

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
Tyler Division**

IN RE:	)	CASE NO. 03-20096
Smith, Edward	)	
Smith, Gwen M.	)	
	)	
	)	CHAPTER 7
DEBTOR(S)	)	

Trustee's Final Report, Application for Compensation,  
and Report of Proposed Distribution

Bob Anderson, the Trustee of the estate of the above named debtor(s), certifies under penalty of perjury, to the Court and United States Trustee, that the trustee has faithfully and properly fulfilled the duties of his office, that the trustee has examined all proofs of claim as appropriate in preparation for the proposed distribution, and that the proposed distribution attached hereto is proper and consistent with the law and rules of the 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 22, 2004

/s/ Bob Anderson  
Bob Anderson, Trustee

SCHEDULE A-1

FINAL ACCOUNT AS OF:

A.	GROSS RECEIPTS		\$97,021.04
B.	DISBURSEMENTS		
	(1) Secured Creditors	66,528.56	
	(2) Administrative Expenses	8,702.29	
	(3) Priority Creditors	0.00	
	(4) Other	0.00	
	TOTAL DISBURSEMENTS		<u>\$75,230.85</u>
C.	BALANCE ON HAND		<u>\$21,790.19</u>

# Form 1

## Individual Estate Property Record and Report

### Asset Cases

**Case Number:** 03-20096 BP  
**Case Name:** Smith, Edward  
 Smith, Gwen M.  
**Period Ending:** 03/19/04

**Trustee:** (631490) Bob Anderson  
**Filed (f) or Converted (c):** 02/28/03 (f)  
**§341(a) Meeting Date:** 04/14/03  
**Claims Bar Date:** 11/19/03

1	2	3	4	5	6	
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 <u>Abandoned</u> OA=§554(a) abandon. DA=§554(c) abandon.	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	11386 FM 250 N, Naples, TX and 159 Acres	145,000.00	0.00		0.00	FA
2	Highway 77 East, Marietta, TX (Titus County, TX) Scheduled value is \$65,000.00; Trustee's valuation is based on Contract for Sale. 6/17/03 - Order Granting Motion to Sell Assets Free and Clear of Liens, but Order failed to include Exhibit "A". 6/19/03 - AMENDED Order Granting Motion to Sell Assets Free and Clear of Liens.	65,000.00	30,000.00		97,000.00	FA
3	Teachers Federal Credit Union	100.00	0.00		0.00	FA
4	Security Deposit - Bowie County Electric	300.00	0.00		0.00	FA
5	Household Furnishings	1,425.00	0.00		0.00	FA
6	Clothing	1,600.00	0.00		0.00	FA
7	Jewelry	550.00	0.00		0.00	FA
8	Guns	350.00	0.00		0.00	FA
9	State of Texas Retirement	30,000.00	0.00		0.00	FA
10	1994 Dodge Truck	6,500.00	0.00		0.00	FA
11	2001 Honda Accord	14,000.00	0.00		0.00	FA
12	Flatbed Boat	400.00	0.00		0.00	FA
13	2 Horses	800.00	0.00		0.00	FA

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	1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property <u>Abandoned</u> OA=§554(a) abandon. DA=§554(c) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #						
14	Lawn Mower and Garden Tools	500.00	0.00		0.00	FA
Int	INTEREST (u)	Unknown	N/A		21.04	Unknown
<b>15</b>	<b>Assets Totals (Excluding unknown values)</b>	<b>\$266,525.00</b>	<b>\$30,000.00</b>		<b>\$97,021.04</b>	<b>\$0.00</b>

**Major Activities Affecting Case Closing:**

Statement of Financial Affairs (#4) discloses a \$28,500 Judgment in a Cass County lawsuit against Debtors by Clarksville Oil. No further information is given. Trustee determined that an Abstract of Judgment was not timely filed.

**TAX RETURNS:**

2003 - Return and PDR (no tax due) mailed 3/16/04.

**PROFESSIONALS:**

--- Diana Kennedy, Realtor per Order 6/4/03. Commission paid with sales proceeds.

--- Bob Rogers, Accountant for Trustee per Order signed 3/10/04. Fees of \$190 for 2003 tax return advanced by Smead, Anderson & Dunn.

**CLAIMS:**

-Bar dates: 11/19/03 and 2/19/04 (gov't)

- Obj to #1 and #2 filed 10/6/03.

Objection filed as to #1 and hearing scheduled 12/3/03 (National Bank of Daingerfield).

- Order Sustaining Obj to #2 entered 10/29/03.

**Initial Projected Date Of Final Report (TFR):** December 31, 2004

**Current Projected Date Of Final Report (TFR):** December 31, 2004

## Form 2

### Cash Receipts And Disbursements Record

**Case Number:** 03-20096 BP  
**Case Name:** Smith, Edward  
 Smith, Gwen M.  
**Taxpayer ID #:** 13-7381348  
**Period Ending:** 03/19/04

**Trustee:** Bob Anderson (631490)  
**Bank Name:** JPMORGAN CHASE BANK  
**Account:** 312-8984746-65 - 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
09/25/03		Titus County Title Company	Sales Proceeds per Order signed 6/19/2003		21,769.15		21,769.15
	{2}	Robert Micah Hill	Gross Sales Price 97,000.00	1110-000			21,769.15
		First National Bank of Hughes Springs	Payoff of lien to First National Bank of Hughes Springs -62,182.76	4110-000			21,769.15
			City Taxes -867.26	2820-000			21,769.15
			County Taxes -361.99	2820-000			21,769.15
			Realtor's Commission -5,820.00	3510-000			21,769.15
			Escrow Fee to Titus County Title Company -250.00	2500-000			21,769.15
			Title Insurance -910.00	2500-000			21,769.15
			Tax Certificates -60.00	2500-000			21,769.15
			Recording Fees -18.00	2500-000			21,769.15
			Express Mail -45.00	2500-000			21,769.15
			Cass County Appraisal District -3,249.33	4700-000			21,769.15
			Cas County Tax Assessor/Collector -726.47	4700-000			21,769.15
			Cass County District Clerk - Court Costs re: tax suits -370.00	4700-000			21,769.15
			GLK Locksmith -370.04	2420-000			21,769.15
09/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2500%	1270-000	0.30		21,769.45
10/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	4.18		21,773.63
11/28/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	3.58		21,777.21

**Subtotals :**                      **\$21,777.21**                      **\$0.00**

{ } Asset reference(s)

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**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
12/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	3.70		21,780.91
01/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	3.69		21,784.60
02/27/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	3.45		21,788.05
03/19/04	Int	JPMORGAN CHASE BANK	Current Interest Rate is 0.2000%	1270-000	2.14		21,790.19
03/19/04		To Account #312898474666	Close money market and transfer to checking for TFR	9999-000		21,790.19	0.00

<b>ACCOUNT TOTALS</b>	<b>21,790.19</b>	<b>21,790.19</b>	<b>\$0.00</b>
Less: Bank Transfers	0.00	21,790.19	
<b>Subtotal</b>	<b>21,790.19</b>	<b>0.00</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$21,790.19</b>	<b>\$0.00</b>	

## Form 2

### Cash Receipts And Disbursements Record

**Case Number:** 03-20096 BP  
**Case Name:** Smith, Edward  
                   Smith, Gwen M.  
**Taxpayer ID #:** 13-7381348  
**Period Ending:** 03/19/04

**Trustee:** Bob Anderson (631490)  
**Bank Name:** JPMORGAN CHASE BANK  
**Account:** 312-8984746-66 - 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
03/19/04		From Account #312898474665	Close money market and transfer to checking for TFR	9999-000	21,790.19		21,790.19

<b>ACCOUNT TOTALS</b>	<b>21,790.19</b>	<b>0.00</b>	<b>\$21,790.19</b>
Less: Bank Transfers	21,790.19	0.00	
<b>Subtotal</b>	<b>0.00</b>	<b>0.00</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$0.00</b>	<b>\$0.00</b>	

Net Receipts :	21,790.19
Plus Gross Adjustments :	75,230.85
Net Estate :	\$97,021.04

	Net Receipts	Net Disbursements	Account Balances
<b>TOTAL - ALL ACCOUNTS</b>			
MMA # 312-8984746-65	21,790.19	0.00	0.00
Checking # 312-8984746-66	0.00	0.00	21,790.19
	<b>\$21,790.19</b>	<b>\$0.00</b>	<b>\$21,790.19</b>

FR

A. SETTLEMENT STATEMENT U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT	B. TYPE OF LOAN 1. <input type="checkbox"/> FHA    2. <input type="checkbox"/> FMHA    3. <input type="checkbox"/> CONV. UNINS. 4. <input type="checkbox"/> VA        5. <input type="checkbox"/> CONY. INS.		
	6. FILE NUMBER: 03-036		7. LOAN NUMBER: NONE GIVEN
	8. MORTGAGE INSURANCE CASE NUMBER: N/A		
	C. NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in totals.		

D. NAME & ADDRESS OF BORROWER ROBERT MICAH HILL <del>JOHNNY SARGENT</del> RT 1 BOX 1390 MT PLEASANT TX 75455 PH:	E. NAME & ADDRESS OF SELLER BOB ANDERSON, TRUSTEE FOR EDWARD SMITH ET UX 22259 WEST HWY 77 MARIETTA TX 75556 PH: TIN #:	F. NAME & ADDRESS OF LENDER   PH:
G. PROPERTY LOCATION AB-1079 J WOOD SURVEY CASS CO 22259 W HWY 77 MARIETTA TX 75556	H. SETTLEMENT AGENT TITUS COUNTY TITLE CO.  I. SETTLEMENT DATE 10 September, 2003 DISBURSMENT DATE 10 September, 2003	PLACE OF SETTLEMENT TITUS COUNTY TITLE CO.  103 N. MADISON MT. PLEASANT, TEXAS 75455 PH:903-577-0333 FAX:903-577-1666

J. SUMMARY OF BORROWER'S TRANSACTION		K. SUMMARY OF SELLER'S TRANSACTION	
100. GROSS AMOUNT DUE FROM BORROWER:		400. GROSS AMOUNT DUE TO SELLER:	
101. Contract Sales Price	97,000.00	401. Contract Sales Price	97,000.00
102. Personal Property		402. Personal Property	
103. Settlement Charges to Borrower (L 1400)	163.00	403.	
104.		404.	
105.		405.	
Adjustments for items paid by seller in advance		Adjustments for items paid by seller in advance	
106. City taxes		406. City taxes	
107. County taxes		407. County taxes	
108. Assessments		408. Assessments	
109.		409.	
110.		410.	
111.		411.	
112.		412.	
120. GROSS AMOUNT DUE FROM BORROWER	97,163.00	420. GROSS AMOUNT DUE TO SELLER	97,000.00
200. AMOUNTS PAID BY OR IN BEHALF OF BORROWER:		500. REDUCTION IN AMOUNT DUE TO SELLER:	
201. Deposit or Earnest Money	1,000.00	501. Excess Deposit	
202. Principal \$ of new loan		502. Settlement charges to seller (L 1400)	12,018.84
203. Existing Loans taken		503. Existing Loans taken	
204.		504. Payoff of 1st mtg loan	62,182.76
205.		505. Payoff of 2nd mtg loan	
206.		506.	
207.		507.	
208.		508.	
209.		509.	
Adjustments for items unpaid by seller		Adjustments for items unpaid by seller	
210. City taxes 01/01/03-09/10/03	867.26	510. City taxes 01/01/03-09/10/03	867.26
211. County taxes 01/01/03-09/10/03	361.99	511. County taxes 01/01/03-09/10/03	361.99
212. Assessments		512. Assessments	
213.		513.	
214.		514.	
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	
220. TOTAL PAID BY/FOR BORROWER	2,229.25	520. TOTAL REDUCTION AMOUNT DUE SELLER	75,430.85
300. CASH AT SETTLEMENT FROM/TO BORROWER		600. CASH AT SETTLEMENT TO/FROM SELLER	
301. Gross amount due from borrower (L 120)	97,163.00	601. Gross amount due to seller (L 420)	97,000.00
302. Less amts pd by/for borrower (L 220)	( 2,229.25)	602. Less reductions due seller (L 520)	( 75,430.85)
303. CASH K FROM) ( TO) BORROWER	94,933.75	603. CASH K TO) ( FROM) SELLER	21,569.15 *

WARNING: It is a crime to knowingly make false statements to the United States on this or any other similar form. Penalties upon conviction can include a fine and imprisonment. For details see Title 18: US Code Section 1001 and Section 1010.

9/14

HUD-1 (Rev. 3-86)  
RESPA HB 4305.2

\* Check rec'd for \$21,769.15 due to \$200 reduction in amount paid to District Clerk, Lorie Stern 1306.

L. SETTLEMENT CHARGES.		PAID FROM BORROWER'S FUNDS AT SETTLEMENT	PAID FROM SELLER'S FUNDS AT SETTLEMENT
<b>700. TOTAL SALES/BROKER'S COMMISSION on \$ 97,000.00 @ 6.00 % =</b>			
Division of commission as follows:			
701. \$ 5,820.00	to C-21 LANDMARK ASSO.		
702. \$ 0.00	to		
703. Commission paid at settlement			5,820.00
704.			
<b>800. ITEMS PAYABLE IN CONNECTION WITH LOAN</b>			
801. Loan Orig. fee	0.000%		
802. Loan Discount	0.000%		
803. Appraisal fee to			
804. Credit Report to			
805. Lender's Insp fee			
806. Mfg Ins App Fee to			
807. Assumption Fee			
808. Flood Certification			
809.			
810.			
811.			
812.			
813.			
814.			
<b>900. ITEMS REQUIRED BY THE LENDER TO BE PAID IN ADVANCE</b>			
901. Interest from 00 / / thru / / @ \$ 0.0000 /day			
902. Mfg Ins Prem for months			
903. Hrd Ins Prem for 1 years POC			
904.			
905.			
906.			
<b>1000. RESERVES DEPOSITED WITH LENDER</b>			
1001. Hazard Insurance	mo. @ \$ / mo.		
1002. Mortgage Insurance	mo. @ \$ 00 / mo.		
1003. City property taxes	mo. @ \$ / mo.		
1004. Cnty property taxes	mo. @ \$ / mo.		
1005. Annual assessments	mo. @ \$ / mo.		
1006.	mo. @ \$ / mo.		
1007.	mo. @ \$ / mo.		
<b>1008. 1/6th Aggregate Cushion Adjustments</b>			
<b>1100. TITLE CHARGES</b>			
1101. Escrow Fee to	TITUS COUNTY TITLE COMPANY	125.00	250.00
1102. Title search to	TITUS COUNTY TITLE COMPANY		
1103. Title examination to			
1104. Title ins. binder to			
1105. Document prep. to			
1106. Notary fees to			
1107. Attorney's fees to			
(includes above item numbers: )			
1108. Title insurance to	TITUS COUNTY TITLE COMPANY		910.00
(includes above item numbers: )			
1109. Lender's coverage	\$ 0.00		
1110. Owner's coverage	\$ 97000.00		
1111. Tax Certificates: TITUS COUNTY TITLE CO.			60.00
1112. Arm Endorsement: TITUS COUNTY TITLE CO.			
1113. Environmental Lien: TITUS COUNTY TITLE CO.			
1114. Tax Deletion: TITUS COUNTY TITLE CO.			
1115.			
<b>1200. GOVERNMENT RECORDING AND TRANSFER CHARGES</b>			
1201. Recording fees: Deed \$ 20.00 Mfg \$ 00 Rel \$ 18.00		20.00	18.00
1202. City/Cnty stamps : Deed \$ 00 Mortgage \$ 00			
1203. State tax stamps : Deed \$ 00 Mortgage \$ 00			
1204. CERTIFIED COPY OF AUTHORIZATION TO SELL		18.00	
1205.			
<b>1300. ADDITIONAL SETTLEMENT CHARGES</b>			
1301. Survey to:			
1302. Pest insp:			
1303. Express Mail Fee:			45.00
1304. CASS COUNTY APPRAISAL DISTRICT			3,249.33
1305. CASS COUNTY TAX ASSESSOR/COLLECTOR			726.47
1306. CASS COUNTY DISTRICT CLERK-COURT COST			570.00
1307. CENTURY 21 LANDMARK-RE-IMBURSE GLK LOCKSMITH			370.04
1400. TOTAL SETTLEMENT CHARGES (enter on lines 103, Sec J and 502, Sec K)		163.00	12,018.84

SUBSTITUTE FORM 1099 SELLER STATEMENT--The information contained in Blocks E, G, H, and I and on line 401 is important tax information and is being furnished to the Internal Revenue Service in lieu of form 1099-S.

\* reduced by \$200 after closing.

CERTIFICATION

GF:03-036

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I fully certify that I have received a copy of HUD-1 Settlement Statement.

Borrowers:

x. Robert M. Hill  
ROBERT MICAH HILL

Sellers:

Bob Anderson  
BOB ANDERSON, TRUSTEE

~~JOHNNY SARGENT~~

FOR EDWARD SMITH ET UX

The HUD-1 Statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement.

Annita S. Baldwin  
TITUS COUNTY TITLE CO.  
Settlement agent

9-10-03  
Date

SCHEDULE B  
APPLICATION FOR COMPENSATION

COMPUTATION OF COMMISSIONS (cases filed after 10/22/95)

Total Receipts	<u>\$97,021.04</u>	25% of First \$5,000	\$ _____ 1,250.00
Less	(5,000.00)		
Balance	<u>92,021.04</u>	10% of next \$45,000	\$ _____ 4,500.00
Less	(45,000.00)		
Balance	<u>47,021.04</u>	5% of next \$950,000	\$ _____ 2,351.05
Less	(950,000.00)		
Balance	<u>0.00</u>	3% of Remaining Balance	\$ _____ 0.00

TOTAL COMMISSIONS \$ \_\_\_\_\_ 8,101.05

UNREIMBURSED EXPENSES

Recording Fees	\$ _____ 18.00
Overnight Delivery of Closing Documents	\$ _____ 16.03
Fees to Clerk of Court for Certified Copy of Order Authorizing Sale	\$ _____ 8.50
Paraprofessional (exhibit attached)	\$ _____ 924.00
Clerical and Stenographic (exhibit attached)	\$ _____ 162.00
Photocopies (@ .25/each)	\$ _____ 58.75
Postage	\$ _____ 30.10
Long Distance Telephone Charges	\$ _____ 22.50
Advance Accountant's Fees to Bob Rogers for 2003 Tax Return (invoice attached)	\$ _____ 190.00
TOTAL UNREIMBURSED EXPENSES	\$ _____ 1,429.88

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Records:

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

  9 Notice given debtor on \_\_\_\_\_ to pick up business or personal records in hands of Trustee.

Date	Service Performed	Who	Time	C	P	LD
	<b>SECRETARIAL SERVICES</b>			0	0	0
4/23/2003	Telephone conferences with various parties regarding realtor, regarding bank's assertion of lien on property, regarding potential purchases and other matters, all relating to realty on Highway 77; Memo to file regarding same	s	1.00	0	0	30
4/24/2003	Set up notebook files for asset administration	s	.50	0	0	0
4/24/2003	Review of pleadings, documents and schedules and post assets and other case information to management system	s	1.00	0	0	0
4/24/2003	Prepare letter for Trustee's review and signature regarding First National Bank of Hughes Springs regarding lien claim on realty	s	.20	1	.37	0
4/30/2003	Prepare letter for Trustee's review and signature to David Lashford requesting tax returns and/or basis information in real property	s	.20	1	.37	0
5/13/2003	Reminder notice to David Lashford regarding Trustee's request for tax returns	s	.10	1	.37	0
5/20/2003	Obtain matrix and revise for use with Motion to Sell	s	.30	0	0	0
5/21/2003	Mailout of Motion to Sell on all required parties	s	.50	115	8.18	0
6/17/2003	Prepare letter for Trustee's review and signature to Diana Kennedy regarding Order authorizing sale of property	s	.20	6	.60	0
6/25/2003	Prepare letter for Trustee's review and signature to Diana Kennedy, Realtor, regarding Amended Order with legal description exhibit	s	.20	0	0	10
7/30/2003	Telephone conferences with Appraisal District to obtain information on pending tax suits and memo to file	s	.40	0	0	15

In the United States Bankruptcy Court  
Eastern District of Texas, Marshall Division

Date	Service Performed	Who	Time	C	P	LD
8/20/2003	Prepare letter to Titus County Title for Trustee's review and signature regarding lien payoff of 1 <sup>st</sup> National Bank of Hughes Springs	s	.10	0	0	5
9/4/2003	Obtain and provide certified copy of Bankruptcy Court's Order to Title Company, and advance from Trustee's firm for \$8.50 certified copy charges from Clerk	s	.30	4	0	0
9/9/2003	Open bank account, preparation of Form W-9 for bank, and preparation of deposit and post same	s	.50	0	0	0
9/10/2003	Receive TIN # from Chase and fax W-9 to Title Company for closing	s	.10	0	0	0
9/25/2003	Preparation of deposit of sales proceeds from Titus County Title Company and posting of all line item amounts from closing statement	s	.50	8	0	0
10/2/2003	Perform UCC search and memo to file regarding same	s	.40	0	0	0
10/10/2003	Reconciliation of bank statement	s	.10	0	0	0
11/17/2003	Reconciliation of bank statement	s	.10	0	0	0
12/10/2003	Reconciliation of bank statement	s	.10	0	0	0
1/14/2004	Reconciliation of bank statement	s	.10	0	0	0
2/11/2004	Reconciliation of bank statement	s	.10	0	0	0
3/10/2004	Reconciliation of bank statement	s	.10	0	0	0
3/17/2004	Obtain advance check of \$190 from Trustee's firm for payment of fees to Bob Rogers for preparation of 2003 tax return	s	.20	3	.37	0
3/18/2004	Post all claims, objections, orders and other claim information and prepare projected distribution report	s	.80	0	0	0
	<b>TOTAL SECRETARIAL SERVICES</b> 8.10 Hours @ \$20 = \$ 162.00		8.1	0	0	0

Date	Service Performed	Who	Time	C	P	LD
				0	0	0
	<b>PARALEGAL SERVICES</b>			0	0	0
4/23/2003	Prepare for Trustee's review and signature Notice of Filing of Bankruptcy to be filed with County Clerk of Marion County, and letter to Clerk regarding same, and advance from Trustee's firm \$9.00 recording fee	p	.40	2	.74	0
4/28/2003	Prepare for Trustee's review and signature Notice of Filing of Bankruptcy to be filed with County Clerk of Cass County, and letter to Clerk regarding same, and advance from Trustee's firm \$9.00 recording fee	p	.30	2	.74	0
5/9/2003	Telephone conference with Bob Parr of First National Bank of Hughes Springs regarding lien on realty; Request documents regarding same, and memo to file regarding same	p	.30	0	0	15
5/9/2003	Telephone conferences with Clarksville Oil & Gas and with Rick Shelton's office regarding Agreed Judgment and attempting to determine if Abstract of Judgment had been recorded in Cass County; Memo to file and Trustee regarding same	p	.40	0	0	10
5/12/2003	Preparation of Application to Employ Diane Kennedy as realtor for Trustee's review and signature with Affidavit and proposed Order	p	.50	0	0	0
5/13/2003	Prepare letter for Trustee's review and signature to Diane Kennedy regarding receiving court authority to employ her as realtor, and regarding legal description of subject property	p	.30	33	1.75	0
5/20/2003	Draft for Trustee's review and signature Motion to Sell Real Property and proposed Order	p	.50	0	0	0
5/21/2003	Electronic filing of Motion to Sell	p	.20	0	0	0

Date	Service Performed	Who	Time	C	P	LD
6/17/2003	Receipt and review of Order Authorizing Sale and discussions with Judge Parker's office and Trustee regarding lack of legal description (exhibit had been removed), and request that Amended Order including the legal description exhibit be entered	p	.40	0	0	15
7/7/2003	Telephone conferences with Diane Kennedy regarding status of sale	p	.20	0	0	10
7/8/2003	Telephone conference with Diane Kennedy regarding sale	p	.10	0	0	0
7/17/2003	Telephone conference with Title Company regarding status of sale	p	.20	0	0	5
7/23/2003	Telephone conference with Title Company regarding commitment and pending sale	p	.10	0	0	5
8/12/2003	Telephone conference with Title Company and realtor regarding closing	p	.10	0	0	0
9/8/2003	Telephone conference with Title Company; Prepare for Trustee's review proposed Trustee's Deed covering Highway 77 real property, and letter to Title Company regarding closing documents and title commitment by overnight mail, advance from Trustee's firm \$16.03 for overnight delivery service	p	.50	0	0	10
9/9/2003	Various telephone conferences with Connie of Titus County Title and faxes to and from Titus County all in preparation for closing on sale of real property	p	.80	0	0	20
10/3/2003	Prepare for Trustee's review and signature standard objections to two secured claims, with affidavits and proposed Orders	p	.50	0	0	0
10/6/2003	Electronic filing of objections to claims and mailout of same	p	.50	24	1.80	0

Date	Service Performed	Who	Time	C	P	LD
10/27/2003	Prepare withdrawal of objection to Claim #1 for Trustee's review and signature and electronic filing of same	p	.40	6	1.11	0
2/16/2004	Preparation of Application to Employ Accountant for Trustee's review and signature, including Affidavit of Accountant and proposed Order	p	.40	0	0	0
2/16/2004	Obtain and e-mail images of schedules, matrix and statement of financial affairs to Bob Rogers for his review prior to executing affidavit of disinterest	p	.40	0	0	0
2/16/2004	Review file for information needed for 2003 tax return; Draft letter to Bob Rogers for Trustee's review and signature	p	.50	5	0	0
2/16/2004	Review file for information needed by accountant for preparation of tax return for year end 12/31/2003; Prepare letter for Trustee's review and signature to Bob Rogers providing information for tax return	p	.60	5	0	0
2/23/2004	Electronically file Application to Employ Accountant Bob Rogers and serve same to UST	p	.20	5	.37	0
3/8/2004	Response to Bob Rogers' inquiry for additional information needed for preparation of tax return	p	.30	0	0	0
3/16/2004	Review, process and mail out by certified mail Estate's federal income tax return FYE 12/31/2003 and the Request for Prompt Determination in connection with same	p	.30	2	9.99	0

Date	Service Performed	Who	Time	C	P	LD
3/19/2004	Preparation of Final Report and Proposed Distribution and attached schedules, including review of claims and posting/confirming same; preparation of secretarial and paralegal exhibit; tally expenses; post final interest to money market account and transfer to deposit account; update property record and cash receipts and disbursements and confirm balance; calculation of Trustee's compensation and post same; preparation of Order approving proposed distribution	p	4.00	2	.83	0
0/0/9999	Anticipated time in preparation of checks for final distribution; transmittal letter to payees; monitoring file for all checks to clear; preparation of final report and report of distribution; preparation of itemization of distributions; preparation of Form 4 and electronic submission to office of United States Trustee; monitor file for payment of fee and archive file after closing.	p	2.00	10	2.54	0
	<b>TOTAL PARALEGAL SERVICES</b> 15.4 Hours @ \$60 = \$ 924.00		15.4	0	0	0
				0	0	0
	<b>TOTAL COPY, POSTAGE AND LONG DISTANCE EXPENSES</b> 235 Copies @ .25 = \$ 58.75 Postage = \$ 30.10 Long Distance 150 min. @ .15 = \$ 22.50			235	30.1	150

**COX, ROGERS and ASSOCIATES, INC.**

A PROFESSIONAL CORPORATION  
CERTIFIED PUBLIC ACCOUNTANTS  
703 NORTH GREEN  
LONGVIEW, TEXAS 75601

Bob Anderson  
P. O. Box 3343  
Longview, TX 75606

March 11, 2004

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FOR PROFESSIONAL SERVICES RENDERED

Re: Bankruptcy Estate of Edward & Gwen Smith

Review of documents; Calculation  
of basis of assets sold;  
Preparation of Form 1041 for the  
Bankrupt Estate.

\$190.00

**PAID**  
CK. NO. Advanced by SAP  
DATE 3/19/04

DUE UPON RECEIPT:

**SCHEDULE C**

**EXPENSES OF ADMINISTRATION**

	(1) Amount Claimed	(2) Amount Allowed	(3) Previously Paid	(4) Amount Due
1. 11 U.S.C. Sec. 507(a)(1) <u>Court Costs and Fees</u>	0.00	0.00	0.00	0.00
2. 11 U.S.C. Sec. 503(b)(1)(A) <u>Preservation of Estate</u>				
A. Transportation	0.00	0.00	0.00	0.00
B. Storage	0.00	0.00	0.00	0.00
C. Wages	0.00	0.00	0.00	0.00
D. Estates share FICA	0.00	0.00	0.00	0.00
E. Insurance	0.00	0.00	0.00	0.00
F. Upkeep	0.00	0.00	0.00	0.00
G. Other (itemized)	0.00	0.00	0.00	0.00
3. 11 U.S.C. Sec. 503(b)(2) <u>Post-Petition taxes and related penalties</u>	0.00	0.00	0.00	0.00
4. 11. U.S.C. Sec. 503(b)(2) <u>Compensation and Reimbursement</u>				
A. Trustee Expenses	1,429.88	1,429.88	0.00	1,429.88
B. Trustee Compensation	8,101.05	8,101.05	0.00	8,101.05
5. Court Special Charges (Excess Notices)	0.00	0.00	0.00	0.00
6. U.S. Trustee fees	0.00	0.00	0.00	0.00
7. Other (itemize)	0.00	0.00	0.00	0.00
TOTALS:	9,530.93	9,530.93	0.00	9,530.93

SCHEDULE D

SECURED CLAIMS

Claim No. ))))))	Amount Claimed ))))))	Amount Not Determined ))))))	Amount Allowed ))))))	Previously Paid ))))))	Due ))))))
1	34,577.11	34,577.11	0.00	0.00	0.00
2	2,085.87	2,085.87	0.00	0.00	0.00
	<u>36,662.98</u>	<u>36,662.98</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

IDENTIFICATION OF SECURED PARTIES AFFECTED:

<u>Claim Number</u>	<u>Name of Creditor</u>
1	National Bank of Daingerfield
2	National Bank of Daingerfield

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

	(1) Amount Claimed )))))))))	(2) Amount Allowed )))))))))	(3) Amount Paid )))))))))	(4) Amount Due )))))))))
1. For Credit extended Sec. 364(e)(1)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2. Claims for failure of "adequate protection" Sec. 307(a)(b)	0.00	0.00	0.00	0.00
3. "Gap Claims" Sec. 507(a)(2)	0.00	0.00	0.00	0.00
4. Wages, etc. Sec. 507(a)(3)	0.00	0.00	0.00	0.00
5. Contributions to benefit plans Sec. 507(a)(4)	0.00	0.00	0.00	0.00
6. Consumer deposits Sec. 507(a)(6)	0.00	0.00	0.00	0.00
7. Alimony Sec. 507(a)(7)	0.00	0.00	0.00	0.00
8. Taxes Sec. 507(a)(8)	0.00	0.00	0.00	0.00
9. Depository Institutions Sec. 507(a)(9)	0.00	0.00	0.00	0.00
10. Other: No Basis	0.00	0.00	0.00	0.00
Totals:	0.00	0.00	0.00	0.00

**PARTIES AFFECTED:**

Claim Number                      Name of Creditor

FILED UNSECURED CLAIMS TOTAL:                      \$ 43,717.42

SUBORDINATED UNSECURED CLAIMS:                      \$ 0.00

# Claims Register

**Case: 03-20096      Smith, Edward**

Claims Bar Date: 11/19/03

Claim Number	Claimant Name / <Category>, Priority	Claim Type/ Date Filed	Claim Ref./ Notes	Amount Filed/ Allowed	Paid to Date	Claim Balance
1	National Bank of Daingerfield c/o James L. Clark, Attorney PO Box 310 Naples, TX 75568	Secured 04/09/03	03-005  Trustee's Objection filed 10/6/03; Amended by Claim #5; Objection withdrawn.	\$34,577.11 * \$0.00	\$0.00	\$0.00
	<4210-00 Pers. Prop. & Intangibles--Consensual Liens (UCC, chattel, PMSI)>, 100					
2	National Bank of Daingerfield c/o James L. Clark, Attorney at Law PO Box 310 Naples, TX 75568	Secured 04/09/03	03-005  Trustee's Objection filed 10/6/03; Disallowed by Order signed 10/29/03.	\$2,085.87 * \$0.00	\$0.00	\$0.00
	<4210-00 Pers. Prop. & Intangibles--Consensual Liens (UCC, chattel, PMSI)>, 100					
3	Dillard National Bank P.O. Box 52051  Phoenix,, AZ 85072-2051	Unsecured 10/01/03	75750007112663 53	\$2,165.18 \$2,165.18	\$0.00	\$2,165.18
	<7100-90 Payments to Unsecured Credit Card Holders>, 610					
4	American Express Travel Related Services Co., Inc. c/o Becket & Lee, LLP P.O. Box 3001 Malvern, PA 19355-0701	Unsecured 10/14/03	ENDS IN 1007	\$6,713.44 \$6,713.44	\$0.00	\$6,713.44
	<7100-90 Payments to Unsecured Credit Card Holders>, 610					
5	National Bank of Daingerfield c/o James L. Clark, Attorney at Law PO Box 310 Naples, TX 75568	Unsecured 10/16/03	03-005  Amendment of Claim #1.	\$34,577.11 \$34,577.11	\$0.00	\$34,577.11
	<7100-00 General Unsecured § 726(a)(2)>, 610					
6	American Express Travel Related Services Co., Inc. c/o Becket & Lee, LLP PO Box 3001 Malvern, PA 19355-0701	Unsecured 10/17/03	ENDS IN 1001	\$261.69 \$261.69	\$0.00	\$261.69
	<7100-90 Payments to Unsecured Credit Card Holders>, 610					
TTEE-E	Bob Anderson 2110 Horseshoe Lane (75605) P.O. Box 3343 Longview, TX 75606-3343	Admin Ch. 7 03/22/04	8587	\$1,429.88 \$1,429.88	\$0.00	\$1,429.88
	<2200-00 Trustee Expenses>, 200					

(\*) Denotes objection to Amount Filed

# Claims Register

**Case: 03-20096      Smith, Edward**

Claims Bar Date: 11/19/03

Claim Number	Claimant Name / <Category>, Priority	Claim Type/ Date Filed	Claim Ref./ Notes	Amount Filed/ Allowed	Paid to Date	Claim Balance
TTEE-F	Bob Anderson 2110 Horseshoe Lane (75605) P.O. Box 3343 Longview, TX 75606-3343 <2100-00 Trustee Compensation>, 200	Admin Ch. 7 03/22/04	8587	\$8,101.05 \$8,101.05	\$0.00	\$8,101.05
<b>Case Total:</b>					<b>\$0.00</b>	<b>\$53,248.35</b>

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
Tyler Division**

IN RE: ) CASE NO. 03-20096  
Smith, Edward )  
Smith, Gwen M. )  
)  
)  
) CHAPTER 7  
DEBTOR(S) )

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 thereto is made, filed and served on the Trustee and on the United States Trustee.

1. BALANCE ON HAND		\$	21,790.19
2. ADMINISTRATIVE EXPENSES TO BE PAID *	\$	9,530.93	
3. SECURED CLAIMS TO BE PAID *		0.00	
4. PRIORITY CLAIMS TO BE PAID *		0.00	
5. UNSECURED CLAIMS TO BE PAID *		12,259.26	
6. OTHER DISTRIBUTIONS TO BE PAID *		0.00	
7. TOTAL DISTRIBUTIONS TO BE MADE (SUM OF LINES 2 THROUGH 6)		\$	21,790.19
8. ZERO BALANCE AFTER ALL DISTRIBUTIONS (LINE 1 LESS LINE 7)			- 0 -

\* (SEE ATTACHED SCHEDULE OF PAYEES AND AMOUNTS)

Date: March 22, 2004

/s/ Bob Anderson

Bob Anderson, Trustee

## Claims Distribution Register

Case: 03-20096 Smith, Edward

Claim #	Date	Pri	Claimant / Proof / <Category> / Memo	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment
<b>Secured Claims:</b>								
1	04/09/03	100	National Bank of Daingerfield c/o James L. Clark, Attorney PO Box 310 Naples, TX 75568 / <4210-00 Pers. Prop. & Intangibles--Consensual Liens (UCC, chattel, PMSI)> Trustee's Objection filed 10/6/03; Amended by Claim #5; Objection withdrawn.	34,577.11	0.00 *	0.00	0.00	0.00
2	04/09/03	100	National Bank of Daingerfield c/o James L. Clark, Attorney at Law PO Box 310 Naples, TX 75568 / <4210-00 Pers. Prop. & Intangibles--Consensual Liens (UCC, chattel, PMSI)> Trustee's Objection filed 10/6/03; Disallowed by Order signed 10/29/03.	2,085.87	0.00 *	0.00	0.00	0.00
<b>Total for Priority 100: 0% Paid</b>				<b>\$36,662.98</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Total for Secured Claims:</b>				<b>\$36,662.98</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

## Admin Ch. 7 Claims:

TTEE-E	03/22/04	200	Bob Anderson 2110 Horseshoe Lane (75605) P.O. Box 3343 Longview, TX 75606-3343 / <2200-00 Trustee Expenses>	1,429.88	1,429.88	0.00	1,429.88	1,429.88
TTEE-F	03/22/04	200	Bob Anderson 2110 Horseshoe Lane (75605) P.O. Box 3343 Longview, TX 75606-3343 / <2100-00 Trustee Compensation>	8,101.05	8,101.05	0.00	8,101.05	8,101.05
<b>Total for Priority 200: 100% Paid</b>				<b>\$9,530.93</b>	<b>\$9,530.93</b>	<b>\$0.00</b>	<b>\$9,530.93</b>	<b>\$9,530.93</b>
<b>Total for Admin Ch. 7 Claims:</b>				<b>\$9,530.93</b>	<b>\$9,530.93</b>	<b>\$0.00</b>	<b>\$9,530.93</b>	<b>\$9,530.93</b>

## Unsecured Claims:

3	10/01/03	610	Dillard National Bank P.O. Box 52051 Phoenix,, AZ 85072-2051 / <7100-90 Payments to Unsecured Credit Card Holders>	2,165.18	2,165.18	0.00	2,165.18	607.16
4	10/14/03	610	American Express Travel Related Services Co., Inc. c/o Becket & Lee, LLP P.O. Box 3001 Malvern, PA 19355-0701 / <7100-90 Payments to Unsecured Credit Card Holders>	6,713.44	6,713.44	0.00	6,713.44	1,882.59

**Claims Distribution Register****Case: 03-20096 Smith, Edward**

<b>Claim #</b>	<b>Date</b>	<b>Pri</b>	<b>Claimant / Proof / &lt;Category&gt; / Memo</b>	<b>Amount Filed</b>	<b>Amount Allowed</b>	<b>Paid to Date</b>	<b>Claim Balance</b>	<b>Proposed Payment</b>
5	10/16/03	610	National Bank of Daingerfield c/o James L. Clark, Attorney at Law PO Box 310 Naples, TX 75568 / <7100-00 General Unsecured § 726(a)(2)> Amendment of Claim #1.	34,577.11	34,577.11	0.00	34,577.11	9,696.13
6	10/17/03	610	American Express Travel Related Services Co., Inc. c/o Becket & Lee, LLP PO Box 3001 Malvern, PA 19355-0701 / <7100-90 Payments to Unsecured Credit Card Holders>	261.69	261.69	0.00	261.69	73.38
<b>Total for Priority 610: 28.04205% Paid</b>				<b>\$43,717.42</b>	<b>\$43,717.42</b>	<b>\$0.00</b>	<b>\$43,717.42</b>	<b>\$12,259.26</b>
<b>Total for Unsecured Claims:</b>				<b>\$43,717.42</b>	<b>\$43,717.42</b>	<b>\$0.00</b>	<b>\$43,717.42</b>	<b>\$12,259.26</b>
<b>Total for Case :</b>				<b>\$89,911.33</b>	<b>\$53,248.35</b>	<b>\$0.00</b>	<b>\$53,248.35</b>	<b>\$21,790.19</b>

### Claims Proposed Distribution

Case: 03-20096 Smith, Edward

Report Includes ONLY Claims with a Proposed Distribution

**Case Balance:** \$21,790.19      **Total Proposed Payment:** \$21,790.19      **Remaining Balance:** \$0.00

Claim #	Claimant Name	Type	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Remaining Funds
TTEE-E	Bob Anderson <2200-00 Trustee Expenses>	Admin Ch. 7	1,429.88	1,429.88	0.00	1,429.88	1,429.88	20,360.31
TTEE-F	Bob Anderson <2100-00 Trustee Compensation>	Admin Ch. 7	8,101.05	8,101.05	0.00	8,101.05	8,101.05	12,259.26
<b>SUBTOTAL FOR ADMIN CH. 7</b>			<b>9,530.93</b>	<b>9,530.93</b>	<b>0.00</b>	<b>9,530.93</b>	<b>9,530.93</b>	
3	Dillard National Bank	Unsecured	2,165.18	2,165.18	0.00	2,165.18	607.16	11,652.10
4	American Express Travel Related Services Co., Inc.	Unsecured	6,713.44	6,713.44	0.00	6,713.44	1,882.59	9,769.51
5	National Bank of Daingerfield <b>Claim Memo:</b> Amendment of Claim #1.	Unsecured	34,577.11	34,577.11	0.00	34,577.11	9,696.13	73.38
6	American Express Travel Related Services Co., Inc.	Unsecured	261.69	261.69	0.00	261.69	73.38	0.00
<b>SUBTOTAL FOR UNSECURED</b>			<b>43,717.42</b>	<b>43,717.42</b>	<b>0.00</b>	<b>43,717.42</b>	<b>12,259.26</b>	
<b>Total for Case 03-20096 :</b>			<b>\$53,248.35</b>	<b>\$53,248.35</b>	<b>\$0.00</b>	<b>\$53,248.35</b>	<b>\$21,790.19</b>	

#### CASE SUMMARY

	Amount Filed	Amount Allowed	Paid to Date	Proposed Payment	% paid
<b>Total Administrative Claims :</b>	\$9,530.93	\$9,530.93	\$0.00	\$9,530.93	100.000000%
<b>Total Unsecured Claims :</b>	\$43,717.42	\$43,717.42	\$0.00	\$12,259.26	28.042048%