

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

In re:	§	
	§	
MILES, DAVID CLYDE	§	Case No. 14-90213
	§	
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 7 of the United States Bankruptcy Code was filed on 08/04/2014 . The undersigned trustee was appointed on 08/20/2014 .
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 \$ 11,804.00

Funds were disbursed in the following amounts:

Payments made under an interim disbursement	0.00
Administrative expenses	11,189.74
Bank service fees	80.61
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> \$ 533.65

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 12/26/2014 and the deadline for filing governmental claims was 03/26/2015 . 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 \$ 1,930.40 . 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 \$ 1,930.40 , for a total compensation of \$ 1,930.40 <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 \$ 442.99 , for total expenses of \$ 442.99 <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: 06/30/2015 By: /s/Michael J. McNally  
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: 14-90213 BP Judge: BILL PARKER  
Case Name: MILES, DAVID CLYDE

Trustee Name: Michael J. McNally  
Date Filed (f) or Converted (c): 08/04/14 (f)  
341(a) Meeting Date: 09/19/14  
Claims Bar Date: 12/26/14

For Period Ending: 06/30/15

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. 600 HARMONY HILL DRIVE LESS THAN 1 ACRE, ANGELINA Per Order (#68) entered 12/19/14	77,600.00	7,290.00	OA	7,290.00	FA
2. 705 HARMONY HILL DR, LUFKIN, TX OFFICE AND PARKING Per Order (#49) entered 11/05/14	68,000.00	0.00	OA	0.00	FA
3. 504 HARMONY HILL DR, LUFKIN, TX LESS THAN 1 ACRE, Per Order (#68) entered 12/19/14	88,000.00	2,200.00	OA	2,200.00	FA
4. 401 & 405 BROWN STREET, LUFKIN, TX LIEN EXTENDS TO	130,000.00	0.00		0.00	FA
5. 802 AND 906 RICKS RD, LUFKIN, TX 2 HOUSES [906 IS Per Order (#49) entered 11/05/14	138,000.00	2,250.00	OA	2,250.00	FA
6. AUTHER L SAYERS ADDITION, LUFKIN, TEXAS BLOCK 1, L	16,000.00	0.00		0.00	FA
7. 407 BROWN RD, LUFKIN, TX UNDEVELOPED LOT, 1 ACRE, Per Order (#49) entered 11/05/14	5,630.00	0.00	OA	0.00	FA
8. I HAVE \$15	15.00	15.00		15.00	FA
9. I HAVE A CHECKING ACCT AT FIRST BANK AND TRUST [JO	49.00	49.00		49.00	FA
10. MILES INTEREST LLC AT FIRST BANK AND TRUST [LLC OW	0.00	0.00		0.00	FA
11. BED \$200, ENTERTAINMENT CNTR \$150; STEREO \$50, REC	1,400.00	0.00	OA	0.00	FA
12. CLOTHING/SHOES/COATS	525.00	0.00	OA	0.00	FA
13. 22 CAL RIFE	250.00	0.00	OA	0.00	FA
14. MY ESTRANGED WIFE AND I HAVE 2 LIFE INSURANCE POLI	12,000.00	0.00	OA	0.00	FA
15. I HAVE TWO (2) LIFE INSURANCE POLICIES W/NY LIFE.	15,000.00	0.00	OA	0.00	FA
16. CARD MILES ENTERPRISES LLC -26.5% CARD MILES LTD -	0.00	0.00		0.00	FA
17. CARD MILES ENTERPRISES LLC OWES MYSELF AND MY ESTR	0.00	0.00		0.00	FA
18. CARD MILES LTD OWES MYSELF AND MY ESTRANGED WIFE \$	0.00	0.00		0.00	FA
19. MY OTHER BUSINESS ENTITIES, CONSISTING OF \$THE CAR	0.00	0.00		0.00	FA
20. 2013 HONDA RIDGELINE P/UP	30,000.00	0.00	OA	0.00	FA
21. MY WIFE HAS A 2014 NISSAN IN HER NAME; BUT IT IS F	0.00	0.00	OA	0.00	FA

**FORM 1  
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ASSET CASES**

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Trustee Name: Michael J. McNally  
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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
22. INFORMATIONAL PURPOSES: I AM ONE OF THE BENEFIC	0.00	0.00		0.00	FA

TOTALS (Excluding Unknown Values)	\$582,469.00	\$11,804.00		\$11,804.00	Gross Value of Remaining Assets \$0.00 (Total Dollar Amount in Column 6)
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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): 12/01/15      Current Projected Date of Final Report (TFR): 08/15/15

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 14-90213 -BP  
Case Name: MILES, DAVID CLYDE

Trustee Name: Michael J. McNally  
Bank Name: FIRST NATIONAL BANK OF VINITA  
Account Number / CD #: \*\*\*\*\*1528 Checking Account (Non-Interest Earn)

Taxpayer ID No: \*\*\*\*\*9715  
For Period Ending: 06/30/15

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 Trans. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
			BALANCE FORWARD				0.00
C 09/29/14		DAVID CLYDE MILES 503 HARMONY HILL DR LUFKIN, TX 75901	Rent -600 Harm,505 Harm,906 Ricks	1122-000	5,115.00		5,115.00
09/29/14	1	Asset Sales Memo:	600 HARMONY HILL DRIVE LESS THAN 1 ACRE, ANGELINA \$3,215.00				5,115.00
09/29/14	3	Asset Sales Memo:	504 HARMONY HILL DR, LUFKIN, TX LESS THAN 1 ACRE, \$400.00				5,115.00
09/29/14	5	Asset Sales Memo:	802 AND 906 RICKS RD, LUFKIN, TX 2 HOUSES [906 IS \$1,500.00				5,115.00
C 10/08/14		Robert Sanchez 504 Harmony Hill Dr Lufkin, Tx 75901	Rent - 504 Harmony -A-3	1122-000	705.00		5,820.00
10/08/14	3	Asset Sales Memo:	504 HARMONY HILL DR, LUFKIN, TX LESS THAN 1 ACRE, \$705.00				5,820.00
C 10/08/14		Meta Mettlen 600 Harmony Hill Dr Lufkin, Tx 75904	Rent - 600 A Harmony Hill	1122-000	875.00		6,695.00
10/08/14	1	Asset Sales Memo:	600 HARMONY HILL DRIVE LESS THAN 1 ACRE, ANGELINA \$875.00				6,695.00
C 10/08/14	030001	City of Lufkin P O Box 190 Lufkin, Tx 75902	Water Bill - Acct 34607-8214 Miles - 600A - 600B Harmony Hill Dr 9/19/14	2420-000		98.29	6,596.71
C 10/13/14	030002	Trustee Insurance Agency 2813 West Main Kalamazoo, MI 49006	Insurance -10/09/14-01/08/15	2420-000		930.00	5,666.71

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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 Trans. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
C 10/16/14 10/16/14	1	Michael Fry Asset Sales Memo:	Rent 600 B Harmony Hill Dr 600 HARMONY HILL DRIVE LESS THAN 1 ACRE, ANGELINA \$700.00	1122-000	700.00		6,366.71 6,366.71
C 10/16/14 10/16/14	5	Janet Delanghe 906 Ricks Rd Lufkin, Tx Asset Sales Memo:	A-5 906 Ricks Rd, Lufkin  802 AND 906 RICKS RD, LUFKIN, TX 2 HOUSES [906 IS \$750.00	1122-000	750.00		7,116.71 7,116.71
C 10/20/14 10/20/14	3	Tria Sanchez 504 Harmony Hills Dr Lufkin, Tx 75901 Asset Sales Memo:	Rent - A-3 504 Harmony  504 HARMONY HILL DR, LUFKIN, TX LESS THAN 1 ACRE, \$1,000.00	1122-000	1,000.00		8,116.71 8,116.71
C 10/20/14 10/20/14	3	Tria Sanchez 504 Harmondy Hill Dr. Lufkin, Tx 75901 Asset Sales Memo:	Rent -A-3 Harmony Hill  504 HARMONY HILL DR, LUFKIN, TX LESS THAN 1 ACRE, \$45.00	1122-000	45.00		8,161.71 8,161.71
C 11/07/14		FIRST NATIONAL BANK OF VINITA	BANK SERVICE FEE	2600-000		10.00	8,151.71
C 11/12/14 11/12/14	1	Meta Mettlen 600 Harmony Hill Dr A Lukin, Tx 75901 Asset Sales Memo:	Rent - 600 Harmony Hill Dr A  600 HARMONY HILL DRIVE LESS THAN 1 ACRE, ANGELINA \$875.00	1122-000	875.00		9,026.71 9,026.71

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Taxpayer ID No: \*\*\*\*\*9715  
For Period Ending: 06/30/15

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 Trans. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
C 11/12/14	030003	City of Lufkin P O Box 190 Lufkin, Tx 75902	Acct 34607-8214 Water Bill Ser Add: 600 Harmony Hill Dr.	2420-000		98.29	8,928.42
C 11/20/14		AWC Family Partnership, LTD P O Box 152708 Lufkin, Tx 75916	Option Fee -504 Harmony	1110-000	50.00		8,978.42
11/20/14	3	Asset Sales Memo:	504 HARMONY HILL DR, LUFKIN, TX LESS THAN 1 ACRE, \$50.00				8,978.42
C 11/24/14		AWC Family Partnership, LTD P O Box 152708 Lufkin, Tx 75915	Option Fee-600 Harmony Hill	1110-000	50.00		9,028.42
11/24/14	1	Asset Sales Memo:	600 HARMONY HILL DRIVE LESS THAN 1 ACRE, ANGELINA \$50.00				9,028.42
C 11/24/14		Michael H Fox 600 Harmony Hill Dr. Lufkin, Tx 75901	Rent - 600B Harmony Hill	1122-000	700.00		9,728.42
11/24/14	1	Asset Sales Memo:	600 HARMONY HILL DRIVE LESS THAN 1 ACRE, ANGELINA \$700.00				9,728.42
C 12/05/14		FIRST NATIONAL BANK OF VINITA	BANK SERVICE FEE	2600-000		10.00	9,718.42
C 12/08/14		Meta Mettlen 600 Harmony Hill Dr A Lufkin, Tx 75901	Rent- 600 Harmony Hill -A	1122-000	875.00		10,593.42
12/08/14	1	Asset Sales Memo:	600 HARMONY HILL DRIVE LESS THAN 1 ACRE, ANGELINA \$875.00				10,593.42
C 12/08/14	030004	City of Lufkin	Water Bill -600 Harmony Hill Dr	2420-000		98.29	10,495.13

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Taxpayer ID No: \*\*\*\*\*9715  
For Period Ending: 06/30/15

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 Trans. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
		P O Box 190 Lufkin, Tx 75902	Acct 34607-8214				
C 12/16/14	030005	Guardtech Pest Management 3701 Ellen Trout Dr, Suite #1 Lufkin, Tx 75904	Pest Treatment-Inv 4839 Add: 504 Harmony Hill, Lufkin, Tx 75901	2420-000		1,120.39	9,374.74
C 01/08/15		FIRST NATIONAL BANK OF VINITA	BANK SERVICE FEE	2600-000		10.61	9,364.13
C 02/06/15		FIRST NATIONAL BANK OF VINITA	BANK SERVICE FEE	2600-000		10.00	9,354.13
C 03/06/15		FIRST NATIONAL BANK OF VINITA	BANK SERVICE FEE	2600-000		10.00	9,344.13
C 03/16/15		DAVID CLYDE MILES 503 HARMONY HILL DR LUFKIN, TX 75901	Cash, Bk Acct	1129-000	64.00		9,408.13
03/16/15	8	Asset Sales Memo:	I HAVE \$15 \$15.00				9,408.13
03/16/15	9	Asset Sales Memo:	I HAVE A CHECKING ACCT AT FIRST BANK AND TRUST [JO \$49.00				9,408.13
C 04/07/15		FIRST NATIONAL BANK OF VINITA	BANK SERVICE FEE	2600-000		10.00	9,398.13
C 05/07/15		FIRST NATIONAL BANK OF VINITA	BANK SERVICE FEE	2600-000		10.00	9,388.13
C 06/05/15		FIRST NATIONAL BANK OF VINITA	BANK SERVICE FEE	2600-000		10.00	9,378.13
C 06/15/15	030006	Gollob Morgan Peddy PC 1001 ESE Loope 323, Suite 300 Tyler, Tx 75701	Prep. 2014 1041 Income Tax Return	3410-000		420.00	8,958.13
C 06/23/15	030007	McNally & Patrick, L.L.P.	Attorney Fees for Trustee Firm	3110-000		7,522.50	1,435.63

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Taxpayer ID No: \*\*\*\*\*9715  
For Period Ending: 06/30/15

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 Trans. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
		100 E Ferguson, Suite 400 Tyler, Tx 75702					
C 06/23/15	030008	McNally & Patrick, L.L.P. 100 E Ferguson, Suite 400 Tyler, Tx 75702	Attorney Exp for Trustee Firm	3120-000		901.98	533.65

\* Reversed  
t Funds Transfer  
C Bank Cleared

Account *****1528	Balance Forward	0.00		
	29 Deposits	11,804.00	8 Checks	11,189.74
	0 Interest Postings	0.00	8 Adjustments Out	80.61
			0 Transfers Out	0.00
	Subtotal	\$ 11,804.00		
	0 Adjustments In	0.00	Total	\$ 11,270.35
	0 Transfers In	0.00		
	Total	\$ 11,804.00		



## TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 14-90213

Case Name: MILES, DAVID CLYDE

Trustee Name: Michael J. McNally

Balance on hand \$ 533.65

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: Michael J. McNally	\$ 1,930.40	\$ 0.00	\$ 434.04
Trustee Expenses: Michael J. McNally	\$ 442.99	\$ 0.00	\$ 99.61
Attorney for Trustee Fees: McNally & Patrick, L.L.P.	\$ 7,522.50	\$ 7,522.50	\$ 0.00
Accountant for Trustee Fees: Gollob Morgan Peddy PC	\$ 420.00	\$ 420.00	\$ 0.00
Other: City of Lufkin	\$ 98.29	\$ 98.29	\$ 0.00
Other: Trustee Insurance Agency	\$ 930.00	\$ 930.00	\$ 0.00
Other: City of Lufkin	\$ 98.29	\$ 98.29	\$ 0.00
Other: City of Lufkin	\$ 98.29	\$ 98.29	\$ 0.00
Other: Guardtech Pest Management	\$ 1,120.39	\$ 1,120.39	\$ 0.00
Other: McNally & Patrick, L.L.P.	\$ 901.98	\$ 901.98	\$ 0.00

Total to be paid for chapter 7 administrative expenses \$ 533.65

Remaining Balance \$ 0.00

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 \$ 0.00 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 \$ 0.00 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 0.0 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

NONE

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