

UNITED STATES BANKRUPTCY COURT
DISTRICT OF
DIVISION

In re: §
SIMMONS, FRED H. § Case No. 08-40525
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/Michelle H. Chow, 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: 08-40525 BTR Judge: BRENDA T. RHOADES
Case Name: SIMMONS, FRED H.

Trustee Name: Michelle H. Chow, Trustee
Date Filed (f) or Converted (c): 03/03/08 (f)
341(a) Meeting Date: 04/04/08
Claims Bar Date: 12/02/08

For Period Ending: 02/02/10

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. RESIDENCE Homestead 1717 Huling, Sanger TX 76266 Debtor lists lien of \$191,408.00; Debtor selects TEXAS PROPERTY CODE EXEMPTIONS Debtor Claimed 100% Exemption on Schedule C	275,000.00	0.00	DA	0.00	FA
2. FINANCIAL ACCOUNTS Checking Accounts; Trustee abandons.	300.00	0.00	DA	0.00	FA
3. HOUSEHOLD GOODS Office Debtor Claimed 100% Exemption on Schedule C	500.00	0.00	DA	0.00	FA
4. WEARING APPAREL Wearing Apparel Debtor Claimed 100% Exemption on Schedule C	1,000.00	0.00	DA	0.00	FA
5. INSURANCE POLICIES Whole Life Insurance - Aviva Life and Annuity Co., Policy # AB01335250 611 5th Ave., Des Moines IA 50309 Debtor Claimed 100% Exemption on Schedule C	82,500.00	0.00	DA	0.00	FA
6. VEHICLES 2007 Chevy Tahoe Debtors lists 4 vehicles which are in his name, asset #6-9. While debtor exempted all vehicles on the schedules, there is no equity above the costs of sale for any vehicle; 2 vehicles were reaffirmed, and the Chevy was surrendered. Debtor Claimed 100% Exemption on Schedule C	23,245.00	0.00	DA	0.00	FA
7. VEHICLES 2006 Ford Mustang	23,850.00	0.00	DA	0.00	FA

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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
8. VEHICLES 2005 Jeep Grand Cherokee Laredo	13,635.00	0.00	DA	0.00	FA
9. VEHICLES 2004 Mercury Grand Marquis LS	10,080.00	0.00	DA	0.00	FA
10. SETTLEMENT AGREEMENT - \$8,700 MO. PAYMENT (u) Settlement for promissory notes: Per Order dated 09/18/08 #53 \$10,000 total payment; \$1,300 on/before Order entry; \$483.33 per month for 18 months due on 09/15/08.	0.00	8,700.00		8,700.30	FA
11. SETTLEMENT AGREEMENT - \$1,300 INITIAL PYMT (u) Initial payment of \$1,300 not included in \$8,700 monthly payments.	0.00	1,300.00		1,300.00	FA
INT. Post-Petition Interest Deposits (u)	Unknown	N/A		2.83	FA

				Gross Value of Remaining Assets
TOTALS (Excluding Unknown Values)	\$430,110.00	\$10,000.00	\$10,003.13	\$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:

As of date TFR submitted to UST 02/02/10: The main asset administered was the settlement agreement of \$10,000 payable in monthly installments. The Debtor originally lumped his social security and various Notes Receivables on his schedules of income. Trustee determined that the Notes Receivables were assets of the estate; ultimately there was an agreed settlement to pay the bankruptcy estate a portion of the remaining N/P. (See Motion dated 08/08/08 #51, and Order dated 09/18/08 #53). Debtor repaid in full, and ahead of schedule.

Attorney for Trustee: Mark Ian Agee

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Page: 3
Exhibit A

Case No: 08-40525 BTR Judge: BRENDA T. RHOADES
Case Name: SIMMONS, FRED H.

Trustee Name: Michelle H. Chow, Trustee
Date Filed (f) or Converted (c): 03/03/08 (f)
341(a) Meeting Date: 04/04/08
Claims Bar Date: 12/02/08

Initial Projected Date of Final Report (TFR): 06/30/11 Current Projected Date of Final Report (TFR): 06/30/11

/s/ Michelle H. Chow, Trustee

_____ Date: 02/02/10

MICHELLE H. CHOW, TRUSTEE

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 08-40525 -BTR
Case Name: SIMMONS, FRED H.

Trustee Name: Michelle H. Chow, Trustee
Bank Name: BANK OF AMERICA, N.A.
Account Number / CD #: *****4228 BofA - Money Market Account

Taxpayer ID No: *****4914
For Period Ending: 02/02/10

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
08/26/08	11	Tom D. Jester, Jr. Attorney at law IOLTA Acct. PO Box 280 Denton TX 76201	Initial payment of \$10,000 total	1249-000	1,300.00		1,300.00
08/29/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.150	1270-000	0.02		1,300.02
09/17/08	10	Tom D. Jester, Jr. PO Box 280 Denton TX 76201	MONTHLY PAYMENT	1249-000	483.33		1,783.35
09/30/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.150	1270-000	0.18		1,783.53
10/15/08	10	Tom D. Jester Jr. Attorney at Law PO Box 280 Denton TX 76201	MONTHLY PAYMENT	1249-000	483.33		2,266.86
10/31/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.100	1270-000	0.19		2,267.05
11/28/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.100	1270-000	0.18		2,267.23
12/12/08	10	Tom D. Jester PO Box 280 Denton TX 76201	MONTHLY PAYMENT	1249-000	483.33		2,750.56
12/31/08	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.12		2,750.68
01/29/09	10	Tom D. Jester, Jr. Attorney at Law PO Box 280 Denton TX 76201	MONTHLY PAYMENT	1249-000	483.33		3,234.01
01/29/09	10	Tom D. Jester, Jr. Attorney at Law PO Box 280 Denton TX 76201	MONTHLY PAYMENT	1249-000	483.33		3,717.34

Page Subtotals 3,717.34 0.00

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 08-40525 -BTR
Case Name: SIMMONS, FRED H.

Trustee Name: Michelle H. Chow, Trustee
Bank Name: BANK OF AMERICA, N.A.
Account Number / CD #: *****4228 BofA - Money Market Account

Taxpayer ID No: *****4914
For Period Ending: 02/02/10

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 (\$)
01/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.02		3,717.36
02/16/09	10	Tom D. Jester, Jr. Attorney at Law PO Box 280 Denton TX 76201	MONTHLY PAYMENT	1249-000	483.33		4,200.69
02/27/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.03		4,200.72
03/31/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.010	1270-000	0.04		4,200.76
04/01/09	10	Tom D. Jester, Jr. Attorney at Law PO Box 280 Denton TX 76201	MONTHLY PAYMENT	1249-000	484.33		4,685.09
04/27/09	10	Tom D. Jester, Jr. PO Box 280 Denton TX 76201	MONTHLY PAYMENT	1249-000	483.33		5,168.42
04/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.10		5,168.52
05/18/09	10	Tom D. Jester, Jr. Attorney at Law PO Box 280 Denton TX 76201	MONTHLY PAYMENT	1249-000	483.33		5,651.85
05/29/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.13		5,651.98
06/02/09	10	Tom D. Jester, Jr. Attorney at Law PO Box 280 Denton TX 76201	MONTHLY PAYMENT	1249-000	483.33		6,135.31
06/29/09	10	Joe Vacek	MONTHLY PAYMENT	1249-000	3,866.00		10,001.31
06/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.16		10,001.47
07/31/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.25		10,001.72
08/31/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.25		10,001.97
09/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.25		10,002.22

Page Subtotals 6,284.88 0.00

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 08-40525 -BTR
Case Name: SIMMONS, FRED H.

Trustee Name: Michelle H. Chow, Trustee
Bank Name: BANK OF AMERICA, N.A.
Account Number / CD #: *****4228 BofA - Money Market Account

Taxpayer ID No: *****4914
For Period Ending: 02/02/10

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 (\$)
10/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.25		10,002.47
11/30/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.25		10,002.72
12/09/09	000101	MARK IAN AGEE 5401 N. CENTRAL EXPRESSWAY SUITE 220 DALLAS, TX 75205	Per order dated 12/08/09 Trustee attorney fees and expenses	3110-000		3,824.00	6,178.72
12/09/09	000102	MARK IAN AGEE 5401 N. CENTRAL EXPRESSWAY SUITE 220 DALLAS, TX 75205	Per order dated 12/08/09 Trustee attorney fees and expenses	3120-000		176.07	6,002.65
12/31/09	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.25		6,002.90
01/29/10	INT	BANK OF AMERICA, N.A.	Interest Rate 0.030	1270-000	0.15		6,003.05
02/02/10	INT	BANK OF AMERICA, N.A.	INTEREST REC'D FROM BANK	1270-000	0.01		6,003.06
02/02/10		Transfer to Acct #*****2846	Final Posting Transfer	9999-000		6,003.06	0.00

COLUMN TOTALS	10,003.13	10,003.13	0.00
Less: Bank Transfers/CD's	0.00	6,003.06	
Subtotal	10,003.13	4,000.07	
Less: Payments to Debtors		0.00	
Net	10,003.13	4,000.07	

Page Subtotals 0.91 10,003.13

EXHIBIT A
ANALYSIS OF CLAIMS REGISTER

Case Number: 08-40525 Page 1 Date: February 02, 2010
 Debtor Name: SIMMONS, FRED H. Claim Number Sequence
 Claims Bar Date: 12/02/08

Code #	Creditor Name & Address	Claim Class	Notes	Scheduled	Claimed	Allowed
001 3110-00	MARK IAN AGEE 5401 N. CENTRAL EXPRESSWAY SUITE 220 DALLAS, TX 75205	Administrative Per order dated 12/08/09	4429184228	12/09/09 101	\$0.00 \$3,824.00 3,824.00	\$3,824.00
001 3120-00	MARK IAN AGEE 5401 N. CENTRAL EXPRESSWAY SUITE 220 DALLAS, TX 75205	Administrative Per Order dated 12/08/09	4429184228	12/09/09 102	\$0.00 \$176.07 176.07	\$176.07
000001 070 7100-00	First United Bank & Trust Co. 1400 West Main Durant, OK 74701	Unsecured x3567	Filed 03/19/08		\$0.00 \$85,097.16	\$85,097.16
000002 070 7100-00	First United Bank & Trust Co. 1400 West Main Durant, OK 74701	Unsecured x3575	Filed 03/19/08		\$0.00 \$38,954.02	\$38,954.02
000003 070 7100-00	First United Bank & Trust Co. 1400 West Main Durant, OK 74701	Unsecured x3583	Filed 03/19/08		\$0.00 \$191,924.41	\$191,924.41
000004 070 7100-00	First United Bank & Trust Co. 1400 West Main Durant, OK 74701	Unsecured x7401	Filed 03/19/08		\$0.00 \$2,497.53	\$2,497.53
000005 070 7100-00	First United Bank & Trust Co. 1400 West Main Durant, OK 74701	Unsecured x7257	Filed 03/19/08		\$0.00 \$691.55	\$691.55
000006 070 7100-00	First United Bank & Trust Co. 1400 West Main Durant, OK 74701	Unsecured x6029	Filed 03/19/08		\$0.00 \$20,870.51	\$20,870.51
000007 070 7100-00	First United Bank & Trust Co. 1400 West Main Durant, OK 74701	Unsecured x4904	Filed 03/19/08		\$0.00 \$19,131.79	\$19,131.79
000008 070 7100-00	Discover Bank/DFS Services LLC PO Box 3025 New Albany, OH 43054-3025	Unsecured	Filed 09/12/08		\$0.00 \$14,458.99	\$14,458.99
000009 070 7100-00	PYOD LLC its successors and assigns as assignee of Citibank Resurgent Capital Services PO Box 10587 Greenville, SC 29603-0587	Unsecured x3285	Filed 09/17/08		\$0.00 \$22,096.22	\$22,096.22
000010 070 7100-00	LVNV Funding LLC its successors and assigns as assignee of Citibank Resurgent Capital Services PO Box 10587 Greenville, SC 29603-0587	Unsecured x0437	Filed 09/17/08		\$0.00 \$1,516.71	\$1,516.71

EXHIBIT A
ANALYSIS OF CLAIMS REGISTER

Case Number: 08-40525 Page 2 Date: February 02, 2010
 Debtor Name: SIMMONS, FRED H. Claim Number Sequence
 Claims Bar Date: 12/02/08

Code #	Creditor Name & Address	Claim Class	Notes	Scheduled	Claimed	Allowed
000011 070 7100-00	CHASE BANK USA, NA PO BOX 15145 WILMINGTON, DE 19850-5145	Unsecured x2220	Filed 09/20/08	\$0.00	\$19,132.33	\$19,132.33
000012 070 7100-00	eCAST Settlement Corporation assignee of HSBC Bank Nevada and its Assigns POB 35480 Newark NJ 07193-5480	Unsecured x2320	Filed 10/03/08	\$0.00	\$6,635.22	\$6,635.22
000013 070 7100-00	Capital Recovery II 25 SE 2nd Avenue, Suite 1120 Miami, FL 33131	Unsecured x4196	Filed 10/10/08	\$0.00	\$2,175.94	\$2,175.94
000014 070 7100-00	FIA CARD SERVICES, NA/BANK OF AMERICA by American InfoSource LP as its agent PO Box 248809 Oklahoma City, OK 73124-8809	Unsecured x2513 x5614	Filed 11/26/08	\$0.00	\$23,095.46	\$23,095.46
000015 070 7100-00	FIA Card Services, N.A. Attn: Mr. M-BK 1000 Samoset Drive DE5-023-03-03 Newark, DE 19713	Unsecured x3782	Filed 12/03/08	\$0.00	\$10,667.22	\$10,667.22
Case Totals:				\$0.00	\$462,945.13	\$462,945.13

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

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 08-40525

Case Name: SIMMONS, FRED H.

Trustee Name: Michelle H. Chow, 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: Michelle H. Chow, 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>
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

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>000001</u>	<u>First United Bank & Trust Co.</u>	\$ _____	\$ _____
<u>000002</u>	<u>First United Bank & Trust Co.</u>	\$ _____	\$ _____
<u>000003</u>	<u>First United Bank & Trust Co.</u>	\$ _____	\$ _____
<u>000004</u>	<u>First United Bank & Trust Co.</u>	\$ _____	\$ _____
<u>000005</u>	<u>First United Bank & Trust Co.</u>	\$ _____	\$ _____

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ _____ 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 _____ percent.

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

<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 \$ _____.