

**127 UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

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|----------------------------|----------|------------------------------|
| IN RE: | § | CASE NO. 12-50127-BTR |
| PROCTOR, RANDALL K. | § | |
| PROCTOR, COLLEEN W. | § | |
| | § | CHAPTER 7 |
| DEBTORS | § | |

APPLICATION FOR TRUSTEE'S COMPENSATION AND EXPENSES

THE DEADLINE FOR OBJECTING TO THIS APPLICATION IS GOVERNED BY THE "NOTICE OF TRUSTEE'S FINAL REPORT AND APPLICATION FOR COMPENSATION AND DEADLINE TO OBJECT TO TFR" WHICH SHALL BE ISSUED TO YOU BY THE COURT AS A SEPARATE DOCUMENT.

TO THE HONORABLE Brenda T. Rhoades
UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, Linda Payne, chapter 7 trustee for the estate of Randall K. Proctor and files this Application for Trustee's Compensation and Expenses ("Application") to request compensation and reimbursement of expenses pursuant to 11 U.S.C. § 330(a)(1) and (a)(7). In support of the Application, the trustee submits the following information.

1. On July 17, 2012, the trustee was duly appointed as the chapter 7 trustee.
2. Contemporaneously with the filing of the Application, the trustee has filed a Trustee's Final Report ("TFR") and a Notice of Trustee's Final Report ("NFR").
3. Pursuant to 11 U.S.C. 326(a), the maximum compensation allowable to the trustee is \$10,032.59 based on the total amount disbursed to parties in interest, except for amounts disbursed to the debtor, or to any entity, if the funds disbursed were not property of the estate, e.g. return of a sale deposit. See attached **Exhibit 1** for a detailed calculation of the compensation requested.

4. The trustee has received \$0.00 of the maximum compensation allowable as interim compensation, and now requests \$10,032.59 as final compensation, subject to additional compensation based on the disbursement of additional interest income to parties in interest.

5. In addition, the trustee requests \$1,138.49 for reimbursement of reasonable and necessary expenses incurred in the administration of the estate. See attached **Exhibit 2** for an itemization of the trustee's expenses.

6. In the event additional interest income accrues on estate funds after the filing of the TFR and before distribution of funds by the trustee, the trustee requests approval of additional compensation based on the disbursement of this additional interest income to parties in interest without further Order of the Court.

WHEREFORE, PREMISES CONSIDERED, Linda Payne, the chapter 7 trustee, requests approval of \$10,032.59 in compensation and \$1,138.49 in reimbursement of expenses.

Dated: December 31, 2013

By: /s/ Linda Payne
Linda Payne
Chapter 7 Trustee

EXHIBIT 1
COMPUTATION OF TRUSTEE COMMISSION UNDER 11 U.S.C. 326

| | | | |
|----------------|---------------------|----------------------|---------------|
| Total Receipts | \$135,651.84 | 25% of First \$5,000 | \$1,250.00 |
| Less | <u>(5,000.00)</u> | | |
| Balance | \$130,651.84 | 10% of Next \$45,000 | \$4,500.00 |
| Less | <u>(45,000.00)</u> | | |
| Balance | \$85,651.84 | 5% of Next \$950,000 | \$4,282.59 |
| Less | <u>(950,000.00)</u> | | |
| Balance | \$0.00 | 3% of Balance | <u>\$0.00</u> |
| | | TOTAL COMMISSIONS | 10,032.59 |

EXHIBIT 2
CHAPTER 7 TRUSTEE UNREIMBURSED EXPENSES

| | CLERICAL | Amount |
|----------|---|--------|
| 11/27/12 | Prepare, file and serve application to employ realtor.. | 15.00 |
| 06/27/13 | Prepare, file and serve application to employ accountant.. | 15.00 |
| 11/15/13 | Reconcile bank statements monthly with Form 3. Make deposits. File - 1.20 each @ 30.00. | 36.00 |
| | SUBTOTAL: | 66.00 |
| | COPIES | |
| 11/27/12 | Copy application to employ realtor. - 2.00 each @ 0.25. | 0.50 |
| 05/07/13 | Copy applicatio to sell Mt. Pleasant property. - 47.00 each @ 0.25. | 11.75 |
| 06/21/13 | Copy application to pay funds to Debtors. - 43.00 each @ 0.25. | 10.75 |
| 06/27/13 | Copy application to employ accountant. - 2.00 each @ 0.25. | 0.50 |
| 08/14/13 | Copy application to pay attorney. - 46.00 each @ 0.25. | 11.50 |
| 10/07/13 | Copy application to pay accountant. - 42.00 each @ 0.25. | 10.50 |
| | SUBTOTAL: | 45.50 |
| | OTHER | |
| 11/15/13 | Lone Star Copy, copy and mail NFR. | 122.84 |
| | SUBTOTAL: | 122.84 |
| | PARALEGAL | |
| 05/07/13 | Prepare, file and serve applicatio to sell Mt. Pleasant property. - 2.55 each @ 85.00. | 216.75 |
| 06/21/13 | Prepare, file and serve application to pay funds to Debtors.. | 85.00 |
| 08/14/13 | Prepare, file and serve application to pay attorney. - 2.10 each @ 85.00. | 178.50 |
| 10/07/13 | Prepare, file and serve application to pay accountant. - 2.10 each @ 85.00. | 178.50 |
| 11/15/13 | Prepare and file TFR, NFR and TDR. | 85.00 |
| | SUBTOTAL: | 743.75 |
| | POSTAGE | |

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|----------|--|-------|
| 11/27/12 | Mail application to employ realtor.. | 0.45 |
| 05/07/13 | Mail applicatio to sell Mt. Pleasant property. - 47.00 each @ 0.46. | 21.62 |
| 06/21/13 | Mail application to pay funds to Debtors. - 43.00 each @ 0.46. | 19.78 |
| 06/27/13 | Mailapplication to employ accountant.. | 0.46 |
| 08/14/13 | Mail application to pay attorney. - 46.00 each @ 0.46. | 21.16 |
| 09/25/13 | Certified Mail with estate tax returns to IRS in Utah and PA. - 2.00 7.17 @ 38.27. | 76.54 |
| 10/07/13 | Mail application to pay accountant. - 42.00 each @ 0.46. | 19.32 |
| 11/15/13 | Mail bank statements to UST. | 1.07 |

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|-----------|--------|
| SUBTOTAL: | 160.40 |
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| TOTAL UNREIMBURSED EXPENSES: | \$1,138.49 |
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