75-2719639
 Period Ending: 03/31/04

Trustee: LINDA S. PAYNE (631540)
 Bank Name: JPMORGAN CHASE BANK
 Account: 312-8580709-66 - 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	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
03/30/04		From Account #312858070965	Final Report	9999-000	2,329.74		2,329.74

ACCOUNT TOTALS
 Less: Bank Transfers 2,329.74 0.00
Subtotal 0.00 0.00
 Less: Payments to Debtors 0.00
NET Receipts / Disbursements \$0.00 \$0.00

TOTAL - ALL ACCOUNTS	Net Receipts	Net Disbursements	Account Balances
MMA # 312-8580709-65	6,380.54	4,050.80	0.00
Checking # 312-8580709-66	0.00	0.00	2,329.74
	\$6,380.54	\$4,050.80	\$2,329.74

SCHEDULE B

APPLICATION FOR COMPENSATION

TRUSTEE COMPENSATION:

Total Receipts	\$6,380.54	25% of First \$5,000.00	\$ 1,250.00
Balance	\$1,380.54	10% of Next \$45,000.00	\$ 138.05
Balance	\$ _____	5% of Next \$950,000.00	
Balance	\$ _____	3% of Remaining Balance	\$
			TOTAL COMMISSIONS \$ 1,388.05

UNREIMBURSED EXPENSES: (See attached breakdown)

Recording Fees-----	
Premium on bond-----	
Travel-----	
Clerical & Stenographic-----	160.00
Copies-----	89.00
Postage-----	33.39
Certified Mail (1)-----	
Court Certification-----	
Federal Express-----	

TOTAL UNREIMBURSED EXPENSES--\$282.39

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 My Own Backyard

Travel: None

<u>Secretarial, Copies & Postage:</u>	<u>Copies</u>	<u>Postage</u>
Application to Employ Auctioneer (#10 on docket) 0.20	25	0.92
Application to Sell Property of the Estate (#11 on docket) 1.45	62	12.39
Motion to Shorten Time (#12 on docket) 1.00	67	*
*Mailed with Application to Sell		
Application for Compensation of Auctioneer (#32 on docket) 2.10	72	12.76
Report of Sale (#31 on docket) 1.25	107	*
*Mailed with Application for Compensation of Auctioneer		
Final Report (E filed) 1.00	20	
Supplemental Final Report (E filed) 1.00	3	0.37
Mail Checks and Statements to UST		3.95

Totals:
 Travel = Miles @ 0.35 per mile-----
 Secretarial = 8.00hrs @ \$20.00 per hour ----- 160.00
 Copies = 356 @ \$0.25 each----- 89.00
 Postage----- 33.39
 TOTAL: \$ 282.39

**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			
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. Insurance			
F. Other (itemize)			
Rent	8,600.00	0	658.96*
*Claimant agreed to accept whatever was left after auctioneer and trustee fees and expenses up to \$8,600.00)			
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	1,388.05	0	1,388.05
B. Trustee Expenses	282.39	0	282.39
C. Attorney to Trustee			
D. Expenses for Attorney To Trustee			
E. Attorney for Debtor			
F. Auctioneer Fees (#35 on docket)	620.80	620.82	
Auctioneer Expenses (#35 on docket)	3,430.00	3,430.00	
5. Other (Itemize)			
 TOTAL-----	 14,321.24	 4,050.82	 2,329.40

SCHEDULE D

SECURED CLAIMS

Claim #	Claimant	Amount Claimed	Amount Not Determined	Amount Allowed	Previously Paid	Amount Due
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Totals \$ 0

SCHEDULE E

**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 §364(e)(1)					
2. Claims from failure of adequate protection §307 (a)(b)					
3. "Gap Claims" §507 (a)(2)					
4. Wages, etc. §507 (a)(3)					
5. Contributions to benefit plans §507 (a)(4)					
6. Engaged in raising of grain or fisherman §507 (a)(5)					
7. Consumer deposits §507 (a)(6)					
8. Alimony or child support §507 (a)(7)					
9. Taxes §507 (a)(8)					
State of Texas Comptroller	10	7,931.04	ALL	0	7,931.04

TOTAL ALLOWED PRIORITY CLAIMS: \$7,931.04
TIMELY FILED ALLOWED UNSECURED CLAIMS TOTAL: \$193,313.41

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

IN RE:

MY OWN BACKYARD, INC.

DEBTOR

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**CASE # 01-42909-R
CHAPTER 7**

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 unless written objection hereto is made, filed and served on the Trustee and on the United States Trustee.

1. BALANCE ON HAND		\$2,329.74
2. ADMINISTRATIVE EXPENSES TO BE PAID	\$2,239.74	
3. SECURED CLAIMS TO BE PAID	\$0	
4. PRIORITY CLAIMS TO BE PAID	\$0	
5. UNSECURED CLAIMS TO BE PAID	\$	
6. OTHER DISTRIBUTIONS TO BE PAID (Surplus to Debtor)	\$0	
7. TOTAL DISTRIBUTIONS TO BE MADE		\$2,329.74
8. ZERO BALANCE AFTER ALL DISTRIBUTIONS	\$	0

Dated: March 31, 2004

/s/ Linda S. Payne
Linda S. Payne, Trustee

Claims Distribution Register

Case: 01-42909 MY OWN BACK YARD, INC.

Claim #	Date	Pri	Claimant / Proof / <Category> / Memo	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment
Admin Ch. 7 Claims:								
	07/27/01	200	LINDA S. PAYNE 100 NORTH MAIN ST. PARIS, TX 75460 <2100-00 Trustee Compensation>	1,388.05	1,388.05	0.00	1,388.05	1,388.05
	07/27/01	200	LINDA S. PAYNE 100 NORTH MAIN ST. PARIS, TX 75460 <2200-00 Trustee Expenses>	282.39	282.39	0.00	282.39	282.39
	07/27/01	200	Flusche Auction Company P.O. Box 417 MUNSTER, TX 76252 <3610-00 Auctioneer for Trustee Fees (including buyers premiums)>	620.80	620.80	620.80	0.00	0.00
	07/27/01	200	Flusche Auction Company P.O. Box 417 MUNSTER, TX 76252 <3620-00 Auctioneer for Trustee Expenses>	3,430.00	3,430.00	3,430.00	0.00	0.00
	12/17/01	200	Actev, Inc. c/o D. Scott Curry 2520 W. Irving Blvd, #204 Irving, TX 75061 <2410-00 Admin. Rent (post-petition storage fees, leases, etc.)> Unsecured	8,600.00	658.96	0.00	658.96	658.96
Total for Priority 200: 100% Paid				\$14,321.24	\$6,380.20	\$4,050.80	\$2,329.40	\$2,329.40
Total for Admin Ch. 7 Claims:				\$14,321.24	\$6,380.20	\$4,050.80	\$2,329.40	\$2,329.40

Priority Claims:

10	12/06/01	570	Office of the Attorney General of Texas Office of the Attorn Collections Division/Bankruptcy Sec. P.O. Box 12548, Capitol Station Austin, TX 78711-2548 <5800-00 Claims of Governmental Units--§ 507(a)(8)> Unsecured Description: Sales and Use Tax ; Remarks: Converted from BANCAP.	7,931.04	7,931.04	0.00	7,931.04	0.34
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Priority 570: 0.00429% Paid

Claims Distribution Register

Case: 01-42909 MY OWN BACK YARD, INC.

Claim #	Date	Pri	Claimant / Proof / <Category> / Memo	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment
Unsecured Claims:								
1	10/01/01	610	F.C. Atkinson, MD 9528 Webb Chapel Dallas, TX 75220 <7100-00 General Unsecured § 726(a)(2)> Unsecured	1,012.00	1,012.00	0.00	1,012.00	0.00
2	10/09/01	610	COS ER V P.o. 650681 Dallas, TX 75265-0681 <7100-00 General Unsecured § 726(a)(2)> Unsecured	1,236.77	1,236.77	0.00	1,236.77	0.00
3	10/18/01	610	Golden Eagle Leasing Inc. 90 Grove Street, Suite 3 Ridgefield, CT 06877 <7100-00 General Unsecured § 726(a)(2)> Unsecured	4,137.60	4,137.60	0.00	4,137.60	0.00
4	10/22/01	610	Verizon Directories Corp. c/o D&B/RMS Bankruptcy Services PO Box 5126 Timonium, MD 21094 <7100-00 General Unsecured § 726(a)(2)> Unsecured	483.00	483.00	0.00	483.00	0.00
5	10/29/01	610	Splash Superpools 3912 East Progress North Little Rock, AR 72114 <7100-00 General Unsecured § 726(a)(2)> Unsecured	5,155.90	5,155.90	0.00	5,155.90	0.00
6	11/02/01	610	Southwestern Bell Yellow Pages 1430 Empire Central, 4th Floor Dallas, TX 75247 <7100-00 General Unsecured § 726(a)(2)> Unsecured	10,070.43	10,070.43	0.00	10,070.43	0.00
7	11/08/01	610	Waste Management Lewisville Hauling P.O. BOX 719 Lewisville, TX 75067 <7100-00 General Unsecured § 726(a)(2)> Unsecured	165.49	165.49	0.00	165.49	0.00
8	11/13/01	610	Backyard Outfitter 8920 55th Ave Arvada, Co 80002-3028 <7100-00 General Unsecured § 726(a)(2)> Unsecured	13,666.19	13,666.19	0.00	13,666.19	0.00

Claims Distribution Register

Case: 01-42909 MY OWN BACK YARD, INC.

Claim #	Date	Pri	Claimant / Proof / <Category> / Memo	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment
9	12/06/01	610	Tub-N-Tan 5026 S. Sheridan Rd. Tulsa, OK 74145 <7100-00 General Unsecured § 726(a)(2)> Unsecured	1,384.76	1,384.76	0.00	1,384.76	0.00
11	12/12/01	610	Woodlawn Yard Structures, Inc. 13901 Woodlawn Hills Cedar Springs, MI 49319 <7100-00 General Unsecured § 726(a)(2)> Unsecured	147,601.27	147,601.27	0.00	147,601.27	0.00
13	12/17/01	610	Actev, Inc. c/o D. Scott Curry 2520 W. Irving Blvd, #204 Irving, TX 75061 <7100-00 General Unsecured § 726(a)(2)> Unsecured	8,400.00	8,400.00	0.00	8,400.00	0.00
Total for Priority 610: 0% Paid				\$193,313.41	\$193,313.41	\$0.00	\$193,313.41	\$0.00
Total for Unsecured Claims:				\$193,313.41	\$193,313.41	\$0.00	\$193,313.41	\$0.00
Total for Case :				\$215,565.69	\$207,624.65	\$4,050.80	\$203,573.85	\$2,329.74