	States Bankrupto				Voluntary	Petition
Name of Debtor (if individual, enter Last, First, Gilbert, Ronald Clayton Sr.			of Joint Debtor (	Spouse) (Last, First	, Middle):	
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-Taxpa (if more than one, state all)  xxx-xx-3613	. , , ,	(if mor	e than one, state all	)	Taxpayer I.D. (ITIN) No	o./Complete EIN
Street Address of Debtor (No. and Street, City, a 1005 2nd Avenue North Clanton, AL	nd State):  ZIP (		Address of Joint	Debtor (No. and Str	reet, City, and State):	ZIP Code
County of Residence or of the Principal Place of <b>Chilton</b>	35045	i	y of Residence or	of the Principal Pla	ace of Business:	Zir Code
Mailing Address of Debtor (if different from stre	eet address):	Mailii	ng Address of Join	nt Debtor (if differe	nt from street address):	
	ZIP (	Code				ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):						
Type of Debtor	(Check one box)  dual (includes Joint Debtors)  whibit D on page 2 of this form.  oration (includes LLC and LLP)  ership  (If debtor is not one of the above entities,		Chapter 11 of a Foreign Main Proceeding  Chapter 12 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 business debts.  "incurred by an individual primarily for			ecognition sding ecognition oceeding are primarily
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.			Debtor is not a safe; Debtor's aggregato insiders or afact all applicable both A plan is being Acceptances of	small business debto gate noncontingent lifiliates) are less than exes: filed with this petiti- the plan were solici	s defined in 11 U.S.C. § or as defined in 11 U.S. iquidated debts (exclud a \$2,190,000.	C. § 101(51D). ing debts owed e or more
Statistical/Administrative Information  ■ Debtor estimates that funds will be available  □ Debtor estimates that, after any exempt proper there will be no funds available for distribution	erty is excluded and adminis		es paid,	THIS	SPACE IS FOR COURT	USE ONLY
1- 50- 100- 200-	1,000- 5,001- 10,001 5,000 10,000 25,000		50,001- OVE 100,000 100,0			
\$50,000 \$100,000 \$500,000 to \$1 t	51,000,001 \$10,000,001 \$50,000 to \$10 to \$50 to \$100 million million		\$500,000,001 More to \$1 billion \$1 bill			
\$0 to \$50,001 to \$100,001 to \$500,001 to \$500,000 to \$1 to \$1	コ ロ ロ コ コ コ コ コ コ コ コ コ コ コ コ コ コ コ コ コ		\$500,000,001 More to \$1 billion \$1 bill	ion	00 Daa-M.	
Case 09-31845 L		3/03 L	<del>ntered 07/1</del> ge 1 of 11	3/09 16:55:	<del>∠3 Desc Mai</del>	<del>fi</del>

B1 (Official Form 1)(1/08) Page 2 Name of Debtor(s): Voluntary Petition Gilbert, Ronald Clayton Sr. (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: Northern District of Alabama 08-04995 10/07/08 Location Case Number: Date Filed: Where Filed: See Attachment Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I (To be completed if debtor is required to file periodic reports (e.g., have informed the petitioner that [he or she] may proceed under chapter 7, 11, forms 10K and 10Q) with the Securities and Exchange Commission 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) 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 П 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 П 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(1)). Entered 07/13/09 16:55:23 <del>- Doc 1</del> Filed 07/13/09

B1 (Official Form 1)(1/08)

Voluntory Potition

Name of Debtor(s):

#### **Voluntary Petition**

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

#### 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/ Ronald Clayton Gilbert, Sr.

Signature of Debtor Ronald Clayton Gilbert, Sr.

X.

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

July 13, 2009

Date

#### Signature of Attorney\*

#### X /s/ Michael A. Fritz, Sr

Signature of Attorney for Debtor(s)

#### Michael A. Fritz, Sr ASB 5814 Z56M

Printed Name of Attorney for Debtor(s)

Fritz & Hughes, LLC

Firm Name

7020 Fain Park Drive Suite 1 Montgomery, AL 36117

Address

### Email: michael@fritzandhughes.com (334) 215-4422 Fax: (334) 215-4424

Telephone Number

July 13, 2009

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 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.

X

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Case 09-31845 Doc 1 Filed 07/13/09

#### 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.

X

Signature of Foreign Representative

Gilbert, Ronald Clayton Sr.

Printed Name of Foreign Representative

Date

#### **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 bankrutpcy 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.)

v

Date

Address

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.

Debtor

# FORM 1. VOLUNTARY PETITION Prior Bankruptcy Cases Filed Attachment

Location Where Filed	<u>Case Number</u>	Date Filed
Northern District of Alabama	06-04912	12/06/06
Northern District of Alabama	06-3304	09/05/06
Northern District of Alabama	06-1392	04/28/06

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

In re	Ronald Clayton Gilbert, Sr.		Case No.	
		Debtor(s)	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. [Summarize exigent circumstances here.] \_\_\_\_

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applica	ble
statement.] [Must be accompanied by a motion for determination by the court.]	
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B 1D(Official Form 1, Exhibit D) (12/08) - Cont.
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Internet.);
☐ Active military duty in a military combat zone.
□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: // // // // // // // // // // // // //
Date: <u>July 13, 2009</u>

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

In re	Ronald Clayton Gilbert, Sr.			
		Debtor(s)	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)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Afni, Inc.	Afni, Inc.			774.00
P.O. Box 3427	P.O. Box 3427			
Bloomington, IL 61702	Bloomington, IL 61702			
Amca	Amca			210.00
2269 S Saw Mill River Road	2269 S Saw Mill River Road			
Elmsford, NY 10523	Elmsford, NY 10523			
Capital One Bank	Capital One Bank			3,424.00
P.O. Box 85520	P.O. Box 85520			
Richmond, VA 23285	Richmond, VA 23285			
Capital One Bank	Capital One Bank			1,277.00
P.O. Box 85520	P.O. Box 85520			
Richmond, VA 23285	Richmond, VA 23285			
Cbusasears	Cbusasears			1,613.00
8725 W Sahara Avenue	8725 W Sahara Avenue			
The Lakes, NV 89163	The Lakes, NV 89163			
Ccb Na	Ccb Na			737.00
Pob 5010 Room 1242	Pob 5010 Room 1242			
Concord, CA 94524	Concord, CA 94524			
Central Financial Control	Central Financial Control			16,199.00
P.O. Box 66051	P.O. Box 66051			
Anaheim, CA 92816	Anaheim, CA 92816			
Chrysler Financial	Chrysler Financial			8,002.00
10300 Boggy Creek Road	10300 Boggy Creek Road			
Orlando, FL 32824	Orlando, FL 32824			
Citi-citgo	Citi-citgo			675.00
P.O. Box 15687	P.O. Box 15687			
Wilmington, DE 19850	Wilmington, DE 19850			
Citibank	Citibank			10,390.00
P.O. Box 6241	P.O. Box 6241			
Sioux Falls, SD 57117	Sioux Falls, SD 57117			
Citifinancia	Citifinancia			2,062.00
7467 New Ridge Road, Suite	7467 New Ridge Road, Suite 200			
200	Hanover, MD 21076			
Hanover, MD 21076				
Credit Protect Association	Credit Protect Association			591.00
1355 Noel Road, Suite 2100	1355 Noel Road, Suite 2100			
Dallas, TX 75240	Dallas, TX 75240			

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Debtor(s)

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

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Franklin Collection Service	Franklin Collection Service			594.00
2978 W Jackson Street	2978 W Jackson Street			
Tupelo, MS 38801 Friedmans Jewelers	Tupelo, MS 38801 Friedmans Jewelers			4 527 00
171 Crossroads Parkway	171 Crossroads Parkway			1,537.00
Savannah, GA 31407	Savannah, GA 31407			
JC Penney	JC Penney			556.00
P.O. Box 981127	P.O. Box 981127			330.00
El Paso, TX 79998	El Paso, TX 79998			
Macys/fdsb	Macys/fdsb			570.00
13141 34th Street North	13141 34th Street North			
Clearwater, FL 33762	Clearwater, FL 33762			
Merrick Bank Corporation	Merrick Bank Corporation			3,325.00
P.O. Box 5000	P.O. Box 5000			
Draper, UT 84020	Draper, UT 84020			
S and P Capital Investment	S and P Capital Investment			2,896.00
1601 West Airport Freeway	1601 West Airport Freeway			
Euless, TX 76040	Euless, TX 76040			
Shell Oil/citibank	Shell Oil/citibank			747.00
P.O. Box 6003	P.O. Box 6003			
Hagerstown, MD 21747	Hagerstown, MD 21747			
Sherman Acquisitions	Sherman Acquisitions			234.00
P.O. Box 740281	P.O. Box 740281			
Houston, TX 77274	Houston, TX 77274			

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

I, **Ronald Clayton Gilbert, Sr.**, the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date	July 13, 2009	Signature	/s/ Ronald Clayton Gilbert, Sr.
			Ronald Clayton Gilbert, Sr.
			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.

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Ronald Clayton Gilbert, Sr. 1005 2nd Avenue North Clanton, AL 35045

Afni, Inc. P.O. Box 3427 Bloomington, IL 61702

Amca 2269 S Saw Mill River Road Elmsford, NY 10523

Capital One Bank P.O. Box 85520 Richmond, VA 23285

Cb Bess Coll 1920 3rd Avenue N Bessemer, AL 35020

Cbusasears 8725 W Sahara Avenue The Lakes, NV 89163

Ccb Na Pob 5010 Room 1242 Concord, CA 94524

Central Financial Control P.O. Box 66051 Anaheim, CA 92816

Chrysler Financial 10300 Boggy Creek Road Orlando, FL 32824 Citi-citgo P.O. Box 15687 Wilmington, DE 19850

Citibank P.O. Box 6241 Sioux Falls, SD 57117

Citifinancia 7467 New Ridge Road, Suite 200 Hanover, MD 21076

Credit Protect Association 1355 Noel Road, Suite 2100 Dallas, TX 75240

Franklin Collection Service 2978 W Jackson Street Tupelo, MS 38801

Friedmans Jewelers 171 Crossroads Parkway Savannah, GA 31407

IRS c/o Patricia Conover P.O. Box 197 Montgomery, AL 36101

IRS 801 Tom Martin Drive Birmingham, AL 35211

JC Penney P.O. Box 981127 El Paso, TX 79998 Macys/fdsb 13141 34th Street North Clearwater, FL 33762

Merrick Bank Corporation P.O. Box 5000 Draper, UT 84020

MS Properties 2168 Green Springs Hwy Birmingham, AL 35205

MS Properties, L.L.C. c/o Malcolm McLeod 1957 Hoover Court South, Suite 306 Birmingham, AL 35226

Nine Mile Road, LLC 1707 29th Court Street Birmingham, AL 35209

Rogina Investment Corporation P.O. Box 328 Fultondale, AL 35068

S and P Capital Investment 1601 West Airport Freeway Euless, TX 76040

Shell Oil/citibank P.O. Box 6003 Hagerstown, MD 21747

Sherman Acquisitions P.O. Box 740281 Houston, TX 77274