

United States Bankruptcy Court
Middle District of Alabama

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle):
Danley, Stacy L. II

Name of Joint Debtor (Spouse) (Last, First, Middle):
Danley, Stephanie L.

All Other Names used by the Debtor in the last 8 years
(include married, maiden, and trade names):

All Other Names used by the Joint Debtor in the last 8 years
(include married, maiden, and trade names):

Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN
(if more than one, state all)
xxx-xx-1823

Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN
(if more than one, state all)
xxx-xx-1408

Street Address of Debtor (No. and Street, City, and State):
2267 Potomac Ct.
AUBURN, AL
ZIP Code
36830

Street Address of Joint Debtor (No. and Street, City, and State):
2267 Potomac Ct.
AUBURN, AL
ZIP Code
36830

County of Residence or of the Principal Place of Business:
LEE

County of Residence or of the Principal Place of Business:
LEE

Mailing Address of Debtor (if different from street address):
ZIP Code

Mailing Address of Joint Debtor (if different from street address):
ZIP Code

Location of Principal Assets of Business Debtor
(if different from street address above):

Type of Debtor
(Form of Organization)
(Check one box)
Individual (includes Joint Debtors)
See Exhibit D on page 2 of this form.
Corporation (includes LLC and LLP)
Partnership
Other (If debtor is not one of the above entities,
check this box and state type of entity below.)

Nature of Business
(Check one box)
Health Care Business
Single Asset Real Estate as defined
in 11 U.S.C. § 101 (51B)
Railroad
Stockbroker
Commodity Broker
Clearing Bank
Other
Tax-Exempt Entity
(Check box, if applicable)
Debtor is a tax-exempt organization
under Title 26 of the United States
Code (the Internal Revenue Code).

Chapter of Bankruptcy Code Under Which
the Petition is Filed (Check one box)
Chapter 7
Chapter 9
Chapter 11
Chapter 12
Chapter 13
Chapter 15 Petition for Recognition
of a Foreign Main Proceeding
Chapter 15 Petition for Recognition
of a Foreign Nonmain Proceeding

Nature of Debts
(Check one box)
Debts are primarily consumer debts,
defined in 11 U.S.C. § 101(8) as
"incurred by an individual primarily for
a personal, family, or household purpose."
Debts are primarily
business debts.

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 3A.
Filing Fee waiver requested (applicable to chapter 7 individuals only). Must
attach signed application for the court's consideration. See Official Form 3B.

Chapter 11 Debtors
Check one box:
Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).
Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).
Check if:
Debtor's aggregate noncontingent liquidated debts (excluding debts owed
to insiders or affiliates) are less than \$2,190,000.
Check all applicable boxes:
A plan is being filed with this petition.
Acceptances of the plan were solicited prepetition from one or more
classes of creditors, in accordance with 11 U.S.C. § 1126(b).

Statistical/Administrative Information \*\*\* CAMERON A. METCALF ASB-9874-E48C \*\*\*
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.

THIS SPACE IS FOR COURT USE ONLY

Estimated Number of Creditors
1-49
50-99
100-199
200-999
1,000-5,000
5,001-10,000
10,001-25,000
25,001-50,000
50,001-100,000
OVER 100,000

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
\$100,000,001 to \$500 million
\$500,000,001 to \$1 billion
More than \$1 billion

Estimated Liabilities
\$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
\$100,000,001 to \$500 million
\$500,000,001 to \$1 billion
More than \$1 billion

<p><b>Voluntary Petition</b></p> <p><i>(This page must be completed and filed in every case)</i></p>	<p>Name of Debtor(s):  <b>Danley, Stacy L. II</b>  <b>Danley, Stephanie L.</b></p>
--	--

**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location Where Filed: <b>Montgomery</b>	Case Number: <b>07-31868</b>	Date Filed: <b>11/28/07</b>
Location Where Filed:	Case Number:	Date Filed:

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

Name of Debtor: <b>- None -</b>	Case Number:	Date Filed:
District:	Relationship:	Judge:

<p style="text-align: center;"><b>Exhibit A</b></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 style="text-align: center;"><b>Exhibit B</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. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).</p> <p><b>X /s/ CAMERON A. METCALF</b>      <b>September 9, 2008</b>          Signature of Attorney for Debtor(s)      (Date)  <b>CAMERON A. METCALF ASB-9874-E48C</b></p>
---	--

**Exhibit C**

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?

Yes, and Exhibit C is attached and made a part of this petition.

No.

**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

**Information Regarding the Debtor - 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.

Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes)

Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

\_\_\_\_\_

(Name of landlord that obtained judgment)

\_\_\_\_\_

(Address of landlord)

Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and

Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

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

Name of Debtor(s):  
**Danley, Stacy L. II**  
**Danley, Stephanie L.**

**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.  
[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**/s/ Stacy L. Danley, II**  
Signature of Debtor **Stacy L. Danley, II**

**/s/ Stephanie L. Danley**  
Signature of Joint Debtor **Stephanie L. Danley**

Telephone Number (If not represented by attorney)

**September 9, 2008**  
Date

**Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

\_\_\_\_\_  
Signature of Foreign Representative

Printed Name of Foreign Representative

\_\_\_\_\_ Date

**Signature of Attorney\***

**/s/ CAMERON A. METCALF**  
Signature of Attorney for Debtor(s)

**CAMERON A. METCALF ASB-9874-E48C**  
Printed Name of Attorney for Debtor(s)

**ESPY, METCALF & ESPY, P.C.**  
Firm Name

**326 NORTH OATES STREET  
POST OFFICE DRAWER 6504  
DOTHAN, AL 36302-6504**

Address

**334-793-6288 Fax: 334-712-1617**  
Telephone Number

**September 9, 2008**  
Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Address

\_\_\_\_\_

Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*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.*

**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

United States Bankruptcy Court  
Middle District of Alabama

In re Stacy L. Danley, II  
Stephanie L. Danley

Debtor(s)

Case No. \_\_\_\_\_

Chapter 11

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
CREDIT COUNSELING REQUIREMENT**

**Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.**

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Must be accompanied by a motion for determination by the court.][Summarize exigent circumstances here.]* \_\_\_\_\_

**If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.**



United States Bankruptcy Court  
Middle District of Alabama

In re Stacy L. Danley, II  
Stephanie L. Danley  
Debtor(s)

Case No. \_\_\_\_\_  
Chapter 11

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
CREDIT COUNSELING REQUIREMENT**

**Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.**

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Must be accompanied by a motion for determination by the court.][Summarize exigent circumstances here.]* \_\_\_\_\_

**If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.**



**United States Bankruptcy Court  
Middle District of Alabama**

In re **Stacy L. Danley, II  
Stephanie L. Danley**

Debtor(s)

Case No. \_\_\_\_\_  
Chapter **11**

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
COLONIAL BANK 1 COMMERCE ST. # 201 MONTGOMERY, AL 36104	COLONIAL BANK 1 COMMERCE ST. # 201 MONTGOMERY, AL 36104	LOAN	Unliquidated	29,591.02
BANK OF AMERICA P.O. BOX 15726 WILMINGTON, DE 19886-5726	BANK OF AMERICA P.O. BOX 15726 WILMINGTON, DE 19886-5726	CREDIT CARD	Unliquidated	27,000.00
DIRECT STUDENT LOANS P.O. BOX 530260 ATLANTA, GA 30353-0260	DIRECT STUDENT LOANS P.O. BOX 530260 ATLANTA, GA 30353-0260	STUDENT LOAN		18,331.00
CITIBANK P.O. BOX 6404 THE LAKES, NV 88901-6404	CITIBANK P.O. BOX 6404 THE LAKES, NV 88901-6404	CREDIT CARD	Unliquidated	11,446.19
OLINE PRICE, REVENUE COMMISSIONER 215 SOUTH 9TH STREET OPELIKA, AL 36801	OLINE PRICE, REVENUE COMMISSIONER 215 SOUTH 9TH STREET OPELIKA, AL 36801	PROPERTY TAXES		10,290.82
CHASE MANHATTAN BANK P.O. BOX 15548 WILMINGTON, DE 19886	CHASE MANHATTAN BANK P.O. BOX 15548 WILMINGTON, DE 19886	LOAN	Unliquidated	4,000.00
CAPITAL ONE 6356 CORLEY RD. NORCROSS, GA 30071	CAPITAL ONE 6356 CORLEY RD. NORCROSS, GA 30071	CREDIT CARD	Unliquidated	1,800.00
DELL FINANCIAL SERVICES DFS ACCEPTANCE PO BOX 6403 CAROL STREAM, IL 60197	DELL FINANCIAL SERVICES DFS ACCEPTANCE PO BOX 6403 CAROL STREAM, IL 60197	COMPUTERS		1,900.00  (1,000.00 secured)
CITICARD CARD SERVICE CENTER P.O. BOX 6923 THE LAKES, NV 88901	CITICARD CARD SERVICE CENTER P.O. BOX 6923 THE LAKES, NV 88901	CREDIT CARD	Unliquidated	500.00
CITIFINANCIAL AUTO P O BOX 6931 THE LAKES, NV 88901-6931	CITIFINANCIAL AUTO P O BOX 6931 THE LAKES, NV 88901-6931	POSSIBLE DEFICIENCY	Contingent Unliquidated	1.00



In re Stacy L. Danley, II  
Stephanie L. Danley  
Debtor(s)

Case No. \_\_\_\_\_

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**  
(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
<b>NISSAN MOTOR ACCEPTANCE CORP BANKRUPTCY DEPT PO BOX 660366 DALLAS, TX 75266-0366</b>	<b>NISSAN MOTOR ACCEPTANCE CORP BANKRUPTCY DEPT PO BOX 660366 DALLAS, TX 75266-0366</b>	<b>POSSIBLE DEFICIENCY</b>	<b>Contingent Unliquidated</b>	<b>1.00</b>

**DECLARATION UNDER PENALTY OF PERJURY  
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

We, **Stacy L. Danley, II** and **Stephanie L. Danley**, the debtors in this case, declare under penalty of perjury that we have read the foregoing list and that it is true and correct to the best of our information and belief.

Date September 9, 2008

Signature /s/ Stacy L. Danley, II  
**Stacy L. Danley, II**  
Debtor

Date September 9, 2008

Signature /s/ Stephanie L. Danley  
**Stephanie L. Danley**  
Joint 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  
Middle District of Alabama**

In re Stacy L. Danley, II  
Stephanie L. Danley Debtor(s)

Case No. \_\_\_\_\_  
Chapter 11

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)**

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 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.....	\$	<u>5,961.00</u>
Prior to the filing of this statement I have received.....	\$	<u>5,961.00</u>
Balance Due.....	\$	<u>0.00</u>

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]

6. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

**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.

Dated: September 9, 2008

/s/ Cameron A. Metcalf  
**CAMERON A. METCALF ASB-9874-E48C**  
**ESPY, METCALF & ESPY, P.C.**  
**326 NORTH OATES STREET**  
**POST OFFICE DRAWER 6504**  
**DOTHAN, AL 36302-6504**  
**334-793-6288 Fax: 334-712-1617**

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF ALABAMA

**NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b)  
OF THE BANKRUPTCY CODE**

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

**1. Services Available from Credit Counseling Agencies**

**With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis.** The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

**In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge.** The clerk also has a list of approved financial management instructional courses.

**2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors**

**Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

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, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

**Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)**

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts 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 with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

**Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)**

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

**Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)**

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

**3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials**

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

**Certificate of Attorney**

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

<u>CAMERON A. METCALF ASB-9874-E48C</u>	X <u>/s/ CAMERON A. METCALF</u>	<u>September 9, 2008</u>
Printed Name of Attorney	Signature of Attorney	Date
Address:		
326 NORTH OATES STREET		
POST OFFICE DRAWER 6504		
DOTHAN, AL 36302-6504		
334-793-6288		

**Certificate of Debtor**

I (We), the debtor(s), affirm that I (we) have received and read this notice.

<u>Stacy L. Danley, II</u> <u>Stephanie L. Danley</u>	X <u>/s/ Stacy L. Danley, II</u>	<u>September 9, 2008</u>
Printed Name of Debtor	Signature of Debtor	Date
Case No. (if known) _____	X <u>/s/ Stephanie L. Danley</u>	<u>September 9, 2008</u>
	Signature of Joint Debtor (if any)	Date

**United States Bankruptcy Court  
Middle District of Alabama**

In re Stacy L. Danley, II  
Stephanie L. Danley \_\_\_\_\_  
Debtor(s)

Case No. \_\_\_\_\_  
Chapter 11 \_\_\_\_\_

**VERIFICATION OF CREDITOR MATRIX**

The above-named Debtors hereby verify that the attached list of creditors is true and correct to the best of their knowledge.

Date: September 9, 2008 \_\_\_\_\_

/s/ Stacy L. Danley, II \_\_\_\_\_  
**Stacy L. Danley, II**  
Signature of Debtor

Date: September 9, 2008 \_\_\_\_\_

/s/ Stephanie L. Danley \_\_\_\_\_  
**Stephanie L. Danley**  
Signature of Debtor

STACY L. DANLEY, II  
2267 POTOMAC CT.  
AUBURN AL 36830

STEPHANIE L. DANLEY  
2267 POTOMAC CT.  
AUBURN AL 36830

AL DEPARTMENT OF REVENUE  
LEGAL DIVISION  
50 NORTH RIPLEY ST.  
MONTGOMERY AL 36132

BANK OF AMERICA  
P.O. BOX 15726  
WILMINGTON DE 19886-5726

CAPITAL ONE  
6356 CORLEY RD.  
NORCROSS GA 30071

CHASE HOME FINANCE  
3415 VISION DR.  
COLUMBUS OH 43219-6009

CHASE MANHATTAN BANK  
P.O. BOX 15548  
WILMINGTON DE 19886

CITIBANK  
P.O. BOX 6404  
THE LAKES NV 88901-6404

CITICARD  
CARD SERVICE CENTER  
P.O. BOX 6923  
THE LAKES NV 88901

CITIFINANCIAL AUTO  
P O BOX 6931  
THE LAKES NV 88901-6931

COLONIAL BANK  
1 COMMERCE ST. # 201  
MONTGOMERY AL 36104

DELL FINANCIAL SERVICES  
DFS ACCEPTANCE  
PO BOX 6403  
CAROL STREAM IL 60197

DIRECT STUDENT LOANS  
P.O. BOX 530260  
ATLANTA GA 30353-0260

FIRST TUSKEGEE  
C/O CHAMBLIS AND MATH  
P.O. BOX 230759  
MONTGOMERY AL 36123-0759

INTERNAL REVENUE SERVICES  
801 TOM MARTIN DRIVE  
MAIL STOP 126  
BIRMINGHAM AL 35211

NISSAN MOTOR ACCEPTANCE CORP  
BANKRUPTCY DEPT  
PO BOX 660366  
DALLAS TX 75266-0366

OLINE PRICE, REVENUE COMMISSIONER  
215 SOUTH 9TH STREET  
OPELIKA AL 36801

SOVEREIGN BANK  
P O BOX 16255  
READING PA 19612-9849

SIROTE & PERMUTT  
P O BOX 55887  
BIRMINGHAM AL 35255-5887