

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF

In re:	§	
	§	
DANIEL, DWAIN MCCARTY	§	Case No. 12-40651
DANIEL, TRINA MARIE	§	
	§	
Debtor(s)	§	

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**TRUSTEE'S FINAL REPORT (TFR)**

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

1. A petition under chapter      of the United States Bankruptcy Code was filed 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:

Payments made under an interim  
disbursement  
Administrative expenses  
Bank service fees  
Other payments to creditors  
Non-estate funds paid to 3<sup>rd</sup> Parties  
Exemptions paid to the debtor  
Other payments to the debtor

Leaving a balance on hand of<sup>1</sup>      \$

The remaining funds are available for distribution.

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<sup>1</sup>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.

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 \_\_\_\_\_ and the deadline for filing governmental claims 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 \$ \_\_\_\_\_<sup>2</sup>. 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 \$ \_\_\_\_\_<sup>2</sup>.

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/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.

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<sup>2</sup> 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: 12-40651 BTR Judge: BRENDA T. RHOADES  
Case Name: DANIEL, DWAIN MCCARTY  
DANIEL, TRINA MARIE  
For Period Ending: 10/02/14

Trustee Name: CHRISTOPHER J. MOSER  
Date Filed (f) or Converted (c): 03/15/12 (f)  
341(a) Meeting Date: 04/20/12  
Claims Bar Date: 08/02/12

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. 1021 Ponderosa Ridge Little Elm TX No Equity	130,000.00	0.00		0.00	FA
2. 9559 Dunstable, San Antonio, TX No Equity	90,000.00	0.00		0.00	FA
3. Financial Accts	253.00	0.00		0.00	FA
4. Household Goods Debtor Claimed 100% Exemption on Schedule C	2,495.00	0.00		0.00	FA
5. Books/Collectibles Debtor Claimed 100% Exemption on Schedule C	100.00	0.00		0.00	FA
6. Wearing Apparel Debtor Claimed 100% Exemption on Schedule C	500.00	0.00		0.00	FA
7. Furs & Jewelry Debtor Claimed 100% Exemption on Schedule C	1,200.00	0.00		0.00	FA
8. Firearms & Hobby Equipment Debtor Claimed 100% Exemption on Schedule C	400.00	0.00		0.00	FA
9. Retirement Plans Debtor Claimed 100% Exemption on Schedule C	3,465.41	0.00		0.00	FA
10. Massage by Trina	0.00	0.00		0.00	FA
11. Veranda Day Spa	0.00	0.00		0.00	FA
12. Evidence Based Products	0.00	0.00		0.00	FA
13. 2011 Ford Fiesta No Equity	13,543.00	0.00		0.00	FA
14. 2011 Ford Fusion Debtor Claimed 100% Exemption on Schedule C	16,802.00	0.00		0.00	FA
15. Machinery & Supplies Debtor Claimed 100% Exemption on Schedule C	5,635.00	0.00		0.00	FA

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

Case No: 12-40651 BTR Judge: BRENDA T. RHOADES  
Case Name: DANIEL, DWAIN MCCARTY  
DANIEL, TRINA MARIE

Trustee Name: CHRISTOPHER J. MOSER  
Date Filed (f) or Converted (c): 03/15/12 (f)  
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Claims Bar Date: 08/02/12

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
16. Inventory	50.00	0.00		0.00	FA
17. Gas Royalty in Eastland, Texas Debtor Claimed 100% Exemption on Schedule C	250.00	0.00		0.00	FA
18. PREFERENCE - TRINITY INTERESTS (u)	10,160.44	7,200.00		6,500.00	FA

					Gross Value of Remaining Assets
TOTALS (Excluding Unknown Values)	\$274,853.85	\$7,200.00		\$6,500.00	\$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:

Quilling, Selander, Lownds, Winslett & Moser P.C. is employed to represent the trustee. The trustee is a partner in the same firm. Dohmeyer Valuation Corp. is employed as a valuation expert. On June 6, 2012, Order Approving Settlement Agreement was entered, item # 18.

Initial Projected Date of Final Report (TFR): 06/30/14      Current Projected Date of Final Report (TFR): 10/02/14

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 12-40651  
Case Name: DANIEL, DWAIN MCCARTY  
DANIEL, TRINA MARIE  
Taxpayer ID No: 35-6983836  
For Period Ending: 10/02/14

Trustee Name: CHRISTOPHER J. MOSER  
Bank Name: BANK OF KANSAS CITY  
Account Number / CD #: \*\*\*\*\*2123 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
06/22/12		Transfer from Acct #*****1847	Bank Funds Transfer	9999-000	399.91		399.91
07/17/12	18	DWAIN MCCARTY DANIEL 1021 PONDEROSA RIDGE LITTLE ELM, TX 75068	PREFERENCE	1241-000	400.00		799.91
08/14/12	18	DWAIN MCCARTY DANIEL 1021 PONDEROSA RIDGE LITTLE ELM, TX 75068	PREFERENCE	1241-000	400.00		1,199.91
09/17/12	18	Dwain M. Daniel 1021 Ponderosa Ridge Little Elm, TX 75068	PREFERENCE	1241-000	400.00		1,599.91
09/17/12		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		1.17	1,598.74
10/15/12		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		1.52	1,597.22
10/18/12	18	Dwain Daniel 1021 Ponderosa Ridge Little Elm, TX 75068	PREFERENCE	1241-000	400.00		1,997.22
11/14/12	18	DWAIN MCCARTY DANIEL 1021 PONDEROSA RIDGE LITTLE ELM, TX 75068	PREFERENCE	1241-000	400.00		2,397.22
11/15/12		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		2.02	2,395.20
12/14/12		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		2.45	2,392.75
12/18/12	18	DWAIN M. DANIEL 1021 PONDEROSA RIDGE LITTLE ELM, TX 75068	PREFERENCE	1241-000	400.00		2,792.75
01/16/13	18	DWAIN MCCARTY DANIEL 1021 PONDEROSA RIDGE LITTLE ELM, TX 75068	PREFERENCE	1241-000	400.00		3,192.75
01/16/13		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		2.93	3,189.82
02/14/13		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		3.41	3,186.41

Page Subtotals 3,199.91 13.50

**FORM 2**  
**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 12-40651  
Case Name: DANIEL, DWAIN MCCARTY  
DANIEL, TRINA MARIE  
Taxpayer ID No: 35-6983836  
For Period Ending: 10/02/14

Trustee Name: CHRISTOPHER J. MOSER  
Bank Name: BANK OF KANSAS CITY  
Account Number / CD #: \*\*\*\*\*2123 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 (\$)
02/20/13	18	DWAIN MCCARTY DANIEL 1021 PONDEROSA RIDGE LITTLE ELM, TX 75068	PREFERENCE	1241-000	400.00		3,586.41
03/14/13		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		4.41	3,582.00
03/18/13	18	DWAIN MCCARTY DANIEL 1021 PONDEROSA RIDGE LITTLE ELM, TX 75068	PREFERENCE	1241-000	1,600.00		5,182.00
04/02/13	18	DWAIN MCCARTY DANIEL 1021 PONDEROSA RIDGE LITTLE ELM, TX 75068	Preference	1241-000	1,300.00		6,482.00
04/12/13		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		6.32	6,475.68
04/22/13	003001	Dohmeyer Valuation Corp. 2374 Aspermount Frisco, TX 75034	Per Order Entered on 4/19/13 Valuation Expert	3711-000		697.50	5,778.18
04/30/13		Bank of Kansas City	BANK SERVICE FEE	2600-000		10.00	5,768.18
05/31/13		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	5,758.18
06/28/13		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	5,748.18
07/31/13		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	5,738.18
08/30/13		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	5,728.18
09/30/13		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	5,718.18
10/31/13		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	5,708.18
11/29/13		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	5,698.18
12/31/13		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	5,688.18
01/31/14		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	5,678.18
02/28/14		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	5,668.18
03/31/14		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	5,658.18
04/30/14		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	5,648.18
05/12/14	003002	QSLWM 2001 Bryan Street, Suite 1800	Per Order Entered on 5/07/14 Attorney's Fees			1,630.02	4,018.16

Page Subtotals 3,300.00 2,468.25

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 12-40651  
 Case Name: DANIEL, DWAIN MCCARTY  
 DANIEL, TRINA MARIE  
 Taxpayer ID No: 35-6983836  
 For Period Ending: 10/02/14

Trustee Name: CHRISTOPHER J. MOSER  
 Bank Name: BANK OF KANSAS CITY  
 Account Number / CD #: \*\*\*\*\*2123 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 (\$)
		Dallas, Texas 75201					
			Fees 1,527.50	3110-000			
			Expenses 102.52	3120-000			
05/30/14		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	4,008.16
06/30/14		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	3,998.16
07/31/14		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	3,988.16
08/29/14		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	3,978.16
09/30/14		BANK OF KANSAS CITY	BANK SERVICE FEE	2600-000		10.00	3,968.16

COLUMN TOTALS	6,499.91	2,531.75	3,968.16
Less: Bank Transfers/CD's	399.91	0.00	
Subtotal	6,100.00	2,531.75	
Less: Payments to Debtors		0.00	
Net	6,100.00	2,531.75	

FORM 2

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 12-40651  
 Case Name: DANIEL, DWAIN MCCARTY  
 DANIEL, TRINA MARIE  
 Taxpayer ID No: 35-6983836  
 For Period Ending: 10/02/14

Trustee Name: CHRISTOPHER J. MOSER  
 Bank Name: BANK OF AMERICA, N.A.  
 Account Number / CD #: \*\*\*\*\*1847 Money Market Account (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 Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
06/18/12	18	DWAIN MCCARTY DANIEL 1021 PONDEROSA RIDGE LITTLE ELM, TX 75068	BALANCE FORWARD PREFERENCE	1241-000	400.00		0.00 400.00
06/22/12		BANK OF AMERICA, N.A. 901 MAIN STREET 10TH FLOOR DALLAS, TX 75283	BANK FEES	2600-000		0.09	399.91
06/22/12		Transfer to Acct #*****2123	Bank Funds Transfer	9999-000		399.91	0.00

COLUMN TOTALS 400.00 400.00 0.00  
 Less: Bank Transfers/CD's 0.00 399.91  
 Subtotal 400.00 0.09  
 Less: Payments to Debtors 0.00  
 Net 400.00 0.09

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
Checking Account - *****2123	6,100.00	2,531.75	3,968.16
Money Market Account (Interest Earn - *****1847	400.00	0.09	0.00
	6,500.00	2,531.84	3,968.16
(Excludes Account Transfers)		(Excludes Payments To Debtors)	Total Funds On Hand

Page Subtotals 400.00 400.00

EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Case Number: 12-40651  
Debtor Name: DANIEL, DWAIN MCCARTY

Claim Class Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
000001 070 7100-00	Southwest Airlines FCU P. O. Box 35708 Dallas, TX 75235	Unsecured		\$4,025.38	\$0.00	\$4,025.38
000002 070 7100-00	Midland Funding LLC By its authorized agent Recoser, LLC 25 SE 2nd Ave, Suite 1120 Miami, FL 33131-1605	Unsecured		\$4,690.42	\$0.00	\$4,690.42
000003 070 7100-00	Citibank, N.A. c/o American InfoSource LP PO Box 248840 Oklahoma City, OK 73124-8840	Unsecured		\$1,461.52	\$0.00	\$1,461.52
000004 070 7100-00	BIR JV, LLP Select Medical c/o Courtney Smith 4714 Gettysburg, RD Mechanicsburg, PA 17055	Unsecured		\$136.31	\$0.00	\$136.31
000005 070 7100-00	American Express Centurion Bank c/o Becket and Lee LLP POB 3001 Malvern, PA 19355-0701	Unsecured		\$3,498.07	\$0.00	\$3,498.07
000006 070 7100-00	PHARIA L.L.C. c/o WEINSTEIN AND RILEY, PS PO BOX 3978 SEATTLE, WA 98121-3978	Unsecured		\$7,668.51	\$0.00	\$7,668.51
000007 070 7100-00	FIA CARD SERVICES, N.A. as successor to BOA/MBNA PO Box 15102 Wilmington, DE 19886-5102	Unsecured		\$1,406.78	\$0.00	\$1,406.78
000008 070 7100-00	FIA CARD SERVICES, N.A. as successor to BOA/MBNA PO Box 15102 Wilmington, DE 19886-5102	Unsecured		\$8,651.59	\$0.00	\$8,651.59
000009 070 7100-00	FIA CARD SERVICES, N.A. as successor to BOA/MBNA PO Box 15102 Wilmington, DE 19886-5102	Unsecured		\$4,081.40	\$0.00	\$4,081.40
000010 070 7100-00	FIA CARD SERVICES, N.A. as successor to BOA/MBNA PO Box 15102 Wilmington, DE 19886-5102	Unsecured		\$2,108.80	\$0.00	\$2,108.80
000011 070 7100-00	FIA CARD SERVICES, N.A. as successor to BOA/MBNA PO Box 15102 Wilmington, DE 19886-5102	Unsecured		\$4,356.31	\$0.00	\$4,356.31



## TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 12-40651

Case Name: DANIEL, DWAIN MCCARTY

DANIEL, TRINA MARIE

Trustee Name: CHRISTOPHER J. MOSER

Balance on hand \$

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: CHRISTOPHER J. MOSER	\$	\$	\$
Trustee Expenses: CHRISTOPHER J. MOSER	\$	\$	\$

Total to be paid for chapter 7 administrative expenses \$ \_\_\_\_\_

Remaining Balance \$ \_\_\_\_\_

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 \$ \_\_\_\_\_ must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

NONE

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, 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	Southwest Airlines FCU	\$	\$	\$
000002	Midland Funding LLC	\$	\$	\$
000003	Citibank, N.A.	\$	\$	\$
000004	BIR JV, LLP	\$	\$	\$
000005	American Express Centurion Bank	\$	\$	\$
000006	PHARIA L.L.C.	\$	\$	\$
000007	FIA CARD SERVICES, N.A.	\$	\$	\$
000008	FIA CARD SERVICES, N.A.	\$	\$	\$
000009	FIA CARD SERVICES, N.A.	\$	\$	\$
000010	FIA CARD SERVICES, N.A.	\$	\$	\$
000011	FIA CARD SERVICES, N.A.	\$	\$	\$
000012	FIA CARD SERVICES, N.A.	\$	\$	\$
000014	Sallie Mae	\$	\$	\$
000015	PYOD, LLC its successors of Citibank	\$	\$	\$

Total to be paid to timely general unsecured creditors \$ \_\_\_\_\_

Remaining Balance \$ \_\_\_\_\_

Tardily filed claims of general (unsecured) creditors totaling \$ \_\_\_\_\_ 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 \_\_\_\_\_ 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 \$ \_\_\_\_\_ 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:

NONE