UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS

| | | |
|---|---|---|
| In re: | § | |
| | § | |
| SOTELO, DIANA | § | Case No. 06-41162 |
| SOTELO, JOSE | § | |
| | § | |
| 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 7 of the United States Bankruptcy Code on 07/27/2006 . The undersigned trustee was appointed on 07/27/2006 .

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 $ 2,000.49

Funds were disbursed in the following amounts:

| | | |
|---|---|---|
| Administrative expenses | | 0.00 |
| Payments to creditors | | 0.00 |
| Non-estate funds paid to 3rd Parties | | 0.00 |
| Payments to the debtor | | 0.00 |
| Leaving a balance on hand of[1] | $ | 2,000.49 |

The remaining funds are available for distribution.

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

[1] The 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 07/12/2007 . 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 $ 1,250.05 . To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received $ 0.00 as interim compensation and now requests a sum of $ 1,000.00 , for a total compensation of $ 1,000.00 . In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of $ 0.00 , and now requests reimbursement for expenses of $ 0.00 , for total expenses of $ 0.00 .

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

Date: 01/12/2010 By:/s/CHRISTOPHER J. MOSER
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.

Exhibit A

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

Case No: 06-41162 BTR Judge: BRENDA T. RHOADES
Case Name: SOTELO, DIANA
SOTELO, JOSE
For Period Ending: 01/12/10

Trustee Name: CHRISTOPHER J. MOSER
Date Filed (f) or Converted (c): 07/27/06 (f)
341(a) Meeting Date: 08/21/06
Claims Bar Date: 07/12/07

| 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. 1000 Lowndes Lane, Wylie, Texas | 136,314.00 | 0.00 | DA | 0.00 | FA |
| Debtor Claimed 100% Exemption on Schedule C | | | | | |
| 2. FINANCIAL ACCOUNTS | 300.00 | 0.00 | DA | 0.00 | FA |
| Debtor Claimed 100% Exemption on Schedule C | | | | | |
| 3. HOUSEHOLD GOODS | 2,206.00 | 0.00 | DA | 0.00 | FA |
| Debtor Claimed 100% Exemption on Schedule C | | | | | |
| 4. WEARING APPAREL | 800.00 | 0.00 | DA | 0.00 | FA |
| Debtor Claimed 100% Exemption on Schedule C | | | | | |
| 5. FURS AND JEWELRY | 350.00 | 0.00 | DA | 0.00 | FA |
| Debtor Claimed 100% Exemption on Schedule C | | | | | |
| 6. RETIREMENT PLANS | 40,309.00 | 0.00 | DA | 0.00 | FA |
| Debtor Claimed 100% Exemption on Schedule C | | | | | |
| 7. PERSONAL INJURY CLAIM AGAINST DART | 22,000.00 | 5,000.00 | | 2,000.00 | FA |
| On Sept. 29, 2006, Order Sustaining Trustee's Objection to Exemptions was entered; debtors denied exemption in the Claim. Gross Settlement = $5,000.00 less medical liens of $822.48 less attny's fees of $2,177.52 = $2,000.00. | | | | | |
| 8. 2004 Jaguar | 28,000.00 | 0.00 | DA | 0.00 | FA |
| Debtor Claimed 100% Exemption on Schedule C | | | | | |
| 9. 2005 Ford Escape | 20,000.00 | 0.00 | DA | 0.00 | FA |
| Debtor Claimed 100% Exemption on Schedule C | | | | | |
| INT. Post-Petition Interest Deposits (u) | Unknown | N/A | | 0.49 | Unknown |
| | | | | | Gross Value of Remaining Assets |
| TOTALS (Excluding Unknown Values) | $250,279.00 | $5,000.00 | | $2,000.49 | $0.00 |
| | | | | | (Total Dollar Amount in Column 6) |

Exhibit A

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

Case No: 06-41162 BTR Judge: BRENDA T. RHOADES
Case Name: SOTELO, DIANA
SOTELO, JOSE

Trustee Name: CHRISTOPHER J. MOSER
Date Filed (f) or Converted (c): 07/27/06 (f)
341(a) Meeting Date: 08/21/06
Claims Bar Date: 07/12/07

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

Quilling, Selander, Cummiskey & Lownds, P.C. is employed to represent the trustee. The trustee is a partner in the same firm. The Law Office of Ben Abbott is employed as special counsel. On Sept. 29, 2006, Order Sustaining Trustee's Objection to Exemptions was entered, item # 7. On Feb. 27, 2009, Order Approving Settlement Agreement Nunc Pro Tunc was entered, item # 7. In order to increase the amounts paid to creditors, QSCL will not be filing a fee application.

Initial Projected Date of Final Report (TFR): 06/30/08 Current Projected Date of Final Report (TFR): 01/12/10

Exhibit B

# FORM 2

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 06-41162 -BTR
Case Name: SOTELO, DIANA
SOTELO, JOSE
Taxpayer ID No: *******7093
For Period Ending: 01/12/10

Trustee Name: CHRISTOPHER J. MOSER
Bank Name: BANK OF AMERICA, N.A.
Account Number / CD #: *******9940 BofA - Money Market Account

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 |
| 01/30/09 | 7 | IOLTA FOUNDATION TRUST ACCNT<br>BEN ABBOTT, P.C.<br>1934 PENDLETON DR.<br>GARLAND, TX 75041 | PI CLAIM PROCEEDS | 1142-000 | 500.00 | | 500.00 |
| 02/04/09 | 7 | Ben Abbott P.C.<br>Attorney at Law<br>1934 Pendleton Dr.<br>Garland, TX 75041 | PI CLAIM PROCEEDS | 1142-000 | 1,500.00 | | 2,000.00 |
| 02/27/09 | INT | BANK OF AMERICA, N.A. | Interest Rate 0.010 | 1270-000 | 0.01 | | 2,000.01 |
| 03/31/09 | INT | BANK OF AMERICA, N.A. | Interest Rate 0.010 | 1270-000 | 0.02 | | 2,000.03 |
| 04/30/09 | INT | BANK OF AMERICA, N.A. | Interest Rate 0.030 | 1270-000 | 0.04 | | 2,000.07 |
| 05/29/09 | INT | BANK OF AMERICA, N.A. | Interest Rate 0.030 | 1270-000 | 0.05 | | 2,000.12 |
| 06/30/09 | INT | BANK OF AMERICA, N.A. | Interest Rate 0.030 | 1270-000 | 0.05 | | 2,000.17 |
| 07/31/09 | INT | BANK OF AMERICA, N.A. | Interest Rate 0.030 | 1270-000 | 0.05 | | 2,000.22 |
| 08/31/09 | INT | BANK OF AMERICA, N.A. | Interest Rate 0.030 | 1270-000 | 0.05 | | 2,000.27 |
| 09/30/09 | INT | BANK OF AMERICA, N.A. | Interest Rate 0.030 | 1270-000 | 0.05 | | 2,000.32 |
| 10/30/09 | INT | BANK OF AMERICA, N.A. | Interest Rate 0.030 | 1270-000 | 0.05 | | 2,000.37 |
| 11/30/09 | INT | BANK OF AMERICA, N.A. | Interest Rate 0.030 | 1270-000 | 0.05 | | 2,000.42 |
| 12/31/09 | INT | BANK OF AMERICA, N.A. | Interest Rate 0.030 | 1270-000 | 0.05 | | 2,000.47 |
| 01/12/10 | INT | BANK OF AMERICA, N.A. | INTEREST REC'D FROM BANK | 1270-000 | 0.02 | | 2,000.49 |
| 01/12/10 | | Transfer to Acct #*******6751 | Final Posting Transfer | 9999-000 | | 2,000.49 | 0.00 |

Page Subtotals 2,000.49 2,000.49

Ver: 15.06

Exhibit B

# FORM 2

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 06-41162 -BTR
Case Name: SOTELO, DIANA
SOTELO, JOSE
Taxpayer ID No: *******7093
For Period Ending: 01/12/10

Trustee Name: CHRISTOPHER J. MOSER
Bank Name: BANK OF AMERICA, N.A.
Account Number / CD #: *******9940 BofA - Money Market Account

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 ($) |
| | | | COLUMN TOTALS | | 2,000.49 | 2,000.49 | 0.00 |
| | | | Less: Bank Transfers/CD's | | 0.00 | 2,000.49 | |
| | | | Subtotal | | 2,000.49 | 0.00 | |
| | | | Less: Payments to Debtors | | | 0.00 | |
| | | | Net | | 2,000.49 | 0.00 | |

Page Subtotals 0.00 0.00

Ver: 15.06

Exhibit B

# FORM 2

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 06-41162 -BTR
Case Name: SOTELO, DIANA
SOTELO, JOSE
Taxpayer ID No: *******7093
For Period Ending: 01/12/10

Trustee Name: CHRISTOPHER J. MOSER
Bank Name: BANK OF AMERICA, N.A.
Account Number / CD #: *******6751 BofA - Checking Account

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 |
| 01/12/10 | | Transfer from Acct #*******9940 | Transfer In From MMA Account | 9999-000 | 2,000.49 | | 2,000.49 |

| | | | |
|---|---|---|---|
| COLUMN TOTALS | 2,000.49 | 0.00 | 2,000.49 |
| Less: Bank Transfers/CD's | 2,000.49 | 0.00 | |
| Subtotal | 0.00 | 0.00 | |
| Less: Payments to Debtors | | 0.00 | |
| Net | 0.00 | 0.00 | |

| TOTAL - ALL ACCOUNTS | NET DEPOSITS | NET DISBURSEMENTS | ACCOUNT BALANCE |
|---|---|---|---|
| BofA - Money Market Account - ********9940 | 2,000.49 | 0.00 | 0.00 |
| BofA - Checking Account - ********6751 | 0.00 | 0.00 | 2,000.49 |
| | 2,000.49 | 0.00 | 2,000.49 |
| | (Excludes Account Transfers) | (Excludes Payments To Debtors) | Total Funds On Hand |

Page Subtotals 2,000.49 0.00

EXHIBIT C

ANALYSIS OF CLAIMS REGISTER

Case Number: 06-41162
Debtor Name: SOTELO, DIANA



Claim Class Sequence

Date: January 12, 2010

| Code # | Creditor Name & Address | Claim Class | Notes | Amount Allowed | Paid to Date | Claim Balance |
|---|---|---|---|---|---|---|
| 000002<br>070<br>7100-00 | CHASE BANK USA, NA<br>PO BOX 15145<br>WILMINGTON, DE 19850-5145 | Unsecured | | $7,009.96 | $0.00 | $7,009.96 |
| 000003<br>070<br>7100-00 | CHASE BANK USA, NA<br>PO BOX 15145<br>WILMINGTON, DE 19850-5145 | Unsecured | | $9,460.01 | $0.00 | $9,460.01 |
| 000004<br>070<br>7100-00 | T-Mobile Bankruptcy<br>PO BOX 53410<br>Bellevue, WA 98015 | Unsecured | | $352.95 | $0.00 | $352.95 |
| 000001<br>070<br>7100-00 | CHASE AUTO FINANCE<br>PO BOX 901032<br>FT. WORTH, TX 76101-2032 | Secured | | $20,775.06 | $0.00 | $20,775.06 |
| | Case Totals: | | | $37,597.98 | $0.00 | $37,597.98 |

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

## TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 06-41162
Case Name: SOTELO, DIANA
SOTELO, JOSE
Trustee Name: CHRISTOPHER J. MOSER

Claims of secured creditors will be paid as follows:

| *Claimant* | *Proposed Payment* |
|---|---|
| _____ | *$*_____ |
| _____ | *$*_____ |
| _____ | *$*_____ |

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

| *Reason/Applicant* | *Fees* | *Expenses* |
|---|---|---|
| *Trustee: CHRISTOPHER J. MOSER* | *$* 1,000.00 | *$* 0.00 |
| *Attorney for trustee:* | *$*_____ | *$*_____ |
| *Appraiser:* | *$*_____ | *$*_____ |
| *Auctioneer:* | *$*_____ | *$*_____ |
| *Accountant:* | *$*_____ | *$*_____ |
| *Special Attorney for trustee:* | *$*_____ | *$*_____ |
| *Charges:* | *$*_____ | *$*_____ |
| *Fees:* | *$*_____ | *$*_____ |
| *Other:* | *$*_____ | *$*_____ |
| *Other:* | *$*_____ | *$*_____ |

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

| *Reason/Applicant* | *Fees* | *Expenses* |
|---|---|---|
| *Attorney for debtor:* | $ | $ |
| *Attorney for:* | $ | $ |
| *Accountant for:* | $ | $ |
| *Appraiser for:* | $ | $ |
| *Other:* | $ | $ |

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling $ 0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

| *Claim Number* | *Claimant* | *Allowed Amt. of Claim* | *Proposed Payment* |
|---|---|---|---|
| | | $ | $ |
| | | $ | $ |
| | | $ | $ |

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 $ 16,822.92 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 6.0 percent.

Timely allowed general (unsecured) claims are as follows:

| *Claim Number* | *Claimant* | *Allowed Amt. of Claim* | *Proposed Payment* |
|---|---|---|---|
| *000002* | *CHASE BANK USA, NA* | $ 7,009.96 | $ 416.90 |
| *000003* | *CHASE BANK USA, NA* | $ 9,460.01 | $ 562.60 |
| *000004* | *T-Mobile Bankruptcy* | $ 352.95 | $ 20.99 |

Tardily filed claims of general (unsecured) creditors totaling $ 0.00 have been allowed and will be paid *pro rata* only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent.

Tardily filed general (unsecured) claims are as follows:

| *Claim Number* | *Claimant* | *Allowed Amt. of Claim* | *Proposed Payment* |
|---|---|---|---|
| _____ | _____ | $_____ | $_____ |
| _____ | _____ | $_____ | $_____ |
| _____ | _____ | $_____ | $_____ |

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling $ 0.00 have been allowed and will be paid *pro rata* only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

| *Claim Number* | *Claimant* | *Allowed Amt. of Claim* | *Proposed Payment* |
|---|---|---|---|
| _____ | _____ | $_____ | $_____ |
| _____ | _____ | $_____ | $_____ |
| _____ | _____ | $_____ | $_____ |

The amount of surplus returned to the debtor after payment of all claims and interest is $ 0.00 .