

Linda S. Payne
Chapter 7 Bankruptcy Trustee
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF
DIVISION

In re: §
§
POSTON, KIMBERLY K. § Case No. 05-45243
§
Debtor(s) §

TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

1. The debtor filed a petition under chapter of the United States Bankruptcy Code on . The undersigned trustee was appointed on .
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized gross receipts of \$

Funds were disbursed in the following amounts:

Administrative expenses
Payments to creditors
Non-estate funds paid to 3rd Parties
Payments to the debtor

Leaving a balance on hand of¹ \$

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

¹The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

6. The deadline for filing claims in this case was . All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$ as interim compensation and now requests a sum of \$, for a total compensation of \$. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$, and now requests reimbursement for expenses of \$, for total expenses of \$.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: _____ By: /s/LINDA PAYNE, TRUSTEE
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Case No: 05-45243 BTR Judge: Brenda T. Rhoades
Case Name: POSTON, KIMBERLY K.

Trustee Name: LINDA PAYNE, TRUSTEE
Date Filed (f) or Converted (c): 09/16/05 (f)
341(a) Meeting Date: 11/01/05
Claims Bar Date: 02/06/06

For Period Ending: 12/08/09

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 OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. Cash and checking	300.00	0.00	DA	0.00	FA
2. Co serve Utility deposit	1,000.00	0.00		0.00	FA
3. Household Goods Abandoned assets in storage unit	5,000.00	0.00	OA	0.00	FA
4. Books, etc.	300.00	300.00	DA	0.00	FA
5. Clothing	1,000.00	0.00	DA	0.00	FA
6. Jewelry Met with Chris Moser and the bank and examined all the jewelry - It does not have a value over the amount exempt.	10,000.00	0.00	DA	0.00	FA
7. Sporting equipment	800.00	0.00	DA	0.00	FA
8. Life Insurance	0.00	0.00	DA	0.00	FA
9. Poston Holdings, LLC No value - no longer in business.	Unknown	Unknown	DA	0.00	FA
10. Poston Properties, LLC No value - no longer in business	Unknown	Unknown	DA	0.00	FA
11. Receivables	0.00	18,375.00		18,375.00	FA

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INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
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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
This was listed on Schedule B but she testified that the only person that might owe her money was her brother for a commission on a rental but she has no written documentation.					
12. Possible tax refund IRS has filed a claim for over \$100,000.00.	Unknown	0.00	DA	0.00	FA
13. Poston Trust See letter in quickdocs - no trust, only will of her father who is alive.	Unknown	Unknown	DA	0.00	FA
14. Real Estate License	0.00	0.00	DA	0.00	FA
15. 2002 Porsche	48,000.00	0.00	DA	0.00	FA
16. Horse Trailer Offer pending	10,000.00	10,000.00		7,000.00	FA
17. 4 Horses Offer pending	25,000.00	0.00		500.00	FA
18. Birds Offer pending	3,000.00	500.00		1,000.00	FA
19. 8 Dogs	0.00	Unknown	DA	0.00	FA
20. Fish	300.00	0.00		100.00	FA

**FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES**

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Trustee Name: LINDA PAYNE, TRUSTEE
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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
21. Fish Tank Was in storage unit abandoned	1,000.00	1,000.00		400.00	FA
22. Trade Names Windsor Farm, Windsor Court Cavaliers, Windsor Sport Horses	0.00	0.00	DA	0.00	FA
23. Adleta & Poston , Inc.	0.00	0.00	DA	0.00	FA
24. Real Estate Commissions (u) Debtor was due some belated real estate commissions from an old closing. Atty made demand.	0.00	18,000.00		0.00	FA
INT. Post-Petition Interest Deposits (u)	Unknown	N/A		11.67	Unknown

					Gross Value of Remaining Assets
TOTALS (Excluding Unknown Values)	\$105,700.00	\$48,175.00		\$27,386.67	\$0.00
					(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Initial Projected Date of Final Report (TFR): 09/01/07 Current Projected Date of Final Report (TFR): 12/01/09

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 05-45243 -BTR
Case Name: POSTON, KIMBERLY K.

Trustee Name: LINDA PAYNE, TRUSTEE
Bank Name: Union Bank
Account Number / CD #: *****1809 Money Market Account

Taxpayer ID No: *****5482
For Period Ending: 12/08/09

Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
			BALANCE FORWARD				0.00
C 10/01/09		Transfer from Acct #*****8865	Bank Funds Transfer	9999-000	17,156.89		17,156.89
C 10/21/09	000101	Sheldon Levy, CPA 6320 Southwestern Blvd Suite 204 Ft Worth, TX 76109				1,197.75	15,959.14
			Fees 1,140.00	3410-000			15,959.14
			Expenses 57.75	3420-000			15,959.14
C 10/30/09	INT	Union Bank	Interest Rate 0.150	1270-000	2.08		15,961.22
C 11/30/09	INT	Union Bank	Interest Rate 0.150	1270-000	2.02		15,963.24
12/08/09	INT	Union Bank	INTEREST REC'D FROM BANK	1270-000	0.46		15,963.70
12/08/09		Transfer to Acct #*****2708	Final Posting Transfer	9999-000		15,963.70	0.00

Page Subtotals 17,161.45 17,161.45

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 05-45243 -BTR
Case Name: POSTON, KIMBERLY K.

Trustee Name: LINDA PAYNE, TRUSTEE
Bank Name: Union Bank
Account Number / CD #: *****1809 Money Market Account

Taxpayer ID No: *****5482
For Period Ending: 12/08/09

Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
		Memo Allocation Receipts:	0.00				
		Memo Allocation Disbursements:	0.00				
		Memo Allocation Net:	0.00				
			COLUMN TOTALS		17,161.45	17,161.45	0.00
			Less: Bank Transfers/CD's		17,156.89	15,963.70	
			Subtotal		4.56	1,197.75	
			Less: Payments to Debtors			0.00	
			Net		4.56	1,197.75	

Page Subtotals 0.00 0.00

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 05-45243 -BTR
Case Name: POSTON, KIMBERLY K.

Trustee Name: LINDA PAYNE, TRUSTEE
Bank Name: Union Bank
Account Number / CD #: *****2708 Checking Account

Taxpayer ID No: *****5482
For Period Ending: 12/08/09

Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
			BALANCE FORWARD				0.00
12/08/09		Transfer from Acct #*****1809	Transfer In From MMA Account	9999-000	15,963.70		15,963.70

Memo Allocation Receipts:	0.00	COLUMN TOTALS	15,963.70	0.00	15,963.70
Memo Allocation Disbursements:	0.00	Less: Bank Transfers/CD's	<u>15,963.70</u>	<u>0.00</u>	
Memo Allocation Net:	<u>0.00</u>	Subtotal	0.00	0.00	
		Less: Payments to Debtors		<u>0.00</u>	
		Net	0.00	0.00	

Page Subtotals 15,963.70 0.00

FORM 2
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 05-45243 -BTR
Case Name: POSTON, KIMBERLY K.

Trustee Name: LINDA PAYNE, TRUSTEE
Bank Name: JPMorgan Chase Bank, N.A.
Account Number / CD #: *****8865 Money Market Account

Taxpayer ID No: *****5482
For Period Ending: 12/08/09

Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
			BALANCE FORWARD				0.00
C 02/12/09	16	George Poston	Court approved sale of assets DEPOSIT CHECK #17280 Memo Amount: 7,000.00	1129-000	9,000.00		9,000.00
	17		Court approved sale of horse trailer Memo Amount: 500.00	1129-000			
	18		Court approved sale of any interest in 4 horses Memo Amount: 1,000.00	1129-000			
	20		Court approved sale of birds and cages Memo Amount: 100.00	1129-000			
	21		Court approved sale of fish Memo Amount: 400.00	1129-000			
C 02/26/09	11	Crescent Plaza Residential	Sales commission DEPOSIT CHECK #11125	1121-000	18,375.00		27,375.00
C 02/27/09	INT	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.12		27,375.12
C 03/31/09	INT	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	1.14		27,376.26
C 04/30/09	INT	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	1.11		27,377.37
C 05/29/09	INT	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	1.07		27,378.44

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ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 05-45243 -BTR
Case Name: POSTON, KIMBERLY K.

Trustee Name: LINDA PAYNE, TRUSTEE
Bank Name: JPMorgan Chase Bank, N.A.
Account Number / CD #: *****8865 Money Market Account

Taxpayer ID No: *****5482
For Period Ending: 12/08/09

Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
C 06/30/09	INT	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	1.19		27,379.63
C 07/28/09	001001	BILL PAYNE 12770 Coit Road Suite 541 Banner Place Dallas, TX 75251	Description: Attorney fees UTC: 3220-00 Amount: \$10,200.00 Claim Link: 13 ---- Memo Allocation: Name/Address: Description: Attorney expenses UTC: 3220-00 Amount: \$25.22 Claim Link: 14 ----			10,225.22	17,154.41
C 07/31/09	INT	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	1.09		17,155.50
C 08/31/09	INT	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.72		17,156.22
C 09/30/09	INT	JPMorgan Chase Bank, N.A.	INTEREST REC'D FROM BANK	1270-000	0.67		17,156.89
C 10/01/09		Transfer to Acct #*****1809	Bank Funds Transfer	9999-000		17,156.89	0.00

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FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 05-45243 -BTR
Case Name: POSTON, KIMBERLY K.

Trustee Name: LINDA PAYNE, TRUSTEE
Bank Name: JPMorgan Chase Bank, N.A.
Account Number / CD #: *****8865 Money Market Account

Taxpayer ID No: *****5482
For Period Ending: 12/08/09

Blanket Bond (per case limit): \$ 300,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
		Memo Allocation Receipts:	9,000.00				
		Memo Allocation Disbursements:	0.00				
		Memo Allocation Net:	9,000.00				
		Total Allocation Receipts:	9,000.00				
		Total Allocation Disbursements:	0.00				
		Total Memo Allocation Net:	9,000.00				
				COLUMN TOTALS	27,382.11	27,382.11	0.00
				Less: Bank Transfers/CD's	0.00	17,156.89	
				Subtotal	27,382.11	10,225.22	
				Less: Payments to Debtors		0.00	
				Net	27,382.11	10,225.22	
				TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
				Money Market Account - *****1809	4.56	1,197.75	0.00
				Checking Account - *****2708	0.00	0.00	15,963.70
				Money Market Account - *****8865	27,382.11	10,225.22	0.00
					27,386.67	11,422.97	15,963.70
					(Excludes Account Transfers)	(Excludes Payments To Debtors)	Total Funds On Hand

Page Subtotals 0.00 0.00

EXHIBIT C
ANALYSIS OF CLAIMS REGISTER

Case Number: 05-45243 Page 1
 Debtor Name: POSTON, KIMBERLY K. Date: December 08, 2009
Claim Class Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
001 3210-00	BILL PAYNE 12770 Coit Road Suite 541 Banner Place Dallas, TX 75251	Administrative		\$10,200.00	\$10,200.00	\$0.00
001 3220-00	BILL PAYNE 12770 Coit Road Suite 541 Banner Place Dallas, TX 75251	Administrative		\$25.22	\$25.22	\$0.00
001 3410-00	Sheldon Levy, CPA 6320 Southwestern Blvd Suite 204 Ft Worth, TX 76109	Administrative		\$1,197.75	\$1,197.75	\$0.00
6 570 5800-00	INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA, PA 19114	Priority		\$123,583.90	\$0.00	\$123,583.90
1 610 7100-00	Executive Credit Manag Master Made Feeds, Inc. 2201 Long Prairie Rd., Suite 107-257 Flower Mound, TX 75022-4832	Unsecured		\$2,093.04	\$0.00	\$2,093.04
2 610 7100-00	Amegy Bank of Texas c/o David Woods 3550 Lincoln Plaza 500 N. Akard Street Dallas, TX 75201	Unsecured		\$5,443.89	\$0.00	\$5,443.89
4 610 7100-00	Argyle DVM Hospital P.A. c/o D. Wade Hayden 7750 Broadway San Antonio, TX 78209	Unsecured		\$3,084.45	\$0.00	\$3,084.45
5 610 7100-00	Neiman Marcus c/o Creditors Bankruptcy Service PO Box 740933 Dallas, TX 75374	Unsecured		\$2,917.89	\$0.00	\$2,917.89
7 610 7100-00	American Express Travel Related Services Co., Inc. c/o Becket and Lee, LLP P.O. Box 3001 Malvern, PA 19355-0701	Unsecured		\$6,673.34	\$0.00	\$6,673.34
8 610 7100-00	Thompson & Knight, LLP c/o Stephen Rasch, Esq. 1700 Pacific Ave., Suite 3300 Dallas, Te 75201	Unsecured		\$180,601.27	\$0.00	\$180,601.27
9 610 7100-00	Thompson & Knight, LLP c/o Stephen Rasch, Esq. 1700 Pacific Ave., Suite 3300 Dallas, Te 75201	Unsecured		\$0.00	\$0.00	\$0.00

EXHIBIT C
ANALYSIS OF CLAIMS REGISTER

Case Number: 05-45243 Page 2
 Debtor Name: POSTON, KIMBERLY K. Date: December 08, 2009
Claim Class Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
10 610 7100-00	LVNV Funding LLC., its successors and assigns c/o Resurgent Capital Services PO Box 10587 Greenville, SC 29603-0587	Unsecured		\$9,937.15	\$0.00	\$9,937.15
11 620 7200-00	Sotheby's International Realty Affiliates, Inc. c/o Forman Holt & Eliades, LLC 218 Route 17 North Rochelle Park, NJ 07662	Unsecured		\$1,025,621.48	\$0.00	\$1,025,621.48
3 100 4220-00	State Bank & Trust Company, Dallas Last Date to File Claims Filing Status: Docket Status:	Secured		\$0.00	\$0.00	\$0.00
Case Totals:				\$1,371,379.38	\$11,422.97	\$1,359,956.41

Code #: Trustee's Claim Number, Priority Code, Claim Type

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 05-45243
 Case Name: POSTON, KIMBERLY K.
 Trustee Name: LINDA PAYNE, TRUSTEE

Claims of secured creditors will be paid as follows:

<i>Claimant</i>	<i>Proposed Payment</i>
_____	\$ _____
_____	\$ _____
_____	\$ _____

Applications for chapter 7 fees and administrative expenses have been filed as follows:

<i>Reason/Applicant</i>	<i>Fees</i>	<i>Expenses</i>
<i>Trustee: LINDA PAYNE, TRUSTEE</i>	\$ _____	\$ _____
<i>Attorney for trustee:</i>	\$ _____	\$ _____
<i>Appraiser:</i>	\$ _____	\$ _____
<i>Auctioneer:</i>	\$ _____	\$ _____
<i>Accountant:</i>	\$ _____	\$ _____
<i>Special Attorney for trustee:</i>	\$ _____	\$ _____
<i>Charges:</i>	\$ _____	\$ _____
<i>Fees:</i>	\$ _____	\$ _____
<i>Other:</i>	\$ _____	\$ _____
<i>Other:</i>	\$ _____	\$ _____

Applications for prior chapter fees and administrative expenses have been filed as follows:

<i>Reason/Applicant</i>	<i>Fees</i>	<i>Expenses</i>
<u>Attorney for debtor:</u>	\$ _____	\$ _____
<u>Attorney for:</u>	\$ _____	\$ _____
<u>Accountant for:</u>	\$ _____	\$ _____
<u>Appraiser for:</u>	\$ _____	\$ _____
<u>Other:</u>	\$ _____	\$ _____

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$ _____ must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
	<i>INTERNAL REVENUE</i>		
<u>6</u>	<u>SERVICE</u>	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ _____ have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be _____ percent.

Timely allowed general (unsecured) claims are as follows:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
<u>1</u>	<u>Executive Credit Manag</u>	\$ _____	\$ _____
	<u>Amegy Bank of Texas c/o</u>		
<u>2</u>	<u>David Woods</u>	\$ _____	\$ _____

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

The amount of surplus returned to the debtor after payment of all claims and interest is
 \$.