

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

In re:	§	
	§	
James M. Durbin, Jr.	§	Case No. 14-42675
Jennifer L. Durbin	§	
	§	
Debtors	§	

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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 7 of the United States Bankruptcy Code was filed on 12/31/2014 . 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 \$ 3,899.59

Funds were disbursed in the following amounts:

Payments made under an interim disbursement	0.00
Administrative expenses	537.48
Bank service fees	150.00
Other payments to creditors	0.00
Non-estate funds paid to 3 <sup>rd</sup> Parties	0.00
Exemptions paid to the debtor	0.00
Other payments to the debtor	0.00

Leaving a balance on hand of<sup>1</sup> \$ 3,212.11

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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.

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 07/06/2015 and the deadline for filing governmental claims was 10/05/2015 . 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 \$ 974.90 . 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 \$ 974.90 , for a total compensation of \$ 974.90 <sup>2</sup>. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$ 0.00 , and now requests reimbursement for expenses of \$ 391.08 , for total expenses of \$ 391.08 <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: 07/29/2016 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.

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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).



RE PROP # 16 -- Amended 2/4/2015 and added

Initial Projected Date of Final Report (TFR): 06/01/2016

Current Projected Date of Final Report (TFR): 07/01/2016

Exhibit A

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

Case No: 14-42675  
Case Name: James M. Durbin, Jr.  
Jennifer L. Durbin

Trustee Name: LINDA PAYNE, TRUSTEE  
Bank Name: First National Bank of Vinita  
Account Number/CD#: XXXXXX2441  
Checking Account

Exhibit B

Taxpayer ID No: XX-XXX8591  
For Period Ending: 07/29/2016

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 (\$)
03/16/15	15	James Durbin	Reimbursement of rents	1222-000	\$1,729.59		\$1,729.59
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	\$1,719.59
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		\$10.00	\$1,709.59
07/07/15		First National Bank of Vinita 102 W. Illinois Avenue Vinita, OK 74301	Bank service fee	2600-000		\$10.00	\$1,699.59
08/07/15		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	\$1,689.59
08/11/15	15	Eryn Crivelli	Rent	1222-000	\$2,170.00		\$3,859.59
09/08/15		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	\$3,849.59
10/07/15		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	\$3,839.59
11/06/15		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	\$3,829.59
12/07/15		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	\$3,819.59
01/08/16		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	\$3,809.59
02/05/16		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	\$3,799.59
03/07/16		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	\$3,789.59

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

Case No: 14-42675  
Case Name: James M. Durbin, Jr.  
Jennifer L. Durbin

Trustee Name: LINDA PAYNE, TRUSTEE  
Bank Name: First National Bank of Vinita  
Account Number/CD#: XXXXXX2441  
Checking Account

Exhibit B

Taxpayer ID No: XX-XXX8591  
For Period Ending: 07/29/2016

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 (\$)
04/07/16		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	\$3,779.59
05/02/16	101	PAYNE, BILL 12770 Coit Road Suite 541 Banner Place Dallas, TX 75251	Court approved atty fees			\$537.48	\$3,242.11
		PAYNE, BILL	(\$535.00)	3110-000			
		PAYNE, BILL	(\$2.48)	3120-000			
05/06/16		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	\$3,232.11
06/07/16		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	\$3,222.11
07/08/16		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	\$3,212.11

COLUMN TOTALS	\$3,899.59	\$687.48
Less: Bank Transfers/CD's	\$0.00	\$0.00
Subtotal	<u>\$3,899.59</u>	<u>\$687.48</u>
Less: Payments to Debtors	\$0.00	\$0.00
Net	<u>\$3,899.59</u>	<u>\$687.48</u>

Exhibit B

TOTAL OF ALL ACCOUNTS

	NET DEPOSITS	DISBURSEMENTS	NET BALANCE
XXXXXX2441 - Checking Account	\$3,899.59	\$687.48	\$3,212.11
	<u>\$3,899.59</u>	<u>\$687.48</u>	<u>\$3,212.11</u>
	(Excludes account transfers)	(Excludes payments to debtors)	Total Funds on Hand
Total Allocation Receipts:	\$0.00		
Total Net Deposits:	\$3,899.59		
Total Gross Receipts:	\$3,899.59		

Exhibit C  
ANALYSIS OF CLAIMS REGISTER

Case Number: 14-42675

Date: July 29, 2016

Debtor Name: James M. Durbin, Jr.

Claims Bar Date: 7/6/2015

Code #	Creditor Name And Address	Claim Class	Notes	Scheduled	Claimed	Allowed
100 2100	LINDA PAYNE 12770 Coit Road Dallas, TX 75251	Administrative		\$0.00	\$974.90	\$974.90
100 2200	LINDA PAYNE 12770 Coit Road Dallas, TX 75251	Administrative		\$0.00	\$391.08	\$391.08
100 3110	BILL PAYNE 12770 Coit Road Suite 541 Banner Place Dallas, TX 75251	Administrative		\$0.00	\$535.00	\$535.00
100 3120	BILL PAYNE 12770 Coit Road Suite 541 Banner Place Dallas, TX 75251	Administrative		\$0.00	\$2.48	\$2.48
1 300 7100	DISCOVER BANK Discover Products Inc. PO Box 3025 New Albany, OH 43054-3025	Unsecured	unsecured - okay to pay	\$0.00	\$2,604.12	\$2,604.12
3 300 7100	Mohela / Dept Of Education 633 Spirit Drive Chesterfield, Mo 63005	Unsecured	Student loan filed as unsecured - okay to pay	\$0.00	\$419.45	\$419.45
4 300 7100	INTERNAL REVENUE SERVICE PO Box 7346 Philadelphia, PA 19101-7346	Unsecured	Originally filed for \$7,955 on 4/16/15; amended to zero on 5/16/15 - no objection needed	\$0.00	\$0.00	\$0.00
5 300 7100	AMERICAN EXPRESS BANK, FSB c o Becket and Lee LLP POB 3001 Malvern, PA 19355-0701	Unsecured	unsecured - okay to pay	\$0.00	\$3,699.67	\$3,699.67
6 300 7100	Pyod, Llc Its Successors And Assigns As Assignee Of Citibank, N.A. Resurgent Capital Services Po Box 19008 Greenville, Sc 29602	Unsecured	unsecured - okay to pay	\$0.00	\$8,476.64	\$8,476.64

Exhibit C  
ANALYSIS OF CLAIMS REGISTER

Case Number: 14-42675

Date: July 29, 2016

Debtor Name: James M. Durbin, Jr.

Claims Bar Date: 7/6/2015

Code #	Creditor Name And Address	Claim Class	Notes	Scheduled	Claimed	Allowed
7 300 7100	Pyod, Llc Its Successors And Assigns As Assignee Of Citibank, N.A. Resurgent Capital Services Po Box 19008 Greenville, Sc 29602	Unsecured	unsecured - okay to pay	\$0.00	\$20,499.74	\$20,499.74
8 300 7100	Wells Fargo Bank, N.A. Business Direct Division P.O. Box 29482 Phoenix, Az 85038-8650	Unsecured	unsecured - okay to pay	\$0.00	\$29,921.53	\$29,921.53
9 300 7100	Cavalry Spv I, Llc C/O Bass & Associates, P.C. 3936 E. Ft. Lowell Suite 200 Tucson, Az 85712	Unsecured	unsecured - okay to pay	\$0.00	\$3,921.70	\$3,921.70
10 300 7100	Cavalry Spv I, Llc C/O Bass & Associates, P.C. 3936 E. Ft. Lowell Suite 200 Tucson, Az 85712	Unsecured	unsecured - okay to pay	\$0.00	\$183.14	\$183.14
11 300 7100	AMERICAN EXPRESS CENTURION BANK c o Becket and Lee LLP POB 3001 Malvern, PA 19355-0701	Unsecured	unsecured - okay to pay	\$0.00	\$2,104.23	\$2,104.23
Case Totals				\$0.00	\$73,733.68	\$73,733.68

Code#: Trustee's Claim Number, Priority Code, Claim Type (UTC)



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 \$ 71,830.22 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 2.6 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
1	DISCOVER BANK	\$ 2,604.12	\$ 0.00	\$ 66.93
3	Mohela / Dept Of Education	\$ 419.45	\$ 0.00	\$ 10.78
4	INTERNAL REVENUE SERVICE	\$ 0.00	\$ 0.00	\$ 0.00
5	AMERICAN EXPRESS BANK, FSB	\$ 3,699.67	\$ 0.00	\$ 95.09
6	Pyod, Llc Its Successors And Assigns As Assignee	\$ 8,476.64	\$ 0.00	\$ 217.86
7	Pyod, Llc Its Successors And Assigns As Assignee	\$ 20,499.74	\$ 0.00	\$ 526.87
8	Wells Fargo Bank, N.A.	\$ 29,921.53	\$ 0.00	\$ 769.02
9	Cavalry Spv I, Llc	\$ 3,921.70	\$ 0.00	\$ 100.79
10	Cavalry Spv I, Llc	\$ 183.14	\$ 0.00	\$ 4.71
11	AMERICAN EXPRESS CENTURION BANK	\$ 2,104.23	\$ 0.00	\$ 54.08

Total to be paid to timely general unsecured creditors \$ 1,846.13

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