

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

In re:	§	
	§	
CARROLL, DAVID WAYNE	§	Case No. 10-90176
CARROLL, SHANNON LEAH	§	
	§	
Debtors	§	

TRUSTEE’S FINAL REPORT (TFR)

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

1. A petition under chapter 13 of the United States Bankruptcy Code was filed on 05/02/2010 . The case was converted to one under Chapter 7 on 04/04/2011 . The undersigned trustee was appointed on 11/24/2015 .
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 \$ 98,000.00

Funds were disbursed in the following amounts:

Payments made under an interim disbursement	0.00
Administrative expenses	47,361.06
Bank service fees	10.00
Other payments to creditors	0.00
Non-estate funds paid to 3 rd Parties	0.00
Exemptions paid to the debtor	0.00
Other payments to the debtor	0.00
Leaving a balance on hand of ¹	\$ 50,628.94

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.

The remaining funds are available for distribution.

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

6. The deadline for filing non-governmental claims in this case was 02/29/2016 and the deadline for filing governmental claims was 05/30/2016 . 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 \$ 8,150.00 . 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 \$ 8,150.00 , for a total compensation of \$ 8,150.00 ². In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$ 0.00 , and now requests reimbursement for expenses of \$ 1,022.19 , for total expenses of \$ 1,022.19 ².

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

Date: 11/08/2016 By: /s/Michael J. McNally
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.

² If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Case No: 10-90176 BP Judge: BILL PARKER
Case Name: CARROLL, DAVID WAYNE
CARROLL, SHANNON LEAH
For Period Ending: 11/08/16

Trustee Name: Michael J. McNally
Date Filed (f) or Converted (c): 04/04/11 (c)
341(a) Meeting Date: 05/20/11
Claims Bar Date: 02/29/16

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 Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. 267 PR 303, JOAQUIN, TEXAS A 0-346, HENRY C E SUR,	79,070.00	0.00		0.00	FA
2. 686 CR 3267, JOAQUIN, TEXAS A-0048, BRISTOW THOS S	32,360.00	0.00		0.00	FA
3. CASH	40.00	0.00		0.00	FA
4. CAPITAL ONE JOINT CHECKING ACCOUNT	39.80	0.00		0.00	FA
5. RECLINER \$10; COFFEE TABLE \$100; END TABLES \$100;	5,910.00	0.00		0.00	FA
6. 2 SOFAS \$1500 2 TV'S \$2000	3,500.00	0.00		0.00	FA
7. BOOKS AND PICTURES	931.00	0.00		0.00	FA
8. CLOTHING	1,000.00	0.00		0.00	FA
9. RINGS \$60; WATCHES \$400; COSTUME \$300	760.00	0.00		0.00	FA
10. 500 SHARES IN MAXIMUM PC, INC. - NO VALUE	1.00	0.00		0.00	FA
11. 2006 CHRYSLER PT CRUISER	5,325.00	0.00		0.00	FA
12. 2002 FORD FOCUS	3,420.00	0.00		0.00	FA
13. 1992 FORD EXPLORER - 200,000+ MILES; NOT OPERABLE;	500.00	0.00		0.00	FA
14. 1994 GMC TRUCK 133,000+ MILES	3,500.00	0.00		0.00	FA
15. 4 DOGS 2 CATS	100.00	0.00		0.00	FA
16. KUBOTA TRACTOR	15,000.00	0.00		0.00	FA
17. BUSHHOG \$1500 BOX BLADE \$600	2,100.00	0.00		0.00	FA
18. KIRBY VACUUM CLEANER	500.00	0.00		0.00	FA
19. OTHER MISCELLANEOUS Medical Device Tort Claim Settlement approved per Order entered 5/26/16	0.00	98,000.00		98,000.00	FA

				Gross Value of Remaining Assets
TOTALS (Excluding Unknown Values)	\$154,056.80	\$98,000.00	\$98,000.00	\$0.00
				(Total Dollar Amount in Column 6)

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Page: 2
Exhibit A

Case No: 10-90176 BP Judge: BILL PARKER
Case Name: CARROLL, DAVID WAYNE
CARROLL, SHANNON LEAH

Trustee Name: Michael J. McNally
Date Filed (f) or Converted (c): 04/04/11 (c)
341(a) Meeting Date: 05/20/11
Claims Bar Date: 02/29/16

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): 07/01/16

Current Projected Date of Final Report (TFR): 12/01/16

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 10-90176 -BP
 Case Name: CARROLL, DAVID WAYNE
 CARROLL, SHANNON LEAH
 Taxpayer ID No: *****0373
 For Period Ending: 11/08/16

Trustee Name: Michael J. McNally
 Bank Name: FIRST NATIONAL BANK OF VINITA
 Account Number / CD #: *****1803 Checking Account (Non-Interest Earn)

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 Trans. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
			BALANCE FORWARD				0.00

* Reversed
 t Funds Transfer
 C Bank Cleared

Memo Allocation Receipts: 0.00
 Memo Allocation Disbursements: 0.00
 Memo Allocation Net: 0.00

Account *****1803	Balance Forward	0.00		
	0 Deposits	0.00	0 Checks	0.00
	0 Interest Postings	0.00	0 Adjustments Out	0.00
			0 Transfers Out	0.00
	Subtotal	\$ 0.00		
			Total	\$ 0.00
	0 Adjustments In	0.00		
	0 Transfers In	0.00		
	Total	\$ 0.00		

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 10-90176 -BP
 Case Name: CARROLL, DAVID WAYNE
 CARROLL, SHANNON LEAH
 Taxpayer ID No: *****0373
 For Period Ending: 11/08/16

Trustee Name: Michael J. McNally
 Bank Name: FIRST NATIONAL BANK OF VINITA
 Account Number / CD #: *****1858 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 Trans. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
			BALANCE FORWARD				0.00
C 09/29/16		2014 AMS Qualified Settlement Fund c/o American Deposit Management Co. P O Box 180258 Delafield, WI 53018	Medical Device Tort Claim	1149-000	95,000.00		95,000.00
09/29/16	19	Asset Sales Memo: MEDICAL DEVICE CLAIM	OTHER MISCELLANEOUS Medical Device Tort Claim \$98,000.00 Memo Amount: 98,000.00 Gross Settlement Memo Amount: (3,000.00) Medical Device Assessment	1149-000 3991-000			95,000.00
C 10/04/16	030001	McNally & Patrick, L.L.P. 100 E Ferguson, Suite 400 Tyler, Tx 75702	Atty Fees for Trustee	3110-000		8,726.00	86,274.00
C 10/04/16	030002	McNally & Patrick, L.L.P. 100 E Ferguson, Suite 400 Tyler Tx 75702	Attorney Expense for Trustee Firm	3120-000		148.77	86,125.23
C 10/04/16	030003	Fleming, Nolen & Jez LLP 2800 Post Oak Blvd, Suite 4000 Houston, Tx 77056	Special Counsel Fees & Expenses Fees 31,663.50 Expenses 3,822.79	3210-000 3220-000		35,486.29	50,638.94
C 10/07/16		FIRST NATIONAL BANK OF VINITA	BANK SERVICE FEE	2600-000		10.00	50,628.94

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 10-90176 -BP
 Case Name: CARROLL, DAVID WAYNE
 CARROLL, SHANNON LEAH
 Taxpayer ID No: *****0373
 For Period Ending: 11/08/16

Trustee Name: Michael J. McNally
 Bank Name: FIRST NATIONAL BANK OF VINITA
 Account Number / CD #: *****1858 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 Trans. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)

* Reversed
 t Funds Transfer
 C Bank Cleared

Memo Allocation Receipts: 98,000.00
 Memo Allocation Disbursements: 3,000.00
 Memo Allocation Net: 95,000.00

Account *****1858	Balance Forward	0.00					
	2 Deposits	95,000.00				3 Checks	44,361.06
	0 Interest Postings	0.00				1 Adjustments Out	10.00
						0 Transfers Out	0.00
	Subtotal	\$ 95,000.00				Total	\$ 44,371.06
	0 Adjustments In	0.00					
	0 Transfers In	0.00					
	Total	\$ 95,000.00					

Total Allocation Receipts: 98,000.00
 Total Allocation Disbursements: 3,000.00
 Total Memo Allocation Net: 95,000.00

Report Totals	Balance Forward	0.00					
	2 Deposits	95,000.00				3 Checks	44,361.06
	0 Interest Postings	0.00				1 Adjustments Out	10.00
						0 Transfers Out	0.00
	Subtotal	\$ 95,000.00				Total	\$ 44,371.06
	0 Adjustments In	0.00					
	0 Transfers In	0.00					
	Total	\$ 95,000.00				Net Total Balance	\$ 50,628.94

Claims Register
ANALYSIS OF CLAIMS REGISTER

Date: November 08, 2016

Case Number: 10-90176 Claim Class Sequence (No Pay Hold)
Debtor Name: CARROLL, DAVID WAYNE

Code #	Creditor Name & Address	Claim Class	Notes	Scheduled	Claimed	Allowed
999-1 001 3110-00	McNally & Patrick, L.L.P. 100 E Ferguson, Suite 400 Tyler, Tx 75702	Administrative		\$0.00	\$8,726.00	\$8,726.00
999-2 001 3120-00	McNally & Patrick, L.L.P. 100 E Ferguson, Suite 400 Tyler Tx 75702	Administrative		\$0.00	\$148.77	\$148.77
999-3 001 3210-00	Fleming, Nolen & Jez LLP 2800 Post Oak Blvd, Suite 4000 Houston, Tx 77056	Administrative		\$0.00	\$35,486.29	\$35,486.29
Subtotal for Class Administrative				\$0.00	\$44,361.06	\$44,361.06
000007 040 5800-00	Internal Revenue Service PO Box 7346 Philadelphia, PA 19101-7346	Priority		\$2,958.49	\$0.00	\$0.00
Subtotal for Class Priority				\$2,958.49	\$0.00	\$0.00
000001 070 7100-90	Rjm Acquisitions Llc 575 Underhill Blvd Suite 224 Syosset, NY 11791	Unsecured		\$0.00	\$114.48	\$114.48
000009 070 7100-90	Premier Bankcard /Charter P.O. Box 2208 Vacaville, CA. 95696	Unsecured		\$409.00	\$409.87	\$409.87
000010 070 7100-90	HSBC Bank Nevada, N.A. by PRA Receivables Management, LLC PO Box 12907 Norfolk VA 23541	Unsecured		\$0.00	\$650.17	\$650.17
000011 070 7100-90	HSBC Bank Nevada, N.A. by PRA Receivables Management, LLC PO Box 12907 Norfolk VA 23541	Unsecured		\$0.00	\$529.98	\$529.98
000012 070 7100-00	I.C. Systems, Inc. o/b/o Joseph Jones DDS c/o A. Thomas Pokela Attorney at Law PO Box 2621 Sioux Falls, SD 57101-2621	Unsecured		\$290.00	\$290.90	\$290.90
000014 070 7100-90	Ashley Funding Services LLC its successors & assigns as assignee of Syndicated Office Systems, Inc. Resurgent Capital Services PO Box 10587 Greenville, SC 29603-0587	Unsecured		\$0.00	\$122.95	\$122.95
000015 070 7100-90	Ashley Funding Services LLC its successors and assigns as assignee of Syndicated Office Systems, Inc	Unsecured		\$0.00	\$4,703.88	\$4,703.88

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 10-90176

Case Name: CARROLL, DAVID WAYNE
CARROLL, SHANNON LEAH

Trustee Name: Michael J. McNally

Balance on hand \$ 50,628.94

Claims of secured creditors will be paid as follows:

NONE

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

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee Fees: Michael J. McNally	\$ 8,150.00	\$ 0.00	\$ 8,150.00
Trustee Expenses: Michael J. McNally	\$ 1,022.19	\$ 0.00	\$ 1,022.19
Attorney for Trustee Fees: McNally & Patrick, L.L.P.	\$ 8,726.00	\$ 8,726.00	\$ 0.00
Other: McNally & Patrick, L.L.P.	\$ 148.77	\$ 148.77	\$ 0.00
Other: Fleming, Nolen & Jez LLP	\$ 35,486.29	\$ 35,486.29	\$ 0.00

Total to be paid for chapter 7 administrative expenses \$ 9,172.19

Remaining Balance \$ 41,456.75

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

NONE

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 No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000007	Internal Revenue Service	\$ 0.00	\$ 0.00	\$ 0.00
Total to be paid to priority creditors			\$	0.00
Remaining Balance			\$	41,456.75

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 \$ 151,044.49 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 27.5 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000001	Rjm Acquisitions Llc	\$ 114.48	\$ 0.00	\$ 31.42
000009	Premier Bankcard /Charter	\$ 409.87	\$ 0.00	\$ 112.50
000010	HSBC Bank Nevada, N.A.	\$ 650.17	\$ 0.00	\$ 178.45
000011	HSBC Bank Nevada, N.A.	\$ 529.98	\$ 0.00	\$ 145.46
000012	I.C. Systems, Inc. o/b/oJoseph Jones DDS	\$ 290.90	\$ 0.00	\$ 79.84
000014	Ashley Funding Services LLC its	\$ 122.95	\$ 0.00	\$ 33.75
000015	Ashley Funding Services LLC its	\$ 4,703.88	\$ 0.00	\$ 1,291.06
000017	Capital One Bank (USA), N.A.	\$ 515.58	\$ 0.00	\$ 141.51
000019	Willis Knighton Medical Center HR Dept	\$ 3,000.00	\$ 0.00	\$ 823.40

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000020	BAC Home Loan Servicing, LP	\$ 137,100.19	\$ 0.00	\$ 37,629.50
000021	Quantum3 Group LLC as agent for	\$ 415.82	\$ 0.00	\$ 114.13
000022	Quantum3 Group LLC as agent for	\$ 165.70	\$ 0.00	\$ 45.48
000023	Quantum3 Group LLC as agent for	\$ 1,231.30	\$ 0.00	\$ 337.95
000024	Ashley Funding Services, LLC its	\$ 384.01	\$ 0.00	\$ 105.40
000025	Kim E McMorries MD FACOG	\$ 1,409.66	\$ 0.00	\$ 386.90

Total to be paid to timely general unsecured creditors \$ 41,456.75

Remaining Balance \$ 0.00

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:

NONE

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:

NONE