

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

In re:	§	
	§	
STEVEN J. HEUSSNER	§	Case No. 12-42704
CHARISSA S. HEUSSNER	§	
	§	
Debtor(s)	§	

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 10/01/2012 . The case was converted to one under Chapter 7 on 10/02/2012 . The undersigned trustee was appointed on 10/02/2012 .
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 \$ 110,000.00

Funds were disbursed in the following amounts:

Payments made under an interim disbursement	0.00
Administrative expenses	12,290.49
Bank service fees	157.82
Other payments to creditors	30,000.00
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	\$ 67,551.69

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 01/31/2013 and the deadline for filing governmental claims was 05/01/2013 . 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 \$ 8,400.00 . 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 \$ 8,400.00 , for a total compensation of \$ 8,400.00 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 \$ 1,202.78 , for total expenses of \$ 1,202.78 ².

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

Date: 07/13/2015 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.

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**

Exhibit A

Case No: 12-42704 BTR Judge: Brenda T. Rhoades Trustee Name: LINDA PAYNE, TRUSTEE
Case Name: STEVEN J. HEUSSNER Date Filed (f) or Converted (c): 10/02/2012 (c)
CHARISSA S. HEUSSNER 341(a) Meeting Date: 10/26/2012
For Period Ending: 07/13/2015 Claims Bar Date: 01/31/2013

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Est Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. 201 Falling Water Drive, McKinney, TX 75070	1,400,000.00	0.00		0.00	FA
2. 31275 Star Ridge Road, Steamboat Springs, CO 80467	400,000.00	0.00		0.00	FA
3. 3970 Preston Road South, Celina, TX 75009 Debtors	298,669.00	0.00		0.00	FA
4. Cash and checking	1,100.00	0.00		0.00	FA
5. Household Goods	9,125.00	0.00		0.00	FA
6. Books etc.	2,425.00	0.00		0.00	FA
7. Clothing	2,000.00	0.00		0.00	FA
8. Jewelry	3,000.00	0.00		0.00	FA
9. Sports equipment	1,800.00	0.00		0.00	FA
10. Heussner Insurance Agency, Inc.	Unknown	0.00		0.00	FA
11. ACGB 100%	Unknown	0.00		0.00	FA
12. Heussner Enterprises 100% Interest	Unknown	0.00		0.00	FA
13. Heussner Management, Co. LTD	Unknown	0.00		110,000.00	FA
14. ACGB \$200,000.00 Severance Pay	465,000.00	0.00		0.00	FA
15. 2007 BMW 750 LI 96,000 miles	21,450.00	0.00		0.00	FA
16. 2004 Chevrolet Suburban 123,000 Miles	0.00	0.00		0.00	FA
17. 2000 BMW 325i 218,000 Miles	0.00	0.00		0.00	FA
18. 2007 Chrysler 300 80,000 Miles	16,985.00	0.00		0.00	FA
19. Office furniture	1,500.00	0.00		0.00	FA
20. Reimbursement of funds to make account whole for refund	0.00	680.99		0.00	FA
21. Refund interest	171.20	171.20		0.00	FA
INT. Post-Petition Interest Deposits (u)	Unknown	N/A		0.00	Unknown

Gross Value of Remaining Assets

TOTALS (Excluding Unknown Values)

\$2,623,225.20

\$852.19

\$110,000.00

\$0.00

(Total Dollar Amount in Column 6)

Exhibit A

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

Brought property back into estate. Notice sale 3/4/15.

Agreement reached on Celina property. Waiting on original signed documents and check. Will need final attorney fees and accountant will need to prepare a tax return.

RE PROP # 1 -- MLS filed

RE PROP # 2 -- Tried to sell. Returned to creditor and foreclosed.

RE PROP # 3 -- Debtor's children have 50% interest in value of \$853,340.00 for a total of \$426,670.00
Debtors have 70% in the \$426,670.00 for a total of \$ 298,669.00
Debtor will send name of people interested in buying his interest.

RE PROP # 10 -- 100% Interest of Management company

RE PROP # 11 -- Settlement noticed by debtor and creditor.

RE PROP # 13 -- 99% interest in Celina Property is owned by Heussner Management LTD. The GP of Heussner Management is Heussner Insurance Agency.
60B motion thas to be filed.

RE PROP # 14 -- ACGB is owned by Heussner Enterprises. All claims settled with ACGB

RE PROP # 20 -- Filed a motion to set aside a sale. Have to refund the buyer \$10,000.00 Bill Payne will put in the 680.99. However the attorney fees are already recorded so the funds should be refunded to trustee.

RE PROP # 21 -- Filed to set aside a sale. Have to refund \$10,000 to buyer. Reimburse estate for interest taken out of account. Will be an expense for trustee

Initial Projected Date of Final Report (TFR): 04/01/2014

Current Projected Date of Final Report (TFR): 09/15/2015

FORM 2
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 12-42704
Case Name: STEVEN J. HEUSSNER
CHARISSA S. HEUSSNER

Trustee Name: LINDA PAYNE, TRUSTEE
Bank Name: First National Bank of Vinita
Account Number/CD#: XXXXXX2023
Checking Account

Exhibit B

Taxpayer ID No: XX-XXX5311
For Period Ending: 07/13/2015

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 (\$)
06/19/13	13	TALON HOLDING COMPANY	Court approved sale	1129-000	\$10,000.00		\$10,000.00
07/08/13		First National Bank of Vinita	BANK SERVICE FEE	2600-000		\$10.00	\$9,990.00
07/12/13	3001	Reverses Check # 3001	Stop Payment Reversal STOP PAY ADD SUCCESSFUL	4210-000		(\$1,500.00)	\$11,490.00
07/12/13	3001	HEUSSNER, ERIC S. 2304 BrandywineMcKinney, TX 75070	Payment on sale of asset	4210-000		\$1,500.00	\$9,990.00
07/12/13	3002	HEUSSNER, KIMBERLY B. 2304 BrandywineMcKinney, TX 75070	Payment on sale of asset	4210-000		\$1,500.00	\$8,490.00
07/30/13	3003	HEUSSNER, ERIC S. 2304 BrandywineMcKinney, TX 75070	Check lost - reissued	4210-000		\$1,500.00	\$6,990.00
08/07/13		First National Bank of Vinita	BANK SERVICE FEE	2600-000		\$10.20	\$6,979.80
09/09/13		First National Bank of Vinita	BANK SERVICE FEE	2600-000		\$10.00	\$6,969.80
09/16/13	3004	BILL PAYNE 12770 Coit RoadSuite 541 Banner PlaceDallas, TX 75251	Ct approved fees and exp			\$680.99	\$6,288.81
		BILL PAYNE	Ct approved fees and exp (\$675.00)	3110-000			
		PAYNE, BILL	Ct approved fees and exp (\$5.99)	3120-000			
10/07/13		First National Bank of Vinita	BANK SERVICE FEE	2600-000		\$10.00	\$6,278.81
11/07/13		First National Bank of Vinita	BANK SERVICE FEE	2600-000		\$10.00	\$6,268.81
12/06/13		First National Bank of Vinita	BANK SERVICE FEE	2600-000		\$10.00	\$6,258.81
01/08/14		First National Bank of Vinita	BANK SERVICE FEE	2600-000		\$10.00	\$6,248.81
02/07/14		First National Bank of Vinita	BANK SERVICE FEE	2600-000		\$10.00	\$6,238.81
03/07/14		First National Bank of Vinita	BANK SERVICE FEE	2600-000		\$10.00	\$6,228.81

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For Period Ending: 07/13/2015

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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 (\$)
04/07/14		First National Bank of Vinita	BANK SERVICE FEE	2600-000		\$10.00	\$6,218.81
05/07/14		First National Bank of Vinita	BANK SERVICE FEE	2600-000		\$10.00	\$6,208.81
06/06/14		First National Bank of Vinita	BANK SERVICE FEE	2600-000		\$10.00	\$6,198.81
07/08/14		FIRST NATIONAL BANK OF VINITA	BANK SERVICE FEE	2600-000		\$10.00	\$6,188.81
08/07/14		First National Bank of Vinita	BANK SERVICE FEE	2600-000		\$10.00	\$6,178.81
08/27/14		Steven Heussner	Payback of distribution			(\$3,000.00)	\$9,178.81
		HEUSSNER, KIMBERLY B.	\$1,500.00	4210-002			
		HEUSSNER, ERIC S.	\$1,500.00	4210-002			
09/08/14		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		\$10.00	\$9,168.81
10/07/14		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		\$10.00	\$9,158.81
11/07/14		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		\$10.00	\$9,148.81
11/18/14	20	Bill Payne	Funds put back into estate for new sale	1180-000	\$680.99		\$9,829.80
11/18/14	21	Linda Payne	Reimburse estate for interest	1180-000	\$171.20		\$10,001.00
11/20/14	3005	Bob Walner 1812 Lakeshore Ct McKinney, TX 75070	Return of money Settlement agreement reached on adversary to set aside sale and return funds to buyer.	8500-002		\$10,000.00	\$1.00
12/05/14		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		\$10.00	(\$9.00)

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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 (\$)
03/31/15		First National Bank of Vinita 102 W. Illinois Avenue Vinita, OK 74301	Refund of Bank Service Fee	2600-000		(\$10.00)	\$1.00
04/30/15	13	Rick Pickard	Sale of partnership	1129-000	\$100,000.00		\$100,001.00
05/05/15	3006	HEUSSNER, KIMBERLY B. 2304 Brandywine McKinney, TX 75070	Court approved payment	4210-000		\$15,000.00	\$85,001.00
05/05/15	3007	HEUSSNER, ERIC S. 2304 Brandywine McKinney, TX 75070	Court approved payment	4210-000		\$15,000.00	\$70,001.00
05/07/15		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$10.00	\$69,991.00
06/05/15		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$85.61	\$69,905.39
06/05/15	3008	PAYNE, BILL 12770 Coit Road Suite 541 Banner Place Dallas, TX 75251	Ct approved attorney			\$10,221.54	\$59,683.85
		PAYNE, BILL	(\$9,977.50)	3110-000			
		PAYNE, BILL	(\$244.04)	3120-000			
06/11/15	3009	LEVY, SHELDON 6320 Southwestern Blvd Suite 204 Ft Worth, TX 76109	Court approved fees			\$2,068.95	\$57,614.90
		LEVY, SHELDON	(\$2,000.00)	3410-000			
		LEVY, SHELDON	(\$68.95)	3420-000			
07/07/15		First National Bank of Vinita 102 W. Illinois Avenue Vinita, OK 74301	Bank service fee	2600-000		\$63.21	\$57,551.69

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For Period Ending: 07/13/2015

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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 (\$)
07/13/15		Bill Payne	Return of money Sale voided. Attorney fees have to be returned so that buyer can have his money back.			(\$680.99)	\$58,232.68
		PAYNE, BILL	\$675.00	3110-000			
		PAYNE, BILL	\$5.99	3120-000			
07/13/15		Linda Payne	Service Charge refund Sale fell through and funds had to be returned to purchaser, therefore trustee deposited the service charge back into the estate.	2600-000		(\$171.20)	\$58,403.88
07/13/15	20	Bill Payne	Funds put back into estate for new sale Reversal Transaction has been voided and rerecorded as "funds returned by Payee Bill Payne in order to refund funds to purchaser.	1180-000	(\$680.99)		\$57,722.89
07/13/15	21	Linda Payne	Reimburse estate for interest Reversal Transaction voided and recorded as "record a bank service charge refund.	1180-000	(\$171.20)		\$57,551.69

COLUMN TOTALS	\$110,000.00	\$52,448.31
Less: Bank Transfers/CD's	\$0.00	\$0.00
Subtotal	\$110,000.00	\$52,448.31
Less: Payments to Debtors	\$0.00	\$0.00
Net	\$110,000.00	\$52,448.31

Exhibit B

		TOTAL OF ALL ACCOUNTS		
		NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
XXXXXX2023 - Checking Account		\$110,000.00	\$52,448.31	\$57,551.69
		-----	-----	-----
		\$110,000.00	\$52,448.31	\$57,551.69
		-----		-----
		(Excludes account transfers)	(Excludes payments to debtors)	Total Funds on Hand
Total Allocation Receipts:	\$0.00			
Total Net Deposits:	\$110,000.00			
Total Gross Receipts:	\$110,000.00			

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 12-42704

Case Name: STEVEN J. HEUSSNER

CHARISSA S. HEUSSNER

Trustee Name: LINDA PAYNE, TRUSTEE

Balance on hand \$ 67,551.69

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Claim Asserted	Allowed Amount of Claim	Interim Payment to Date	Proposed Payment
	KIMBERLY B. HEUSSNER	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 0.00
	ERIC S. HEUSSNER	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 0.00

Total to be paid to secured creditors \$ 0.00

Remaining Balance \$ 67,551.69

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: LINDA PAYNE	\$ 8,400.00	\$ 0.00	\$ 8,400.00
Trustee Expenses: LINDA PAYNE	\$ 1,202.78	\$ 0.00	\$ 1,202.78
Attorney for Trustee Fees: BILL PAYNE	\$ 10,652.50	\$ 9,977.50	\$ 675.00
Attorney for Trustee Expenses: BILL PAYNE	\$ 250.03	\$ 244.04	\$ 5.99
Accountant for Trustee Fees: SHELDON LEVY, CPA	\$ 2,000.00	\$ 2,000.00	\$ 0.00
Accountant for Trustee Expenses: SHELDON LEVY, CPA	\$ 68.95	\$ 68.95	\$ 0.00

Total to be paid for chapter 7 administrative expenses	\$	<u>10,283.77</u>
Remaining Balance	\$	<u>57,267.92</u>

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 \$ 31,384.80 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
1B	INTERNAL REVENUE SERVICE	\$ 6,106.00	\$ 0.00	\$ 6,106.00
1A	INTERNAL REVENUE SERVICE	\$ 25,278.80	\$ 0.00	\$ 25,278.80

Total to be paid to priority creditors	\$	<u>31,384.80</u>
Remaining Balance	\$	<u>25,883.12</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 \$ 130,544.04 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 12.2 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
2	NORDSTROM FSB	\$ 14,000.00	\$ 0.00	\$ 1,703.36

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
3	PC CANTAFIO EDDINGTON	\$ 542.73	\$ 0.00	\$ 66.03
5A	YAMPA VALLEY BANK	\$ 50,000.00	\$ 0.00	\$ 6,083.43
6	FSB AMERICAN EXPRESS BANK	\$ 6,429.01	\$ 0.00	\$ 782.21
7	PYOD, LLC ITS SUCCESSORS AND ASSIGN	\$ 51,383.70	\$ 0.00	\$ 6,251.79
9	TIMOTHY MORRIS J. STEVEN MCKENZIE	\$ 8,188.60	\$ 0.00	\$ 996.30

Total to be paid to timely general unsecured creditors	\$	<u>15,883.12</u>
Remaining Balance	\$	<u>10,000.00</u>

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