

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

IN RE:

Case No. _____

Hammer, Frederick P. & Hammer, Brenda B.

Chapter **13**

Debtor(s)

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. ~~Representation of the debtor in adversary proceedings and other contested bankruptcy matters;~~
- e. [Other provisions as needed]

\$1100 base fee balance to be paid thru plan by trustee

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.

May 10, 2005

Date

/s/ Gregory Luck

Signature of Attorney

Gregory Luck

Name of Law Firm

UNITED STATES BANKRUPTCY COURT

NOTICE TO INDIVIDUAL CONSUMER DEBTOR

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 \$39 administrative fee plus \$15 trustee surcharge)*

- 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 \$39 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 (\$800 filing fee plus \$39 administrative 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 (\$200 filing fee plus \$39 administrative 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

May 10, 2005

/s/ Frederick P. Hammer

/s/ Brenda B. Hammer

Date

Frederick P. Hammer

Debtor

Brenda B. Hammer

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 <div style="text-align: center;">United States Bankruptcy Court Western District of North Carolina, Wilkesboro Division</div>	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): dba Freddie P.'s Firewood	All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names): fka Brenda B. Roark
Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all): 0015	Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all): 6284
Street Address of Debtor (No. & Street, City, State & Zip Code): 7701 Old Highway 16 Crumpler, NC 28617-9305	Street Address of Joint Debtor (No. & Street, City, State & Zip Code): 7701 Old Highway 16 Crumpler, NC 28617-9305
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)

- 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.
- There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

Type of Debtor (Check all boxes that apply)

- | | |
|---|---|
| <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 _____ | <input type="checkbox"/> Clearing Bank |

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)

- Consumer/Non-Business Business

Chapter 11 Small Business (Check all boxes that apply)

- Debtor is a small business as defined in 11 U.S.C. § 101
- Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)

Filing Fee (Check one box)

- Full Filing Fee attached
- 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.

Statistical/Administrative Information (Estimates only)

- Debtor estimates that funds will be available for distribution to unsecured creditors.
- 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

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 checked="" type="checkbox"/>	<input 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"/>

THIS SPACE IS FOR COURT USE ONLY

Voluntary Petition <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): Hammer, Frederick P. & Hammer, Brenda B.	
Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)			
Location Where Filed: Western District Of NC, Wilkesboro Div C13 Dismissed	Case Number: 03-50669	Date Filed: 4-11-03	
Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)			
Name of Debtor: None	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
Signatures			
<p style="text-align: center;">Signature(s) of Debtor(s) (Individual/Joint)</p> <p>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 State 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.</p>		<p style="text-align: center;">Exhibit A</p> <p>(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)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>	
<p>X <u>/s/ Frederick P. Hammer</u> Signature of Debtor Frederick P. Hammer</p> <p>X <u>/s/ Brenda B. Hammer</u> Signature of Joint Debtor Brenda B. Hammer</p> <p>(336) 982-9778 Telephone Number (If not represented by attorney)</p> <p>May 10, 2005 Date</p>		<p style="text-align: center;">Exhibit B</p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts)</p> <p>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.</p> <p>X <u>/s/ Gregory Luck</u> 5/10/05 Signature of Attorney for Debtor(s) Date</p>	
<p style="text-align: center;">Signature of Attorney</p> <p>X <u>/s/ Gregory Luck</u> Signature of Attorney for Debtor(s)</p> <p>Gregory Luck 10687 Printed Name of Attorney for Debtor(s)</p> <p>Gregory Luck Firm Name</p> <p>101 West Street Address</p> <p>Wilkesboro, NC 28697</p> <p>Telephone Number</p> <p>May 10, 2005 Date</p>		<p style="text-align: center;">Exhibit C</p> <p>Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?</p> <p><input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No</p>	
<p style="text-align: center;">Signature of Debtor (Corporation/Partnership)</p> <p>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.</p> <p>X _____ Signature of Authorized Individual</p> <p>_____ Printed Name of Authorized Individual</p> <p>_____ Title of Authorized Individual</p> <p>_____ Date</p>		<p style="text-align: center;">Signature of Non-Attorney Petition Preparer</p> <p>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.</p> <p>_____ Printed Name of Bankruptcy Petition Preparer</p> <p>_____ Social Security Number (Required by 11 U.S.C. § 110(c).)</p> <p>_____ Address</p> <p>_____ Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p>X _____ Signature of Bankruptcy Petition Preparer</p> <p>_____ Date</p> <p>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.</p>	

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

IN RE:

Case No. _____

Hammer, Frederick P. & Hammer, Brenda B.

Chapter **13**

Debtor(s)

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	2	19,560.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	2		171,000.00	
E - Creditors Holding Unsecured Priority Claims	Yes	2		820.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	1		5,616.58	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			4,300.00
J - Current Expenditures of Individual Debtor(s)	Yes	1			3,760.00
Total Number of Sheets in Schedules		13			
		Total Assets	47,630.00		
			Total Liabilities	177,436.58	

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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
<p>14.36 acres, vacant land, female debtor's sole name, Ashe Co. NC, debtor's adjoins residential land of son, name Laramie Roark, where debtors herein also live</p>		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 Leased.

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.	X	Ashe Federal Bank - savings account	J	10.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, include audio, video, and computer equipment.	X	microwave, \$25; stove, \$25; refrigerator, \$75; freezer, \$25; washing machine and dryer, \$100; lr, dr, and br furniture, \$450; tvs, \$150; vcrs, \$25; radio, \$25; lawn mower, \$25; weedater, \$25; satellite dish, \$50	J	1,025.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.	X	Clothing	J	200.00
7. Furs and jewelry.	X	Jewelry	J	200.00
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			

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
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, 85,000 miles	H	16,700.00
24. Boats, motors, and accessories.	X			
25. Aircraft and accessories.	X			
26. Office equipment, furnishings, and supplies.	X			
27. Machinery, fixtures, equipment, and supplies used in business.		dump bed attached to 2002 GMC Sierra, no lien on the bed, \$1000; log splitter, \$150; chainsaws, \$150; drills, saws, ladders, hand tools, \$125	J	1,425.00
28. Inventory.	X			
29. Animals.	X			
30. Crops - growing or harvested. Give particulars.	X			
31. Farming equipment and implements.	X			
32. Farm supplies, chemicals, and feed.	X			
33. Other personal property of any kind not already listed. Itemize.	X			
TOTAL				19,560.00

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Debtor(s)

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 days 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>SCHEDULE B - PERSONAL PROPERTY</u>			
Ashe Federal Bank - savings account	G.S. § 1C-1601(a)(2)	10.00	10.00
microwave, \$25; stove, \$25; refrigerator, \$75; freezer, \$25; washing machine and dryer, \$100; lr, dr, and br furniture, \$450; tvs, \$150; vcrrs, \$25; radio, \$25; lawn mower, \$25; weedater, \$25; satellite dish, \$50	G.S. § 1C-1601(a)(4)	1,025.00	1,025.00
Clothing	G.S. § 1C-1601(a)(4)	200.00	200.00
Jewelry	G.S. § 1C-1601(a)(4)	200.00	200.00
dump bed attached to 2002 GMC Sierra, no lien on the bed, \$1000; log splitter, \$150; chainsaws, \$150; drills, saws, ladders, hand tools, \$125	G.S. § 1C-1601(a)(5)	1,425.00	1,425.00

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Debtor(s)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. 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, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. (See instructions above.)	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. 023-9000-21965 GMAC Attn: Customer Care PO Box 4622 Waterloo, IA 50704-4622		H	2002 GMC Sierra 3500 pu, 4wd, Ch & Ext Cab, VIN C39, 85,000+ miles; pay \$362.26 for 60 months				17,000.00
			Value \$ 16,700.00				300.00
Account No. GMAC PO Box 5055 Troy, MI 48007-5055			Assignee or other notification for: GMAC				
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, Laramie Roark, on which is located the residence in which debtors dwell; 14.36 acres owned by female debtor are vacant; debtors pay direct				151,000.00
			Value \$ 28,070.00				122,930.00
Account No. Option One Mortgage PO Box 57041 Irvine, CA 92619-7041			Assignee or other notification for: Option One Mortgage				
Account No. 0005859962 Option One Mortgage PO Box 92103 Los Angeles, CA 90009-2103		J	mortgage arrearage; 8.8%; pay \$61.98 for 60 months				3,000.00
			Value \$ 3,000.00				

1 Continuation Sheets attached

Subtotal
(Total of this page) **171,000.00**

(Complete only on last sheet of Schedule D) **TOTAL**
(Report total also on Summary of Schedules)

Debtor(s)

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

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER (See instructions.)	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. Option One Mortgage PO Box 57041 Irvine, CA 92619-7041			Assignee or other notification for: Option One Mortgage Value \$				
Account No.			Value \$				
Account No.			Value \$				
Account No.			Value \$				
Account No.			Value \$				
Account No.			Value \$				
Account No.			Value \$				

Sheet 1 of 1 Continuation Sheets attached to Schedule D

Subtotal
(Total of this page)

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

171,000.00

(Report total also on Summary of Schedules)

Debtor(s)

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, mailing address, including zip code, and last four digits of the 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 the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so.

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 \$4,925* 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 \$4,925* 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 \$2,225* 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, 2007, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

1 Continuation Sheets attached

Debtor(s)

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

Taxes and Other Certain Debts Owed to Governmental Units

(Type of Priority)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	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. 180-52-0015 Internal Revenue Service Insolvency Unit 320 Federal PI Rm 335 Greensboro, NC 27401-2718		J	2000 tax debt; pay \$13.67 for 60 months				820.00	820.00
Account No.								
Account No.								
Account No.								
Account No.								
Account No.								

Sheet 1 of 1 Continuation Sheets attached to Schedule E

Subtotal
(Total of this page) **820.00**

(Complete only on last sheet of Schedule E) **TOTAL 820.00**

(Report total also on Summary of Schedules)

Debtor(s)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code and last four digits of any account number 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. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. 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 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 unsecured nonpriority claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	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. 2155687 & 2810273 Ashe Memorial Hospital 200 Hospital Ave Jefferson, NC 28640-9244		J					4,300.00
Account No. Spencer Smith Atty PO Box 835 Wilkesboro, NC 28697-0835			Assignee or other notification for: Ashe Memorial Hospital				
Account No. 03-50669 Gregory Luck 101 West St Wilkesboro, NC 28697-2444		J	balance owed on prior chpt 13				1,316.58
Account No.							
Account No.							

<u>0</u> Continuation Sheets attached	Subtotal (Total of this page) 5,616.58
(Complete only on last sheet of Schedule F) TOTAL	5,616.58

(Report total also on Summary of Schedules)

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Debtor(s)

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.

Debtor(s)

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 Highway 16 Crumpler, NC 28617-9305	Option One Mortgage PO Box 92103 Los Angeles, CA 90009-2103

Debtor(s)

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 Married	DEPENDENTS OF DEBTOR AND SPOUSE	
	RELATIONSHIP	AGE
EMPLOYMENT: DEBTOR		SPOUSE
Occupation	Self-Employed	Self-Employed
Name of Employer	Freddie P's Firewood	Freddie P's Firewood
How long employed	15 Years	15 Years
Address of Employer	Crumpler, NC 28617	Crumpler, NC 28617

	DEBTOR	SPOUSE
Income: (Estimate of average monthly income)		
Current Monthly gross wages, salary, and commissions (pro rata if not paid monthly)	\$ _____	\$ _____
Estimated monthly overtime	\$ _____	\$ _____
SUBTOTAL	\$ 0.00	\$ 0.00
LESS PAYROLL DEDUCTIONS		
a. Payroll taxes and Social Security	\$ _____	\$ _____
b. Insurance	\$ _____	\$ _____
c. Union dues	\$ _____	\$ _____
d. Other (specify) _____	\$ _____	\$ _____
SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 0.00	\$ 0.00
TOTAL NET MONTHLY TAKE HOME PAY	\$ 0.00	\$ 0.00
Regular income from operation of business or profession or farm (attach detailed statement)	\$ 3,900.00	\$ _____
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) _____	\$ _____	\$ _____
Pension or retirement income	\$ _____	\$ _____
Other monthly income (Specify) Shatley Springs Parttime	\$ _____	\$ 400.00
TOTAL MONTHLY INCOME	\$ 3,900.00	\$ 400.00
TOTAL COMBINED MONTHLY INCOME \$ <u>4,300.00</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:

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Debtor(s)

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. Pro rate 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 <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is property insurance included? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Utilities: Electricity and heating fuel	\$ <u>150.00</u>
Water and sewer	\$ _____
Telephone	\$ <u>80.00</u>
Other Satellite Dish	\$ <u>40.00</u>
_____	\$ _____
_____	\$ _____
Home maintenance (repairs and upkeep)	\$ <u>25.00</u>
Food	\$ <u>240.00</u>
Clothing	\$ <u>10.00</u>
Laundry and dry cleaning	\$ _____
Medical and dental expenses	\$ <u>50.00</u>
Transportation (not including car payments)	\$ <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) Ashe Co Property Taxes	\$ <u>25.00</u>
_____	\$ _____
_____	\$ _____
Installment payments (in chapter 12 and 13 cases, do not list payments to be included in the plan)	
Auto	\$ _____
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)	\$ <u>1,705.00</u>
Other _____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)	\$ <u>3,760.00</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>4,300.00</u>
B. Total projected monthly expenses	\$ <u>3,760.00</u>
C. Excess income (A minus B)	\$ <u>540.00</u>
D. Total amount to be paid into plan each Monthly	\$ <u>525.00</u>

(interval)

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 _____ **14** sheets, and that
(Total shown on summary page plus 1)
they are true and correct to the best of my knowledge, information, and belief.

Date: May 10, 2005 Signature: /s/ Frederick P. Hammer
Frederick P. Hammer Debtor

Date: May 10, 2005 Signature: /s/ Brenda B. Hammer
Brenda B. Hammer (Joint Debtor, if any)

[If joint case, both spouses must sign.]

CERTIFICATION AND SIGNATURE 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.
(Required by 11 U.S.C. § 110(c).)

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 _____ sheets, and that they are true and correct to the best of my knowledge, information, and belief.
(Total shown on summary page plus 1)

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:

Case No. _____

Hammer, Frederick P. & Hammer, Brenda B.

Chapter **13**

Debtor(s)

BUSINESS INCOME AND EXPENSES

FINANCIAL REVIEW OF THE DEBTOR'S BUSINESS (Note: ONLY INCLUDE information directly related to the business operation.)

PART A - GROSS BUSINESS INCOME FOR THE PREVIOUS 12 MONTHS:

1. Gross Income For 12 Months Prior to Filing: \$ _____

PART B - ESTIMATED AVERAGE FUTURE GROSS MONTHLY INCOME:

2. Gross Monthly Income: \$ 3,900.00

PART C - ESTIMATED FUTURE MONTHLY EXPENSES:

- 3. Net Employee Payroll (Other Than Debtor) \$ _____
- 4. Payroll Taxes \$ 200.00
- 5. Unemployment Taxes \$ _____
- 6. Worker's Compensation \$ _____
- 7. Other Taxes \$ 155.00
- 8. Inventory Purchases (Including raw materials) \$ _____
- 9. Purchase of Feed/Fertilizer/Seed/Spray \$ _____
- 10. Rent (Other than debtor's principal residence) \$ _____
- 11. Utilities \$ _____
- 12. Office Expenses and Supplies \$ _____
- 13. Repairs and Maintenance \$ 100.00
- 14. Vehicle Expenses \$ _____
- 15. Travel and Entertainment \$ _____
- 16. Equipment Rental and Leases \$ _____
- 17. Legal/Accounting/Other Professional Fees \$ _____
- 18. Insurance \$ _____
- 19. Employee Benefits (e.g., pension, medical, etc.) \$ _____
- 20. Payments to be Made Directly by Debtor to Secured Creditors for Pre-Petition Business Debts (Specify): \$ _____

- 21. Other (Specify): \$ 1,250.00
 - Fuel Costs** 800.00
 - Parttime Labor** 400.00
 - Advertising** 50.00

22. Total Monthly Expenses (Add items 3-21) \$ 1,705.00

PART D - ESTIMATED AVERAGE NET MONTHLY INCOME

23. **AVERAGE NET MONTHLY INCOME** (Subtract Item 22 from Item 2) \$ 2,195.00

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

IN RE:

Case No. _____

Hammer, Frederick P. & Hammer, Brenda B.

Chapter **13**

Debtor(s)

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 1-18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19-25. **If the answer to an applicable question is "None," 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 six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities 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 owner of 5 percent or more of the voting or equity securities 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)
26,000.00	2003 - \$26000 approx net income after business expenses
27,500.00	2004 approx. \$27500 net income after business expenses
12,350.00	2005, approx. \$12350

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 a joint petition is not filed.)

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 a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT	AMOUNT
		PAID	STILL OWING
Option One Mortgage PO Box 92103 Los Angeles, CA 90009-2103	\$1186 per month mortgage	3,358.00	15,100.00

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 a joint petition is not filed.)

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 a joint petition is not filed.)

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 a joint petition is not filed.)

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 a joint petition is not filed.)

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.)

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 a joint petition is not filed.)

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 a joint petition is not filed.)

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 a joint petition is not filed.)

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 101 West St Wilkesboro, NC 28697-2444		500.00

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 a joint petition is not filed.)

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 a joint petition is not filed.)

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 a joint petition is not filed.)

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 a joint petition is not filed.)

14. Property held for another person

None List all property owned by another person that the debtor holds or controls.

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.

16. Spouses and Former Spouses

None If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the **six-year period** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

17. Environmental Information

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

None a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

18. Nature, location and name of business

None a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates 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 **six 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 **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the **six years** immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

NAME	TAXPAYER I.D. NUMBER	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
Freddy P'S Firewood		7701 Old Highway 16 Crumpler, NC 28617-9305	selling firewood; also does	1989 thru present

None b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

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 **six 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 or equity 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 of the statement **only** if the debtor is or has been in business, as defined above, within the six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

19. Books, records and financial statements

None a. List all bookkeepers and accountants who within the **two 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
H & R Block
Jefferson, NC 28640

DATES SERVICES RENDERED
1990 thru present date

None b. List all firms or individuals 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.

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 AND ADDRESS
H & R Block
Jefferson, NC 28640

also debtors have past tax returns

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.

20. Inventories

None a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

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.

21. Current Partners, Officers, Directors and Shareholders

None a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

None b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

22. Former partners, officers, directors and shareholders

None a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

None b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

23. Withdrawals from a partnership or distributions by a corporation

None If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

24. Tax Consolidation Group

None If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within the **six-year period** immediately preceding the commencement of this case.

25. Pension Funds.

None If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the **six-year period** immediately preceding the commencement of the case.

[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: May 10, 2005 Signature /s/ Frederick P. Hammer
of Debtor **Frederick P. Hammer**

Date: May 10, 2005 Signature /s/ Brenda B. Hammer
of Joint Debtor **Brenda B. Hammer**
(if any)

0 continuation pages attached

Penalty for making a false statement: 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:

Case No. _____

Hammer, Frederick P. & Hammer, Brenda B.

Chapter **13**

Debtor(s)

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s) hereby verify(ies) that the attached matrix listing creditors is true to the best of my(our) knowledge.

Date: **May 10, 2005**

Signature: /s/ Frederick P. Hammer
Frederick P. Hammer

Debtor

Date: **May 10, 2005**

Signature: /s/ Brenda B. Hammer
Brenda B. Hammer

Joint Debtor, if any

Ashe Memorial Hospital
200 Hospital Ave
Jefferson, NC 28640-9244

Frederick P Hammer
Brenda B Hammer
7701 Old Highway 16
Crumpler, NC 28617-9305

GMAC
Attn: Customer Care
PO Box 4622
Waterloo, IA 50704-4622

GMAC
PO Box 5055
Troy, MI 48007-5055

Gregory Luck
101 West St
Wilkesboro, NC 28697-2444

Internal Revenue Service
Insolvency Unit
320 Federal Pl Rm 335
Greensboro, NC 27401-2718

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

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

Spencer Smith Atty
PO Box 835
Wilkesboro, NC 28697-0835

Steven Tate, Trustee
PO Box 1778
Statesville, NC 28687-1778

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

IN RE:

Case No. _____

Hammer, Frederick P. & Hammer, Brenda B.

Chapter **13**

Debtor(s)

DISCLOSURE TO DEBTOR(S) OF ATTORNEYS FEE PROCEDURE FOR CHAPTER 13 CASES

After consultation with the undersigned attorney, you have decided to file a petition for relief under Chapter 13 of the United States Bankruptcy Code. Accordingly, you are hereby given notice that pursuant to the local rules of the Bankruptcy Court, the base fee for a Chapter 13 case is established at \$ 1,600.00. Payment of all or part of this fee is included in your payments to the Trustee. The attorney's services included in the base fee are those normally contemplated in a Chapter 13 case. They are as follows:

- | | |
|--|---|
| <ul style="list-style-type: none">(a) Preparation and filing of your petition, schedules, supplemental local forms, Chapter 13 Plan, and mailing matrix.(b) Drafting and mailing notice to creditors advising of filing of case, including a copy of your Chapter 13 Plan.(c) Drafting and mailing to you a letter regarding your attendance at the Section 341 meeting and your other responsibilities. | <ul style="list-style-type: none">(d) Preparation for and attendance at Section 341 meeting.(e) Review of order confirming plan and periodic reports.(f) Review of Trustee's motion for allowance of claims.(g) Maintaining custody and control of case files.(h) Service of orders on all affected parties.(i) Verification of your identity and social security number(j) Defending objections to confirmation of your Chapter 13 Plan. |
|--|---|

The base fee shall also include the following services to the extent they are requested or reasonably necessary for your effective representation:

- | | |
|---|---|
| <ul style="list-style-type: none">(a) Preparation and filing of proofs of claim on your behalf for your creditors.(b) Drafting and filing objections to scheduled and unscheduled proofs of claim.(c) Assumptions and rejections of unexpired leases and executory contracts.(d) Preparation for and attendance at valuation hearings.(e) Motions to transfer venue.(f) Requesting copies of proofs of claim from Trustee.(g) Consultation with you regarding obtaining postpetition credit (no motion filed).(h) Motions to avoid liens.(i) Calculation of plan payment modifications (no motion filed).(j) Adding creditor addresses to mailing matrix as necessary.(k) Responding to written creditor contacts regarding plan terms, valuation of collateral, claim amounts, and the like. | <ul style="list-style-type: none">(l) Responding to your contacts regarding changes in you financial and personal circumstances and advising the Court and the Trustee of the same.(m) Communicating with you regarding payment defaults, insurance coverage, credit disability, and the like.(n) Obtaining and providing the Trustee with copies of documents relating to lien perfection issues.(o) Notifying creditors of entry of discharge.(p) Notifying creditors by certified mail of alleged violations of the automatic stay.(q) Drafting and mailing letters regarding voluntary turnover of property.(r) Review of documents in relation to the use or sale of collateral (no motion filed).(s) Providing you with a list of answers to frequently asked questions and other routine communications with you. |
|---|---|

In some Chapter 13 cases, legal services which are beyond those normally contemplated must be performed. These legal services are not covered by the base fee. These "non-base" services include the following:

- | | |
|---|--|
| <ul style="list-style-type: none">(a) Abandonment of property post-confirmation.(b) Motion for moratorium.(c) Motion for authority to sell property.(d) Motion to modify plan.(e) Motion to use cash collateral or to incur debt. | <ul style="list-style-type: none">(i) Stay violation litigation, including amounts paid as fees by the creditor or other party.(j) Post-discharge injunction actions.(k) Adversary proceedings.(l) Wage garnishment orders. |
|---|--|

- (f) Defense of motion for relief from stay or codebtor stay.
- (g) Defense of motion to dismiss filed after confirmation of your plan.
- (h) Non-base fee requests.
- (m) Turnover adversaries.
- (n) Conversion to Chapter 7.
- (o) Motions to substitute collateral.
- (p) Any other matter not covered by the base fee.

For such “non-base” services you will be charged on the basis of attorney's time expended at the rate of \$ 150.00 per hour plus the amount of expenses incurred (such as court fees, travel, long distance telephone, photocopying, postage, etc.). Such “non-base” fees are chargeable only after the same are approved by the Bankruptcy Court. Except as set forth below, before any such fees are charged you will receive a copy of my motion filed in the Court requesting approval of any such “non-base” fees as well as a notice explaining you opportunity to object if you do not agree with the fee applied for. Any fees awarded for “non-base” services will be paid to the undersigned attorney from your payments to the Trustee in the same way as payment of “base” fees. **It is possible that “non-base” fees approved by the Court may cause your payment to the Trustee to be increased, or the term of your Chapter 13 plan extended.** Whether or not a payment increase or an extension will be necessary depends upon the facts of your case. If a payment increase is necessary because of a court approved “non-base” fee, the Trustee will notify you of the amount of the increase.

In the Court's discretion, a debtor's attorney in a Chapter 13 proceeding may request, in open court, and without any other notice, “non-base” fees for the following services in amounts not exceeding those shown below. Without other notice, the debtor's attorney may also request up to \$1.00 for each item noticed to creditors as expense for postage, copying, and envelopes. These fees may be adjusted (increased) by the Court at a later date, and, if so, those adjusted fees will then be charged.

(a) Defense of motion to dismiss.	\$200
(b) Motion for to modify and order, including motion for moratorium.	\$350
(c) Substitution of collateral.	\$450
(d) Prosecution or defense of motion for relief from stay or co-debtor stay and order.	\$450
(e) Motion for authority to sell property and order.	\$450

ACKNOWLEDGMENT

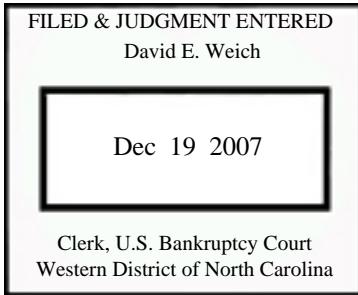
I hereby certify that I have read this notice and that I have received a copy of this notice.

Dated: May 10, 2005 /s/ Frederick P. Hammer
Debtor's Signature

Dated: May 10, 2005 /s/ Brenda B. Hammer
Spouse's Signature

I hereby certify that I have reviewed this notice with the debtor(s) and that the debtor(s) have received a copy of this notice.

Dated: May 10, 2005 /s/ Gregory Luck
Attorney



UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Wilkesboro Division

IN RE:

FREDERICK P HAMMER
BRENDA B HAMMER
SSN#: XXX-XX-0015
SSN#: XXX-XX-6284

Chapter 13
CASE NO: 05-50849
Related Court Docket Number: 49

ORDER

ON 12/13/2007, AFTER NOTICE, THIS MATTER CAME ON FOR HEARING UPON:

Motion to Dismiss/Convert/Modify

AND, THIS COURT FINDS that:

[Y/N] Debtors present [Y/N] GREGORY LUCK present

[] Plan payments are in substantial default.

[X] Debtors can resume payments in _____.

[]

IT IS, THEREFORE, ORDERED that:

[] Case is hereby dismissed.

[X] Upon future default, case may be dismissed/converted without notice for _____.

[] Case may be converted to Chapter 7 within _____ days or case is dismissed.

[] Plan payments are changed to \$ _____ per month.

[] Plan composition percentage is set at _____%.

[X] Plan term set at ~~_____~~ months; minimum unsecured dividend is adjusted as necessary.

[] Plan payments to be completed by _____ or case is dismissed.

[] Plan term is extended as necessary.

[X] Attorney for debtors allowed presumptive, non-base fee of \$ 200.

[] Hearing is continued to _____.

[] Motion is denied.

[X] Pay by end of January or case dismissed

CERTIFICATE OF SERVICE

Registered users of CM/ECF were served electronically, and all other parties were served by United States first class mail, postage prepaid on December 19, 2007.

S. Meyer
Office of the Chapter 13 Trustee

FREDERICK P HAMMER & BRENDA B HAMMER, 7701 OLD HIGHWAY
16, CRUMPLER, NC 28617-9305

This Order has been signed electronically,
pursuant to administrative order of the Court.
Effective as of date of entry.

J. Craig Whitley
UNITED STATES BANKRUPTCY COURT JUDGE

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
WILKESBORO DIVISION

IN RE: FREDERICK P HAMMER
BRENDA B HAMMER

CASE NO: 05-50849

SSN#: XXX-XX-0015 DEBTORS
SSN#: XXX-XX-6284

MOTION OF TRUSTEE TO DISMISS CASE
OR TO MODIFY PLAN

The undersigned Trustee in the above-referenced Chapter 13 case hereby moves the Court to dismiss the case, or to modify the plan in such a manner as the Court deems necessary and appropriate, for the following reason(s):

1. **Plan payments are currently in default.**

A Preliminary Hearing will be held on this motion as shown on the attached Notice, at which the Trustee will recommend to the Court to grant a variety of relief options in this case, including but not limited to dismissing the case, extending or reducing the term of the plan, reducing or increasing the plan payment, reducing the percentage paid to unsecured creditors, granting a moratorium on missed payments, granting a hardship discharge, modifying the plan to the payments made so far, allowing for a fee to the debtor's attorney for representation at the hearing, or granting any other such relief which the Court determines to be necessary and appropriate.

Dated: October 23, 2007

Steven G. Tate
Standing Chapter 13 Trustee
PO Box 1778
Statesville, NC 28687-1778

**** NOTICE OF HEARING ON REVERSE SIDE ****

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
WILKESBORO DIVISION

IN RE:

FREDERICK P HAMMER
BRENDA B HAMMER

CASE NO: 05-50849

SSN#: XXX-XX-0015 DEBTORS
SSN#: XXX-XX-6284

NOTICE OF MOTION OF TRUSTEE TO DISMISS CASE OR TO MODIFY PLAN

The Chapter 13 Trustee has filed papers in the bankruptcy case for the DEBTORS named above to dismiss the case or to modify the plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the relief requested by the Trustee in the motion, or if you want the Court to consider your views on this motion, then you or your attorney must file with the Court a written response to the motion and request for a hearing within twenty (20) days of the date of the service of this notice, at the following address:

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

If you **mail** your response to the Court for filing, you must mail it early enough for the Court to **receive** it on or before the deadline stated above.

A Preliminary Hearing will be held on the Trustee's motion on **November 15, 2007 at 11:00 am** at the following address:

CHAPTER 13 BANKRUPTCY OFFICE
212 COOPER STREET
STATESVILLE, NC 28677-5856

If you oppose the relief sought in the Trustee's motion, you must attend the Preliminary Hearing. Failure to attend the Preliminary Hearing and to otherwise respond to the motion may result in the Court granting the relief sought. If a response is made and the motion is not resolved by consent at the Preliminary Hearing, a hearing before the Court will be scheduled.

Dated: 10/23/2007

Steven G. Tate
Chapter 13 Trustee

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
WILKESBORO DIVISION

IN RE:

FREDERICK P HAMMER
BRENDA B HAMMER

CASE NO: 05-50849

SSN# : XXX-XX-0015 DEBTORS
SSN# : XXX-XX-6284

CERTIFICATE OF SERVICE

Registered users of CM/ECF were served electronically and the undersigned hereby certifies a copy of the attached document has been served on the parties whose names and addresses are listed below by United States first class mail, postage prepaid on 10/23/2007.

S. Meyer
Office of the Chapter 13 Trustee

AMERICREDIT, PO BOX 183853, ARLINGTON, TX 76096
ASHE MEMORIAL HOSPITAL, 200 HOSPITAL AVE, JEFFERSON, NC 28640-9244
CUTTING SYSTEMS, 774 ZEB RD, UNION GROVE, NC 28689
FREDERICK P HAMMER AND BRENDA B HAMMER,7701 OLD HIGHWAY 16,CRUMPLER, NC 28617-9305
GMAC, 2740 ARTHUR ST, ROSEWELL, MN 55113-1303
GMAC, PO BOX 5055, TROY, MI 48007-5055
Goforth Inc, 933 Tomlin Mill Road, Statesville, NC 28625
GRADY I INGLE, SHAPIRO & INGLE LLP SUITE 300, 8520 CLIFTON CAMERON DR, CHARLOTTE, NC 28269
GREGORY LUCK, ATTORNEY AT LAW, 101 WEST ST, WILKESBORO, NC 28697
INTERNAL REVENUE SERVICE, PO BOX 21125, PHILADELPHIA, PA 19114
LONG BEACH ACCEPTANCE, PO BOX 909, PARAMUS, NJ 07653-0909
NC DEPT OF REVENUE, OFFICE SERV DIV/BANKRUPTCY UNT, PO BOX 1168, RALEIGH, NC 27602-1168
OPTION ONE MORTGAGE CORP, ATTN:CASHIERING, PO BOX 44042, JACKSONVILLE, FL 32231
OPTION ONE MORTGAGE, ATTN J3-BK, PO BOX 45070, JACKSONVILLE, FL 32232
OPTION ONE MORTGAGE, PO BOX 57041, IRVINE, CA 92619-7041
SPENCER SMITH ATTY, PO BOX 835, WILKESBORO, NC 28697-0835

Total Served:16