

UNITED STATES BANKRUPTCY COURT
DISTRICT OF
DIVISION

In re: §
SMITH, CHARLES LESTER § Case No. 13-90168 BP9
Debtor(s) §

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 3rd Parties
Exemptions paid to the debtor
Other payments to the debtor

Leaving a balance on hand of¹ \$

The remaining funds are available for distribution.

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.

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 \$ _____². 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 \$ _____².

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/Stephen J. Zayler
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- EXHIBIT A
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Case No: 13-90168 BP9 Judge: BILL PARKER
Case Name: SMITH, CHARLES LESTER

Trustee Name: Stephen J. Zayler
Date Filed (f) or Converted (c): 06/18/13 (f)
341(a) Meeting Date: 07/12/13
Claims Bar Date: 12/11/13

For Period Ending: 10/30/14

| 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. REAL ESTATE- HOMESTEAD 1201 PR 8002 Lovelady, TX | 325,000.00 | 0.00 | | 0.00 | FA |
| 2. CASH ON HAND | 900.00 | 900.00 | | 0.00 | FA |
| 3. BANK ACCOUNT | 900.00 | 900.00 | | 0.00 | FA |
| 4. HOUSEHOLD GOODS | 3,200.00 | 700.00 | | 0.00 | FA |
| 5. WEARING APPAREL | 1,500.00 | 0.00 | | 0.00 | FA |
| 6. FIREARMS | 500.00 | 0.00 | | 0.00 | FA |
| 7. AUTOMOBILE 2010 F150 XL 4x4 Crew Cab - \$14,000.00 2001 F250 4x4 Club Cab Superduty V10 - \$1,000.00 | 21,000.00 | 0.00 | | 0.00 | FA |
| 8. ANIMALS Rescue Animals | 1,500.00 | 0.00 | | 0.00 | FA |
| 9. FARMING EQUIPMENT | 31,000.00 | 0.00 | | 0.00 | FA |
| 10. FARM SUPPLIES, CHEMICALS, FEED | 100.00 | 100.00 | | 0.00 | FA |
| 11. MINERAL RIGHTS (u) 84.5 net acres Mineral Interest in Houston County, Texas | 14,000.00 | 14,000.00 | | 15,000.00 | FA |
| 12. ANNUITIES (u) Common Wealth Life Ins Co. - \$11,750.00 Jackson Life Ins. Co. - #300,000.00 | 311,750.00 | 311,750.00 | | 875,966.19 | FA |
| 13. CASH ON HAND (u) From Debtor's safe deposit box | 0.00 | 20,000.00 | | 20,000.00 | FA |
| 14. BOOKS & PICTURES | 1,000.00 | 0.00 | | 0.00 | FA |
| 15. FUNDS ON DEPOSIT (u) Interplead/Garnished Funds | 0.00 | 103,604.39 | | 103,604.39 | FA |

**FORM 1- EXHIBIT A
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES**

Case No: 13-90168 BP9 Judge: BILL PARKER
Case Name: SMITH, CHARLES LESTER

Trustee Name: Stephen J. Zayler
Date Filed (f) or Converted (c): 06/18/13 (f)
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Claims Bar Date: 12/11/13

| 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 |

| | | | | | |
|-----------------------------------|--------------|--------------|--|----------------|--|
| TOTALS (Excluding Unknown Values) | \$712,350.00 | \$451,954.39 | | \$1,014,570.58 | Gross Value of Remaining Assets \$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:

Initial Projected Date of Final Report (TFR): 06/30/15 Current Projected Date of Final Report (TFR): 06/30/15

/s/ Stephen J. Zayler

Date: 10/30/14

STEPHEN J. ZAYLER

FORM 2 - EXHIBIT B

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 13-90168 BP9
Case Name: SMITH, CHARLES LESTER

Trustee Name: Stephen J. Zayler
Bank Name: FIRST NATIONAL BANK OF VINITA
Account Number / CD #: *****1781 Checking Account (Non-Interest Earn)

Taxpayer ID No: *****0400
For Period Ending: 10/30/14

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 | Deposits (\$) | Disbursements (\$) | Account / CD Balance (\$) |
| | | | BALANCE FORWARD | | | 0.00 |
| 03/17/14 | 13 | CHARLES LESTER SMITH | CASH IN SAFE DEPOSIT BOX | 20,000.00 | | 20,000.00 |
| 04/07/14 | | FIRST NATIONAL BANK OF VINITA | BANK SERVICE FEE | | 10.00 | 19,990.00 |
| 04/21/14 | 15 | UNITED STATES TREASURY | FUNDS ON DEPOSIT | 103,604.39 | | 123,594.39 |
| 05/01/14 | 010001 | JANET SMITH P.O. BOX 447 LOVELADY, TX 75851 | SETTLEMENT AGREEMENT | | 50,000.00 | 73,594.39 |
| 05/01/14 | 010002 | CHARLES LESTER SMITH P. O. BOX 447 LOVELADY, TX 75851 | EXCESS FUND BACK TO DEBTOR | | 2,407.00 | 71,187.39 |
| 05/07/14 | | FIRST NATIONAL BANK OF VINITA | BANK SERVICE FEE | | 52.47 | 71,134.92 |
| 05/14/14 | 12 | COMMONWEALTH ANNUITY AND LIFE INSURANCE COMPANY | SETTLEMENT PROCEEDS | 422,455.02 | | 493,589.94 |
| 05/27/14 | 11 | McCULLISS RESOURCES CO., INC. P. O. Box 3248 Littleton, CP 80161 | SALE OF MINERALS | 15,000.00 | | 508,589.94 |
| 06/06/14 | | FIRST NATIONAL BANK OF VINITA | BANK SERVICE FEE | | 425.54 | 508,164.40 |
| 06/09/14 | 12 | NATIONWIDE LIFE INSURANCE COMPANY ONE NATIONWIDE PLAZA COLUMBUS, OH 43215 | SETTLEMENT PROCEEDS | 110,244.76 | | 618,409.16 |
| 07/09/14 | | FIRST NATIONAL BANK OF VINITA | BANK SERVICE FEE | | 605.22 | 617,803.94 |
| 07/14/14 | 010003 | STEPHEN J. ZAYLER ATTORNEY AT LAW P. O. BOX 150743 LUFKIN, TX 75915 | ATTORNEY FEES & EXPENSES Per Order 07/11/2014 | | 52,152.40 | 565,651.54 |
| 08/07/14 | | FIRST NATIONAL BANK OF VINITA | BANK SERVICE FEE | | 625.67 | 565,025.87 |
| 08/25/14 | 12 | UNITED STATES TREASURY | SETTLEMENT PROCEEDS | 343,266.41 | | 908,292.28 |
| 09/08/14 | | FIRST NATIONAL BANK OF VINITA | BANK SERVICE FEE | | 682.27 | 907,610.01 |
| 09/09/14 | 010004 | USI Southwest Dallas | BOND PREMIUM | | 1,425.00 | 906,185.01 |

Page Subtotals 1,014,570.58 108,385.57

FORM 2 - EXHIBIT B
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 13-90168 BP9
 Case Name: SMITH, CHARLES LESTER

Trustee Name: Stephen J. Zayler
 Bank Name: FIRST NATIONAL BANK OF VINITA
 Account Number / CD #: *****1781 Checking Account (Non-Interest Earn)

Taxpayer ID No: *****0400
 For Period Ending: 10/30/14

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 | Deposits (\$) | Disbursements (\$) | Account / CD Balance (\$) |
| 09/30/14 | 010005 | P. O. Box 3716 Norfolk, VA 23514-3716 SANDRA D. SORRELL, CPA 5036 CHAMPIONS DRIVE LUFKIN, TX 75901' | Excess Bond ACCOUNTANT FEES Per Order 09/30/14 | | 525.00 | 905,660.01 |
| 10/07/14 | | FIRST NATIONAL BANK OF VINITA | BANK SERVICE FEE | | 931.96 | 904,728.05 |

| | | | |
|---|--------------------------------|---------------------|-----------------|
| COLUMN TOTALS | 1,014,570.58 | 109,842.53 | 904,728.05 |
| Less: Bank Transfers/CD's | 0.00 | 0.00 | |
| Subtotal | 1,014,570.58 | 109,842.53 | |
| Less: Payments to Debtors | | 2,407.00 | |
| Net | 1,014,570.58 | 107,435.53 | |
| TOTAL - ALL ACCOUNTS | NET DEPOSITS | NET DISBURSEMENTS | ACCOUNT BALANCE |
| Checking Account (Non-Interest Earn - *****1781 | 1,014,570.58 | 107,435.53 | 904,728.05 |
| | 1,014,570.58 | 107,435.53 | 904,728.05 |
| (Excludes Account Transfers) | (Excludes Payments To Debtors) | Total Funds On Hand | |

Page Subtotals 0.00 1,456.96

EXHIBIT C
ANALYSIS OF CLAIMS REGISTER

Date: October 30, 2014

Case Number: 13-90168
Debtor Name: SMITH, CHARLES LESTER

Claim Class Sequence

| Code # | Creditor Name & Address | Claim Class | Notes | Amount Allowed | Paid to Date | Claim Balance |
|----------------------|--|----------------|-------|----------------|--------------|----------------|
| 025 OT7 | JANET SMITH P.O. BOX 447 LOVELADY, TX 75851 | Administrative | | \$50,000.00 | \$50,000.00 | \$0.00 |
| 025 TAF | STEPHEN J. ZAYLER ATTORNEY AT LAW P. O. BOX 150743 LUFKIN, TX 75915 | Administrative | | \$52,152.40 | \$52,152.40 | \$0.00 |
| 025 BOND | USI Southwest Dallas P. O. Box 3716 Norfolk, VA 23514-3716 | Administrative | | \$1,425.00 | \$1,425.00 | \$0.00 |
| 025 AF | SANDRA D. SORRELL, CPA 5036 CHAMPIONS DRIVE LUFKIN, TX 75901' | Administrative | | \$525.00 | \$525.00 | \$0.00 |
| 025 CAF | UNITED STATES BANKRUPTCY COURT | Administrative | | \$469.00 | \$0.00 | \$469.00 |
| 000001A 050 SC | The Estate of Pearl F. Graef c/o Baggett, Gordon & Deison 307 N. San Jacinto Conroe, Texas 77301 | Secured | | \$128,531.78 | \$0.00 | \$128,531.78 |
| 999 EX | CHARLES LESTER SMITH P. O. BOX 447 LOVELADY, TX 75851 | Unsecured | | \$2,407.00 | \$2,407.00 | \$0.00 |
| 000001B 070 UC | Estate of Pearl Graeff c/o George D. Gordon & Deison 3007 N. San Jacinto Street Conroe, TX 77301 | Unsecured | | \$1,212,998.65 | \$0.00 | \$1,212,998.65 |
| Case Totals: | | | | \$1,448,508.83 | \$106,509.40 | \$1,341,999.43 |

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

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 13-90168 BP9

Case Name: SMITH, CHARLES LESTER

Trustee Name: Stephen J. Zayler

Balance on hand \$

Claims of secured creditors will be paid as follows:

| Claim No. | Claimant | Claim Asserted | Allowed Amount of Claim | Interim Payment to Date | Proposed Payment |
|-----------|--|----------------|-------------------------|-------------------------|------------------|
| 000001A | The Estate of Pearl F. Graef c/o Baggett, Gordon & Deison 307 N. San Jacinto Conroe, Texas 77301 | | | | |
| | | \$ | \$ | \$ | \$ |

Total to be paid to secured creditors \$ _____

Remaining Balance \$ _____

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: Stephen J. Zayler | \$ | \$ | \$ |
| Trustee Expenses: Stephen J. Zayler | \$ | \$ | \$ |
| Attorney for Trustee Fees: STEPHEN J. ZAYLER | \$ | \$ | \$ |
| Attorney for Trustee Expenses: STEPHEN J. ZAYLER | \$ | \$ | \$ |
| Accountant for Trustee Fees: SANDRA D. SORRELL, CPA | \$ | \$ | \$ |
| Charges: UNITED STATES BANKRUPTCY COURT | \$ | \$ | \$ |

| Reason/Applicant | Total Requested | Interim Payments to Date | Proposed Payment |
|-----------------------------|-----------------|--------------------------|------------------|
| Other: USI Southwest Dallas | \$ | \$ | \$ |
| Other: JANET SMITH | \$ | \$ | \$ |

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 |
|-----------|---|-------------------------|--------------------------|------------------|
| 000001B | Estate of Pearl Graeff c/o George D. Gordon Gordon & Deison 3007 N. San Jacinto Street Conroe, TX 77301 | \$ | \$ | \$ |

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