

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

IN RE	X	
	X	CASE NO. 16-52554-CAG
RANDY BENAVIDES BALDERAS	X	
	X	
DEBTOR	X	CHAPTER 11

**MOTION OF RANDY BENAVIDES BALDERAS FOR AUTHORIZATION TO SELL
EQUIPMENT FREE AND CLEAR OF ALL LIENS, CLAIMS AND ENCUMBRANCES AT
MINIMUM PRICES**

THIS PLEADING REQUESTS RELIEF THAT MAY BE ADVERSE TO YOUR INTERESTS.

IF NO TIMELY RESPONSE IS FILED WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE, THE RELIEF REQUESTED HEREIN MAY BE GRANTED WITHOUT A HEARING BEING HELD.

A TIMELY FILED RESPONSE IS NECESSARY FOR A HEARING TO BE HELD.

TO THE HONORABLE CRAIG A. GARGOTTA, JUDGE,
UNITED STATES BANKRUPTCY COURT:

NOW COMES, Randy Benavides Balderas, Debtor-in-Possession in the above styled and numbered Chapter 11 bankruptcy case, and files this his Motion For Authorization to Sell Equipment Free and Clear of All Liens, Claims and Encumbrances at Minimum Prices, and in support thereof would respectfully show the Court the following:

1. On November 3, 2016, Randy Benavides Balderas (hereinafter called "Debtor") filed his voluntary Petition for Relief under Chapter 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Western District of Texas, San Antonio Division.

2. The assets proposed to be sold include the equipment described on Exhibit "A" attached hereto. The Debtor proposes to sell the property at the minimum sales prices set forth on Exhibit "A".

3. The Debtor believes that the proposed sale of the various items of equipment will generate a reasonable value based upon the assets proposed to be sold and their marketability.

4. The proceeds from the sale will be paid to respective lienholders in partial satisfaction of the respective outstanding debts.

5. The Debtor is attempting to liquidate underutilized assets to assist him with his efforts to reorganize his financial affairs.

6. The Debtor believes that with the improvements in the oil and gas industry, that he will be able to sell these items himself through his efforts. However, if after approximately sixty (60) days, these items have not sold as set forth herein, the Debtor will likely have to move to sell these items through an auction or other method, and will file the appropriate paperwork with the Court.

7. The Debtor is requesting that the sale of the equipment described herein be free and clear of all liens, claims and encumbrances pursuant to §363 of the U.S. Bankruptcy Code.

8. The sales proceeds will be paid to the respective lienholder in partial satisfaction of its outstanding debt.

9. A copy of the Order uploaded with this Motion is attached hereto.

WHEREFORE, PREMISES CONSIDERED, Debtor requests that the Court authorize him to sell free and clear of all liens, claims and encumbrances pursuant to §363 of the U.S. Bankruptcy Code the equipment pursuant to the terms set forth above, and for such other and further relief to which the Debtor may show himself entitled.

Date: April 13, 2017.

Respectfully submitted,



WILLIAM R. DAVIS, JR.
State Bar No. 05565500
LANGLEY & BANACK, INC.
745 E. Mulberry, Suite 900
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(210) 736-6600

Attorneys for Debtor

CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2017, a true and correct copy of the above and foregoing instrument was mailed, first class, postage prepaid to the attached notice list.



WILLIAM R. DAVIS, JR.

Label Matrix for local noticing
0542-5
Case 16-52554-cag
Western District of Texas
San Antonio
Thu Apr 13 15:07:44 CDT 2017

U.S. BANKRUPTCY COURT
615 E. HOUSTON STREET, ROOM 597
SAN ANTONIO, TX 78205-2055

4 Star Hose
Dallas, TX

Arnold Oil Company Fuels, LLC
P.O. Box 18089
Austin, TX 78760-8089

Atascosa County
1001 Oak St.
Jourdanton, TX 78026-2849

Atascosa County
c/o Don Stecker
711 Navarro, Suite 300
San Antonio, TX 78205-1749

Capital Farm Credit
3000 Briarcrest Dr., Suite 422
Bryan, TX 77802-3000

Capital Farm Credit
c/o Patrick H. Austry
Branscomb PC
711 Navarro Street, Suite 500
San Antonio, TX 78205-1889

Capital One Bank, N.A.
5444 Westheimer Rd.
Houston, TX 77056-5397

Capital One, National Association
c/o Jennifer F. Wertz
Jackson Walker LLP
100 Congress Avenue, Suite 1100
Austin, Texas 78701-4042

Caterpillar Financial Services Corp.
c/o John M. Castillo
Farrimond, Castillo & Brenahan, PC
130 E. Travis, Suite 350
San Antonio, TX 78205-1784

Caterpillar Financial Services corp.
2120 West End Ave.
Nashville, TN 37203-5341

Charlotte ISD
c/o Don Stecker
711 Navarro, Suite 300
San Antonio, TX 78205-1749

Chrysler Capital
P.O. Box 660335
Dallas, TX 75266-0335

Chrysler Capital
PO Box 961275
Fort Worth, TX 76161-0275

City of Jourdanton
c/o Lee Gordon
P.O. Box 1269
Round Rock, Texas 78680-1269

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23176 Network Place
Chicago, IL 60673-1231

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John Deere Construction & Forestry Co.
c/o E. Phillips Legal, P.C.
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Boerne, Texas 78006-2820

Elvira Salmeron Jones
428 Chaparral Dr.
Pleasanton, TX 78064-3908

Falcon National Bank
183 Cedar Dr
Foley, MN 56329-4402

Hinds Well Service LLC
3601 Veterans Blvd.
Del Rio, TX 78840-2823

Hooge Farms, Inc.
PO Box 908
Poteet, TX 78065-0908

Hooge Merchant Family Trust
PO Box 908
Poteet, TX 78065-0908

Internal Revenue Service
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Philadelphia, PA 19101-7346

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Lytle, TX 78052

Lytle State Bank
c/o Thomas P. Cate
P. O. Box 216
Lytle, TX 78052-0216

Matheson Tri-Gas
P.O. Box 123028
Dallas, TX 75312-3028

Oilfield Support Services
16350 Park Ten Place, #218
Houston, TX 77084-5147

Pleasanton Express
P.O. Box 880
Pleasanton, TX 78064-0880

RDO Equipment Co.
Attn: Duane Hoven
PO Box 7160
Fargo, ND 58106-7160

RDO Equipment Co.
c/o D. M. Dalton, Jr.
8828 Greenville Ave.
Dallas, TX 75243-7143

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Scottrade Bank
c/o James A. Hoffman
Clemens & Spencer
112 E. Pecan - Ste. 1300
San Antonio, TX 78205-1531

Scottrade Bank Equipment Finance
c/o Jenkins & Kling, PC
150 N. Meramec Ave., Suite 400
St. Louis, MO 63105-3753

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San Antonio, TX 78256-2421

Security Service F.C.U.
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San Antonio, TX 78269-1510

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Pleasanton, TX 78064-3958

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112 E. Pecan - Ste. 1300
San Antonio, TX 78205-1531

Triple S Steel
2042 West Thompson
San Antonio, TX 78226-1188

U.S. Small Business Admin.
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Federal Building
San Antonio, Texas 78206-1209

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San Antonio, TX 78216-5512

United States Attorney General
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US Trustee's Office
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Pleasanton, TX 78064-6980

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Langley & Banack, Inc
745 E Mulberry Ave, Suite 900
San Antonio, TX 78212-3141

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Christopher Clifton

End of Label Matrix	
Mailable recipients	51
Bypassed recipients	1
Total	52

Equipment List for Sale

Light Towers

	<u>Brand</u>	<u>Model</u>	<u>Year</u>	<u>Serial/VIN</u>	<u>Hours</u>
Light Towers	Terex	RL4000	2011	RL411-4797	8586.9 Hrs
Light Towers	Terex	RL4000	2011	RL411-4770	1440.7 Hrs
Light Towers	Terex	RL4000	2011	RL411-3209	1169.7 Hrs
Light Towers	Terex	RL4000	2011	RL411-5066	8942.1 Hrs
Light Towers	Terex	RL4000	2011	RL411-2984	6618.0 Hrs
Light Towers	Terex	RL4000	2011	RL411-3004	4432.4 Hrs
Light Towers	Terex	RL4000	2011	RL411-2986	9139.9 Hrs
Light Towers	Terex	RL4000	2011	RL411-3005	5568.6 Hrs
Light Towers	Terex	RL4000	2011	RL411-4769	5856.3 Hrs
Light Towers	Terex	RL4000	2011	RL411-4706	8388.3 Hrs
Light Towers	Terex	RL4000	2011	RL411-2983	6736.4 Hrs
Light Towers	Terex	RL4000	2011	RL411-3328	5841.6 Hrs
Light Towers	Terex	RL4000	2011	RL411-3089	7527.41 Hrs
Light Towers	Terex	RL4000	2011	RL411-4771	8768.6 Hrs
Light Towers	Terex	RL4000	2011	RL411-3215	8631.8 Hrs
Light Towers	Terex	RL4000	2011	RL411-5065	1063.7 Hrs
Light Towers	Terex	RL4000	2011	RL411-5058	1113.9 Hrs
Light Towers	Terex	RL4000	2011	RL411-3208	5617.6 Hrs
Light Towers	Terex	RL4000	2011	RL411-3330	5819.8 Hrs
Light Towers	Terex	RL4000	2011	RL411-3087	7182 Hrs

Excavators

Excavator	John Deere	160D		1FF160DXCBD051027	Loan/John Deere
Excavator	John Deere	160D		FF160DX050307	Loan/Capital One

Loaders

Loader	John Deere	624K		1DW624KZKBD640235	Loan/John Deere
Loader	John Deere	624K		1DW624KZTCE646352	loan/Capital One

THESE ARE THE LOWEST PRICES THAT WILL ACCEPT

1 THE LIGHT TOWERS ARE PLEDGED TO CAPITAL ONE

	<u>Sale Price</u>
#27	\$ 2,000.00
#23	\$ 2,000.00
#4	\$ 2,000.00
#39	\$ 2,000.00
#10	\$ 2,000.00
#14	\$ 2,000.00
#21	\$ 2,000.00
#13	\$ 2,000.00
#24	\$ 2,000.00
	\$ 2,000.00
#12	\$ 2,000.00
#18	\$ 2,000.00
#11	\$ 2,000.00
#20	\$ 2,000.00
#7	\$ 2,000.00
#38	\$ 2,000.00
#32	\$ 2,000.00
#5	\$ 2,000.00
#9	\$ 2,000.00
#15	\$ 2,000.00

\$ 85,000.00

\$ 85,000.00

\$ 150,000.00

\$ 135,000.00