

**United States Bankruptcy Court
Western District of North Carolina, Wilkesboro Division**

IN RE

Hammer, Frederick P.
D/B/A Freddie P.'s Firewood
180-52-0015

& Hammer, Brenda B
Brenda B Roark
239-92-6284

7701 Old Highway 16
Crumpler, NC 28617

7701 Old Highway 16
Crumpler, NC 28617

Case No. _____

DEBTOR(S)

Chapter 13

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. \329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept \$ 1,600.00
Prior to the filing of this statement I have received \$ 500.00
Balance Due \$ 1,100.00

2. The source of the compensation paid to me was: Debtor Other (specify):

3. The source of compensation to be paid to me is: Debtor Other (specify):

4. I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.
 I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
d. [Other provisions as needed]
\$1100 base fee balance to be paid thru plan

6. By agreement with the debtor(s), the above disclosed fee does not include the following services:
non base fee services

CERTIFICATION	
I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.	
_____	_____
Date	Signature of Attorney
	<u>Gregory Luck Attorney At Law</u>
	Name of Law Firm

UNITED STATES BANKRUPTCY COURT

NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)

The purpose of this notice is to acquaint you with the four chapters of the federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Neither the judge nor the court's employees may provide you with legal advice.

Chapter 7: Liquidation (\$155 filing fee plus \$45 administrative fee)*

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
2. Under Chapter 7 a trustee takes possession of all your property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
3. The purpose of filing a Chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, and the purpose for which you filed the bankruptcy petition will be defeated.
4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.
5. Under certain circumstances you may keep property that you have purchased subject to a valid security interest. Your attorney can explain the options that are available to you.

Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$155 filing fee plus \$30 administrative fee)*

- 1. Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are only eligible for Chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
2. Under Chapter 13 you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. Usually the period allowed by the court to repay your debts is three years, but not more than five years. Your plan must be approved by the court before it can take effect.
3. Under Chapter 13, unlike Chapter 7, you may keep all your property, both exempt and non-exempt, as long as you continue to make payments under the plan.
4. After completion of payments under your plan, your debts are discharged except alimony and support payments, student loans, certain debts including criminal fines and restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long term secured obligations.

Chapter 11: Reorganization (\$830 filing fee)*

Chapter 11 is designed primarily for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision for an individual to file a Chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer (\$230 filing fee)*

Chapter 12 is designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to a Chapter 13. The eligibility requirements are restrictive, limiting its use to those who income arises primarily from a family owned farm.

* Fees are subject to change and should be confirmed before filing.

ACKNOWLEDGEMENT

I, the debtor, affirm that I have read this notice.

Case Number

Date Hammer, Frederick P. Debtor Hammer, Brenda B Joint Debtor, if any

INSTRUCTIONS: If the debtor is an individual, a copy of this notice personally signed by the debtor must accompany any bankruptcy petition filed with the Clerk. If filed by joint debtors, the notice must be personally signed by each. Failure to comply may result in the petition not being accepted for filing.

FORM B1 United States Bankruptcy Court Western District of North Carolina, Wilkesboro Division		VOLUNTARY PETITION
Name of Debtor (If individual, enter Last, First, Middle): Hammer, Frederick P.		Name of Joint Debtor (Spouse)(Last, First, Middle): Hammer, Brenda B
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names): D/B/A Freddie P.'s Firewood		All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names): Brenda B Roark
Soc.Sec./Tax I.D. No. (If more than one, state all): 180-52-0015		Soc.Sec./Tax I.D. No. (If more than one, state all): 239-92-6284
Street Address of Debtor (No. & Street, City, State & Zip Code): 7701 Old Highway 16 Crumpler, NC 28617		Street Address of Joint Debtor (No. & Street, City, State & Zip Code): 7701 Old Highway 16 Crumpler, NC 28617
County of Residence or of the Principal Place of Business: Ashe		County of Residence or of the Principal Place of Business: Ashe
Mailing Address of Debtor (if different from street address):		Mailing Address of Joint Debtor (if different from street address):
Location of Principal Assets of Business Debtor (if different from street address above):		
Information Regarding the Debtor (Check the Applicable Boxes)		
Venue (Check any applicable box) <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.		
Type of Debtor (Check any applicable box) <input checked="" type="checkbox"/> Individual(s) <input type="checkbox"/> Railroad <input type="checkbox"/> Corporation <input type="checkbox"/> Stockbroker <input type="checkbox"/> Partnership <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Other _____		Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 <input checked="" type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Sec. 304 - Case Ancillary to Foreign Proceeding
Nature of Debts (Check one box) <input checked="" type="checkbox"/> Consumer/Non-Business <input type="checkbox"/> Business		Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments. (Applicable to individuals only.) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3.
Chapter 11 Small Business (Check all boxes that apply) <input type="checkbox"/> Debtor is a small business as defined in 11 USC \101. <input type="checkbox"/> Debtor is and elects to be considered a small business under 11 USC \1121(e)(Optional)		THIS SPACE IS FOR COURT USE ONLY
Statistical/Administrative Information (Estimates Only) <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		
Estimated Number of Creditors 1-15 16-49 50-99 100-199 200-999 1000-over <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Estimated Assets \$0 to \$50,000 \$50,001 to \$100,000 \$100,001 to \$500,000 \$500,001 to \$1 million \$1,000,001 to \$10 million \$10,000,001 to \$50 million \$50,000,001 to \$100 million More than \$100 million <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Estimated Debts \$0 to \$50,000 \$50,001 to \$100,000 \$100,001 to \$500,000 \$500,001 to \$1 million \$1,000,001 to \$10 million \$10,000,001 to \$50 million \$50,000,001 to \$100 million More than \$100 million <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		

Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s): Hammer, Frederick P. & Bre

Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attached additional sheet)

Location

Where Filed: Western District of NC

Case Number:

02-52154

Date:

12-23-02

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attached additional sheet)

Name of Debtor:

Laramie S Roark

Case Number:

03-50262

Date:

2-11-03

Relationship:

Son & Codebtor

District:

Western District

Judge:

Whitley

Signatures

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.
[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Debtor Hammer, Frederick P.

Signature of Joint Debtor Hammer, Brenda B

Telephone Number (if not represented by attorney)

Date

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of Attorney

Signature of Attorney for Debtor(s)

Gregory Luck #10687
Printed Name of Attorney for Debtor(s)

Gregory Luck Attorney At Law
Firm Name

101 West Street
Address

Wilkesboro NC 28697

(336) 667-8811
Telephone Number

Date

Signature of Non-Attorney Petition Preparer

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. \110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security Number

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document: If more than one person prepared this document, attach additional signed sheets conforming to the appropriate official form for each person.

Signature of Bankruptcy Petition Preparer

Date

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

Exhibit A is attached and made a part of this petition.

Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

Signature of Attorney for Debtor(s) Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy may result in fines or imprisonment or both. 11 U.S.C. \110; 18 U.S.C. \156.

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Case No. _____

DEBTOR(S)

Chapter 13

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities.

AMOUNTS SCHEDULED

	NAME OF SCHEDULE	ATTACHED (YES/NO)	NUMBER OF SHEETS	ASSETS	LIABILITIES	OTHER
A	Real Property	Yes	1	28,070.00		
B	Personal Property	Yes	4	27,847.00		
C	Property Claimed as Exempt	Yes	1			
D	Creditors Holding Secured Claims	Yes	2		170,650.00	
E	Creditors Holding Unsecured Priority Claims	Yes	2		810.00	
F	Creditors Holding Unsecured Nonpriority Claims	Yes	1		0.00	
G	Executory Contracts and Unexpired Leases	Yes	1			
H	Codebtors	Yes	1			
I	Current Income of Individual Debtor(s)	Yes	1			2,650.00
J	Current Expenditures of Individual Debtor(s)	Yes	2			2,040.00
Total Number of Sheets of All Schedules			16			
				Total Assets	55,917.00	
				Total Liabilities	171,460.00	

Debtor(s)

SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H" for Husband, "W" for Wife, "J" for Joint, or "C" for Community in the column labeled "HWJC." If the debtor holds no interest in real property, write "None" under "Description and Location of Property".

Do not include interests in executory contracts and unexpired leases on the schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a security interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim".

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
14.36 acres, vacant land, female debtor's sole name, Ashe Co NC, adjoins residential land of son, Laramie Roark, where debtors herein also live	female debtor's name	W	28,070.00	147,000.00

TOTAL 28,070.00

(Report also on Summary of Schedules)

Debtor(s)

SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "X" in the appropriate position in the column labeled "None". If additional space is needed in any category, attached a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H" for Husband, "W" for Wife, "J" for Joint, or "C" for Community in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions only in Schedule C - Property Claimed as Exempt.

Do not include interests in executory contracts and unexpired leases on the schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property".

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand.	X			
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Ashe Federal Bank - savings account	J	15.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, include audio, video, and computer equipment.		microwave, \$25; stove, \$25; refrigerator, \$75; freezer, \$25; washing machine & dryer, \$100; living room furn, \$175; dining room furn, \$25; bedroom furn, \$200; tvs, \$150; vcrs, \$25; radio, \$25; lawn mower, \$25; weed eater, \$25; satellite dish, \$50	J	975.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.		clothing	J	150.00
7. Furs and jewelry.		jewelry	J	200.00

SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
8. Firearms and sports, photographic, and other hobby equipment.	X			
9. Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10. Annuities. Itemize and name each issue.	X			
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.	X			
12. Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
13. Interests in partnerships or joint ventures. Itemize.	X			
14. Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
15. Accounts receivable.	X			
16. Alimony, maintenance, support, and property settlements in which the debtor is or may be entitled. Give particulars.	X			
17. Other liquidated debts owing debtor including tax refunds. Give particulars.	X			

SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
18. Equitable or future interest, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	X			
19. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
21. Patents, copyrights, and other intellectual property. Give particulars.	X			
22. Licenses, franchises, and other general intangibles. Give particulars.	X			
23. Automobiles, trucks, trailers, and other vehicles and accessories.		2002 GMC Sierra 3500 pu Ch & Ext Cab	H	23,482.00
24. Boats, motors, and accessories.	X			
25. Aircraft and accessories.	X			
26. Office equipment, furnishings, and supplies.	X			

Debtor(s)

SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	H W J C	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
27. Machinery, fixtures, equipment, and supplies used in business.		dump bed attached to 2002 GMC Sierra, no lien on the bed log splitter, \$250; chainsaws, \$150; drills, saws, ladders, hand tools, \$125	J J	2,500.00 525.00
28. Inventory.	X			
29. Animals.	X			
30. Crops - growing or harvested. Give particulars.	X			
31. Farming equipment and imple- ments.	X			
32. Farm supplies, chemicals, and feed.	X			
33. Other personal property of any kind not already listed, such as season tickets. Itemize.	X			
TOTAL				27,847.00

0 continuation sheets attached

(Include amounts from any
continuation sheets attached.
Report total also on Summary
of Schedules.)

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemptions to which debtor is entitled under:

(Check one box)

 11 U.S.C. \ 522(b)(1): Exemptions provided in 11 U.S.C. \ 522(d). Note: These exemptions are available only in certain states. 11 U.S.C. \ 522(b)(2): Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for 180 immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT MARKET VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTIONS
<u>Checking, savings or other financial accounts</u>			
Ashe Federal Bank - savings account	NCGS 1C-1601 (a) (2)	15.00	15.00
<u>Household goods and furnishings</u>			
microwave, \$25; stove, \$25; refrigera	GSNC 1C-1601(a)(4)	975.00	975.00
<u>Wearing apparel</u>			
clothing	GSNC 1C-1601(a)(4)	150.00	150.00
<u>Furs and jewelry</u>			
jewelry	GSNC 1C-1601(a)(4)	200.00	200.00
<u>Automobiles, trucks, trailers, and other vehicles</u>			
2002 GMC Sierra 3500 pu Ch & Ext Cab	NCGS1C-1601(a)(2)(a)(3)	2,348.00	23,482.00
<u>Machinery, fixtures, equipment used in business</u>			
dump bed attached to 2002 GMC Sierra,	NCGS 1C-1601(a)(5)(a)(2)	2,500.00	2,500.00
log splitter, \$250; chainsaws, \$150;dr	GSNC 1C-1601(a)(5)	525.00	525.00

Debtor(s)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and account number, if any, of all entities holding claims secured by property of the debtor as of the date of filing of the petition. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C", respectively, in the column labeled "HWJC."

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED NATURE OF LIEN AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N T	U N L I Q U I D E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL
							UNSECURED PORTION, IF ANY
ACCOUNT NO.023-9000-21965 GMAC Payment Processing Center PO Box 53014 Charlotte, NC 28253		H	2002 GMC Sierra 3500 pu, 4wd, Ch & Ext Cab, VIN C39; 27000 miles; 10.9%pay \$433.85 for 60 months Value \$ 23,482.00				20,000.00
ACCOUNT NO. (Assignee) GMAC PO Box 2525 Hudson, OH 44236 0025			Assignee or other notification for: GMAC Value \$				
ACCOUNT NO.0005859962 Option One Mortgage PO Box 92103 Los Angeles, CA 90009-2103	X	H	mortgage on 3 tracts owned by female debtor, totalling about 14.36 acres and on one tract owned by her son, Value \$ 28,070.00				147,000.00 118,930.00
ACCOUNT NO. 			Laramie Roark, on which is located the residence in which debtors dwell; 14.36 acres owned by female debtor are vacant Value \$				
Subtotal (Total of this page)							167,000.00
(Complete only on last sheet of Schedule D) TOTAL							

(Report total also on Summary of Schedules)

1 Continuation Sheets attached

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS
(Continuation Sheet)**

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED NATURE OF LIEN AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL
							UNSECURED PORTION, IF ANY
ACCOUNT NO.			and tax value is \$28070;debtor pay direct				
			Value \$				
ACCOUNT NO. (Assignee) Option One Mortgage PO Box 57041 Irvine, CA 92619-7041			Assignee or other notification for: Option One Mortgage				
			Value \$				
ACCOUNT NO.0005859962 Option One Mortgage PO Box 57041 Irvine, CA 92619-7041	X	J	mortgage arrearage; 8.8%; pay \$75.41 for 60 months				3,650.00
			Value \$ 3,650.00				
ACCOUNT NO.							
			Value \$				
ACCOUNT NO.							
			Value \$				

Sheet 1 of 1 Continuation Sheets attached to Schedule D

Subtotal (Total of this page) **3,650.00**

(Complete only on last sheet of Schedule D) **TOTAL 170,650.00**

(Report total also on Summary of Schedules)

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name and mailing address, including zip code, and account number if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of this petition.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C", respectively, in the column labeled "HWJC."

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotal" on each sheet. Report the Total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Repeat this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

Extensions of credit in an involuntary case

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. \507(a)(2)

Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4300* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. \507(a)(3).

Contributions to employee benefit plans

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. \507(a)(4).

Certain farmers and fishermen

Claims of certain farmers and fishermen, up to a maximum of \$4300* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. \507(a)(5).

Deposits by individuals

Claims of individuals up to a maximum of \$1,950* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. \507(a)(6)

Alimony, Maintenance, or Support

Claims of a spouse, former spouse, or child of the debtor for alimony, maintenance, or support, to the extent provided in 11 U.S.C. \ 507(a)(7).

Taxes and Other Certain Debts Owed to Governmental Units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. \507(a)(8).

Commitments to Maintain the Capital of an Insured Depository Institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. \507(a)(9).

* Amounts are subject to adjustment on April 1, 2001, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

1 Continuation Sheets attached

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS
(Continuation Sheet)**

Taxes and Other Certain Debts Owed to Governmental Units
(Type of Priority)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	TOTAL AMOUNT OF CLAIM
							AMOUNT ENTITLED TO PRIORITY
ACCOUNT NO.200110427;200121364 Ashe County Tax Collector Suite 2275 150 Government Circle Jefferson, NC 28640		J	property taxes past due; pay \$3.75 for 60 months 8%				185.00
							185.00
ACCOUNT NO.180-52-0015 Internal Revenue Service Insolvency Unit 320 Federal Place Rm 335 Greensboro, NC 27401		J	2000 tax debt; pay thru plan				625.00
							625.00
ACCOUNT NO.							
ACCOUNT NO.							
ACCOUNT NO.							

Sheet 1 of 1 Continuation Sheets attached to Schedule E

Subtotal (Total of this page) **810.00**

(Complete only on last sheet of Schedule E) **TOTAL 810.00**

(Report total also on Summary of Schedules)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and account number, if any, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C", respectively, in the column labeled "HWJC."

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Report total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	C O D E B T O R	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM IF CLAIM IS SUBJECT TO SETOFF, SO STATE	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
ACCOUNT NO.							
ACCOUNT NO.							
ACCOUNT NO.							
ACCOUNT NO.							

_____ Continuation Sheets attached

Subtotal
(Total of this page)

(Complete only on last sheet of Schedule F) **TOTAL**

(Report total also on Summary of Schedules)

SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests.

State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease.

Provide the names and complete addresses of all other parties to each lease or contract described.

NOTE: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.

SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. In community property states, a married debtor not filing a joint case should report the name and address of the nondebtor spouse on this schedule. Include all names used by the nondebtor spouse during the six years immediately preceding the commencement of this case.

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Laramie Roark 7701 Old Hwy 16 Crumpler, NC 28617	Option One Mortgage PO Box 92103 Los Angeles, CA 90009-2103
Laramie Roark 7701 Old Hwy 16 Crumpler, NC 28617	Option One Mortgage PO Box 57041 Irvine, CA 92619-7041

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor's Marital Status	DEPENDENTS OF DEBTOR AND SPOUSE		
Married	NAMES	AGE	RELATIONSHIP
Employment:		DEBTOR	SPOUSE
Occupation	Self-Employed	Self-Employed	
Name of Employer	Freddie P's Firewood	Freddie P's Firewood	
How long employed	13 Years	13 Years	
Address of Employer	Crumpler NC	Crumpler NC	

	DEBTOR	SPOUSE
Income: (Estimate of average monthly income)		
Current monthly gross wages, salary, and commissions (pro rate if not paid monthly)	\$ 1,200.00	\$ 1,200.00
Estimated monthly overtime	\$ _____	\$ _____
SUBTOTAL	\$ 1,200.00	\$ 1,200.00
LESS PAYROLL DEDUCTIONS		
a. Payroll taxes and Social Security	\$ 200.00	\$ 200.00
b. Insurance	\$ _____	\$ _____
c. Union dues	\$ _____	\$ _____
d. Other (Specify) _____	\$ _____	\$ _____
_____	\$ _____	\$ _____
SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 200.00	\$ 200.00
TOTAL NET MONTHLY TAKE HOME PAY	\$ 1,000.00	\$ 1,000.00
Regular income from operation of business or profession or farm (attach detailed statement)	\$ _____	\$ _____
Income from real property	\$ _____	\$ _____
Interest and dividends	\$ _____	\$ _____
Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above	\$ _____	\$ _____
Social Security or other government assistance	\$ _____	\$ _____
Specify _____	\$ _____	\$ _____
Other monthly income		
Specify <u>Shatley Springs Candy Store parttime</u>	\$ _____	\$ 650.00
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
TOTAL MONTHLY INCOME	\$ 1,000.00	\$ 1,650.00
TOTAL COMBINED MONTHLY INCOME \$ <u>2,650.00</u>	(Report also on Summary of Schedules)	

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:

None

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse".

Rent or home mortgage payment (include lot rented for mobile home)	\$ <u>1,170.00</u>
Are real estate taxes included? Yes _____ No <u>X</u>	
Is property insurance included? Yes _____ No <u>X</u>	
Utilities: Electricity and heating fuel	\$ <u>150.00</u>
Water and sewer	\$ _____
Telephone	\$ <u>50.00</u>
Other <u>Satellite</u>	\$ <u>40.00</u>
Home maintenance (repairs and upkeep)	\$ <u>30.00</u>
Food	\$ <u>250.00</u>
Clothing	\$ <u>10.00</u>
Laundry and dry cleaning	\$ _____
Medical and dental expenses	\$ <u>50.00</u>
Transportation	\$ <u>175.00</u>
Recreation, clubs and entertainment, newspapers, magazines, etc.	\$ <u>40.00</u>
Charitable contributions	\$ _____
Insurance: (not deducted from wages or included in home mortgage payments)	
Homeowner's or renter's	\$ _____
Life	\$ _____
Health	\$ _____
Auto	\$ <u>50.00</u>
Other _____	\$ _____
Taxes (not deducted from wages or included in home mortgage payments)	
(Specify) <u>Ashe Co property tax</u>	\$ <u>25.00</u>
Installment payments: (In chapter 12 and 13 cases, do not list payments to be included in the plan)	
Auto	\$ _____
Other _____	\$ _____
Other _____	\$ _____
Alimony, maintenance, and support paid to others	\$ _____
Payments for support of additional dependents not living at your home	\$ _____
Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$ _____
Other _____	\$ _____
TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)	\$ <u>2,040.00</u>

(FOR CHAPTER 12 AND 13 DEBTORS ONLY)

Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

A. Total projected monthly income	\$ <u>2,650.00</u>
B. Total projected monthly expenses	\$ <u>2,040.00</u>
C. Excess income (A minus B)	\$ <u>610.00</u>
D. Total amount to be paid into plan each <u>Monthly</u>	\$ <u>600.00</u>

(interval)

Schedule J - Current Expenditures of Individual Debtor(s) Continuation Sheet - Page 1 of 1

Gross income per month: approx. \$3500

Business expenses:

Transportation expenses, gasoline, repairs, etc	\$600
Parttime labor	\$400
Advertising	\$65
Repairs to equipment	\$35
	<hr/>
Total approx monthly expenses	\$1100

Approx net income: \$2400

DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 17
(Total shown on summary page plus 1)
sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date: _____ Signature: _____
Hammer, Frederick P. Debtor

Date: _____ Signature: _____
Hammer, Brenda B (Joint Debtor, if any)
[If joint case, both spouses must sign.]

CERTIFICATION OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. \ 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. \ 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer _____ Social Security No. _____

Address _____

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:
If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

Signature of Bankruptcy Petition Preparer _____ Date _____

A bankruptcy petition preparer's failure to comply with the provision of title 11 and the Federal Rules of Bankruptcy Procedures may result in fines or imprisonment or both. 11 U.S.C. \ 110; 18 U.S.C. \ 156.

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the _____ (the president or other
officer or an authorized agent of the corporation or a member or an authorized agent of the partnership) of the _____
_____ (corporation or partnership) named as debtor in this case,

declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of _____
(Total shown on summary page plus 1)
sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date: _____ Signature: _____

(Print or type name of individual signing on behalf of debtor)

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

Penalty for making a false statement or concealing property. Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. \ 152 and 3571.

**United States Bankruptcy Court
Western District of North Carolina, Wilkesboro Division**

IN RE

Hammer, Frederick P.
D/B/A Freddie P.'s Firewood
180-52-0015

& Hammer, Brenda B
Brenda B Roark
239-92-6284

7701 Old Highway 16
Crumpler, NC 28617

7701 Old Highway 16
Crumpler, NC 28617

Case No. _____

DEBTOR(S)

Chapter 13

VERIFICATION OF CREDITOR MATRIX

The above named debtors hereby verify that the attached matrix listing creditors is true to the best of our knowledge.

Date: _____

Signature: _____
Hammer, Frederick P. Debtor

Date: _____

Signature: _____
Hammer, Brenda B (Joint Debtor, if any)

Date: _____

Signature: _____
Attorney

Ashe County Tax Collector
Suite 2275
150 Government Circle
Jefferson, NC 28640

Frederick P. Hammer
Brenda B. Hammer
7701 Old Hwy 16
Crumpler, NC 28617

GMAC
Payment Processing Center
PO Box 53014
Charlotte, NC 28253

GMAC
PO Box 2525
Hudson, OH 44236 0025

Gregory Luck
101 West Street
Wilkesboro, NC 28697

Internal Revenue Service
Insolvency Unit
320 Federal Place Rm 335
Greensboro, NC 27401

Laramie Roark
7701 Old Hwy 16
Crumpler, NC 28617

Option One Mortgage
PO Box 92103
Los Angeles, CA 90009-2103

Option One Mortgage
PO Box 57041
Irvine, CA 92619-7041

Steven Tate, Trustee
PO Box 1778
Statesville, NC 28687

**United States Bankruptcy Court
Western District of North Carolina, Wilkesboro Division**

IN RE

Hammer, Frederick P.
D/B/A Freddie P.'s Firewood
180-52-0015

& Hammer, Brenda B
Brenda B Roark
239-92-6284

7701 Old Highway 16
Crumpler, NC 28617

7701 Old Highway 16
Crumpler, NC 28617

Case No. _____

DEBTOR(S)

Chapter 13

STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1-15 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 16-21. **If the answer to any question is "None", or the question is not applicable, mark the box labeled "None".** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the two years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or person in control of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any person in control of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates' any managing agent of the debtor. (11 U.S.C. \ 101).

1. Income from employment or operation of business

None
 State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE (If more than one)
2001	\$12800
2002	\$25000 approx
2003	\$10000 approx gross income

2. Income other than from employment or operation of business

None State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

AMOUNT SOURCE

3. Payments to creditors

None a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within **90 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
Option One Mortgage, \$1170 per month, home mortgage; GMAC, paid \$2591 on 4-8-03 to keep them from repossessing 2002 GMC pickup; paid Yadkin Valley Pontiac Buick, \$3370.50 in April, 2003 from sale of 1997 Chevrolet 1500 WT pickup			

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None b. List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR; RELATIONSHIP TO DEBTOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
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4. Suits and administrative proceedings, executions, garnishments and attachments

None a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT AND LOCATION	STATUS OR DISPOSITION
------------------------------------	----------------------	-----------------------	--------------------------

None

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED	DATE OF SEIZURE	DESCRIPTION AND VALUE OF PROPERTY
--	--------------------	---

5. Repossessions, foreclosures and returns

None

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
---	---	---

6. Assignments and receiverships

None

a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
---------------------------------	-----------------------	--------------------------------------

None

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
----------------------------------	--	------------------	---

7. Gifts

None

List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
--	--------------------------------------	-----------------	-------------------------------------

8. Losses

None

List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
---	--	-----------------

9. Payments related to debt counseling or bankruptcy

None

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
Gregory Luck as herein stated		

10. Other transfers

None

List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
---	------	--

See Continuation Sheet - Page 1

11. Closed financial accounts

None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, association, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE AND NUMBER OF ACCOUNT AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
------------------------------------	--	--

12. Safe deposit boxes

None

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
--	---	-------------------------------	---

13. Setoffs

None

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
------------------------------	-------------------	---------------------

14. Property held for another person

None

List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
------------------------------	--------------------------------------	----------------------

15. Prior address of debtor

None If the debtor has moved within the **two years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS	NAME USED	DATES OF OCCUPANCY
Ashe Co NC entire lives.		

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within the two years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or otherwise self-employed.

*(An individual or joint debtor should complete this portion **only** if the debtor is or has been in business, as defined above, within the two years immediately preceding the commencement of this case.)*

16. Nature, location and name of business

None a. If the debtor is an individual, list the names and address of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the **two years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the two years immediately preceding the commencement of this case.

b. If the debtor is a partnership, list the names and address of all businesses in which the debtor was a partner or owned 5 percent or more of the voting securities, within the **two years** immediately preceding the commencement of this case.

c. If the debtor is a corporation, list the names and addresses of all businesses in which the debtor was a partner or owned 5 percent or more of the voting securities within the **two years** immediately preceding the commencement of this case.

NAME	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES OF OPERATION
Freddy P.s	Firewood 7701 Old Hwy 16	selling firewood	1989 thru present
	also does handyman remodeling on the side		

17. Books, records and financial statements

None a. List all bookkeepers and accountants who within the **six years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS	DATES SERVICES RENDERED
H & R Block, Jefferson NC	from 1990 thru present

None

b. List all firms who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME AND ADDRESS

DATES SERVICES RENDERED

None

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME

ADDRESS

H & R Block and debtors have past tax returns. No other records are kept.

None

d. List all financial institutions, creditors, and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the **two years** immediately preceding the commencement of the case by the debtor.

NAME AND ADDRESS

DATE ISSUED

GMAC Mortgage & GMAC for initial home loan & for pickup loan in approximately April 2002.

18. Inventories

None

a. List the dates of the last two inventories taken on your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY
(Specify cost, market or other basis)

None

b. List the name and address of the person having possession of the records of each of the two inventories reported in a. above.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN
OF INVENTORY RECORDS

[If completed by an individual or individual and spouse]

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date _____

Signature _____
of Debtor Hammer, Frederick P.

Date _____

Signature _____
of Joint Debtor Hammer, Brenda B
(if any)

CERTIFICATION OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. \ 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. \ 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer _____

Social Security No. _____

Address _____

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

Signature of Bankruptcy Petition Preparer _____

Date _____

A bankruptcy petition preparer's failure to comply with the provision of title 11 and the Federal Rules of Bankruptcy Procedures may result in fines or imprisonment or both. 11 U.S.C. \ 110; 18 U.S.C. \ 156.

[If completed on behalf of a partnership or corporation]

I, declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs, and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date _____

Signature _____

Print Name and Title

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

1 continuation sheets attached

Penalty for making a false statement or concealing property. Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. \ 152 and 3571.

Statement of Financial Affairs
Continuation Sheet - Page 1 of 1
Question 10

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
		<p>Sold to Nathan Hart, non-relative, of Ashe Co NC 1998 Chrysler Van for \$10000 in April or May 2002, which debtors paid on various bills & to buy materials on the Dorothy Saunders' job. Sold 1995 Chevrolet pickup to Charles Severt, non relative, Ashe Co NC, in April 2002 for \$12000. Used to pay mortgage payments and paid \$10000 on husband's 2002 GMC pickup. Sold knuckleboom in spring, 2002 for \$4000 to non-relative. Used to pay bills and part of it was paid to Richard London on a loan he made debtors about 3 years ago.</p> <p>Sold 1997 Chevrolet C1500 WT pickup in April, 2003, to Tracie Phipps, Ashe Co NC for \$6500; used money to pay off lien at Yadkin Valley Pontiac Buick of \$3370.50; paid \$200 on light bill; paid business laborer \$400; bought \$360 food; paid \$150 of LP propane gas; paid attorney Luck \$685 (\$185 court costs) to file petition; one mortgage payment to Option One; paid for materials to use on job, paving stones & mulch, about \$900, Lowe's, Barker Landscaping & Independence Lumber.</p>

FILED
U.S. Bankruptcy Court
Western District of NC

APR 25 2005

David E. Welch, Clerk
Charlotte Division
MES

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
WILKESBORO/SHELBY DIVISION

In Re:

JUDGMENT ENTERED ON APR 25 2005

FREDERICK AND BRENDA HAMMER)

) CHAPTER 13

) Case No: 0350669

) Debtor(s))

ORDER OF DISMISSAL

The Court finds as follows:

1. An order was entered in this matter on DECEMBER 14, 2004 stating that upon further default by the debtor(s) of any plan payment, the case may be dismissed without further notice, the debtor(s) failure to pay being notice of non-compliance with the plan as approved.

2. The Trustee has by submission of this Order states to the Court that the debtor(s) are now in default on their plan payments subsequent to the entering of the order described above, their last payment being received by the Trustee on JANUARY 26, 2005.

IT IS THEREFORE ORDERED that this case be dismissed for inadequate plan payments.



(Dated as of date entered)

UNITED STATES BANKRUPTCY JUDGE

537975	OPTION ONE MORTGAGE	0006	X	Z 99	.00	.00	.00	.00	.00	.00	.00	.00	.00	
069289	OPTION ONE MORTGAGE	0007		N 50	3,650.00	3,671.82	8.80	.00	733.12	.00	506.94	2,938.70	.00	21.96
175721	ASHE CO TAX COLLECTOR	0008		P 50	185.00	202.99	8.00	.00	41.65	.00	31.02	161.34	.00	1.10
009001	INTERNAL REVENUE SERVICE	0009		P 70	625.00	804.30	.00	.00	.00	.00	.00	804.30	.00	.00
224598	LARAMIE ROADK	0010	X	Z 99	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00
010814	NC DEPT OF REVENUE	0011	X	Z 99	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00
430290	LEENA SHIRAGADKAR	0012	X	Z 99	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00
009001	INTERNAL REVENUE SERVICE	0013		U 80	.00	210.60	.00	.00	.00	.00	.00	210.60	.00	.00
912008	GREGORY LUCK	0014		L 50	.00	200.00	.00	.00	44.84	.00	.00	155.16	.02	.00
027759	ANGEL R GORDON ESO	0015	X	Z 99	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00
501939	OPTION ONE MORTGAGE CORP	0016	X	Z 99	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00
172179	OPTION ONE MORTGAGE	0017		S 50	.00	600.00	.00	.00	60.30	.00	.00	539.70	.00	.00
912008	GREGORY LUCK	0018		L 50	.00	450.00	.00	.00	45.23	.00	.00	404.77	.00	.00
912008	GREGORY LUCK	0019		L 50	.00	200.00	.00	.00	20.07	.00	.00	179.93	.03	.00
912008	GREGORY LUCK	0020		L 50	.00	200.00	.00	.00	15.40	.00	.00	184.60	.03	.00
** Totals **					177,031.69	28,256.47		300.00	6,050.88	500.00	4,287.12	22,760.79	.08	178.70

4. Summary of disbursements:

	Secured	Priority	Unsecured	Administrative	Attorney	Other	Trustee	TOTAL
Total Scheduled	174,621.69	810.00	.00	.00	1,600.00	.00	.00	177,031.69
Total Claimed	24,877.58	1,007.29	210.60	11.00	2,650.00	.00	.00	28,256.47
Total Principal Paid	4,586.45	41.65	.00	11.00	856.58	.00	555.20	6,050.88
Total Claim Adjustment	.00	.00	.00	.00	500.00	.00	.00	500.00
Total Principal Due	20,291.13	965.64	210.60	.00	1,293.42	.00	.00	22,760.79
Total Percent Principal Paid	18.44 %	4.13 %	.00 %	100.00 %	51.19 %	.00 %	.00 %	
Total Continuing Debt Paid	.00	.00	.00	.00	.00	.00	.00	.00
Total Interest Due/Arrears	177.60	1.10	.00	.00	.00	.00	.00	178.70
Total Interest Paid	4,256.10	31.02	.00	.00	.00	.00	.00	4,287.12
GRAND TOTAL PAID IN PLAN	8,842.55	72.67	.00	11.00	856.58	.00	555.20	10,338.00

Creditor Types

Creditor Levels

- A- Administrative Costs
- B- Base Attorney Fees)
- E- Educational Loans
- G- Secured-Monthly Payment
- L- Legal Fees
- M- Mortgage
- N- Mortgage/Lease Arrears
- P- Priority
- S- Secured-Pro-Rata
- U- Unsecured
- V- Vehicle/Other Leases
- Z- Notice Only

- 97- Claim Disallowed
- 98- Claim Paid Outside Plan
- 99- Proof of Claim Not Filed

CERTIFICATE OF SERVICE

The undersigned hereby certifies that copies of the foregoing Final Report and Account were served upon the above-referenced debtor(s) and counsel for the debtor(s) either by hand-delivery, first class mail, postage prepaid, or electronically if a registered user of CM/ECF.

Dated: June 15, 2005

Steven G. Tate

Chapter 13 Standing Trustee

CLERK, U.S. BANKRUPTCY COURT
PO BOX 34189
CHARLOTTE, NC 28234-4189