

**United States Bankruptcy Court  
NORTHERN DISTRICT OF ALABAMA**

**Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle) <b>BARNES, E. FLOYD</b>	Name of Joint Debtor (Spouse)(Last, First, Middle) <b>BARNES, DONNA L.</b>
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): <b>aka Sonny Barnes, aka Elmer Floyd Barnes</b>	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): <b>NONE</b>
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) Complete EIN (if more than one, state all) <b>2352</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) Complete EIN (if more than one, state all) <b>3341</b>
Street Address of Debtor (No. and Street, City, and State) <b>5700 Alabama Hwy. 71 Dutton AL</b>	Street Address of Joint Debtor (No. and Street, City, and State) <b>5700 Alabama Hwy. 71 Scottsboro AL</b>
ZIPCODE <b>35744</b>	ZIPCODE <b>35744</b>
County of Residence or of the Principal Place of Business: <b>Jackson</b>	County of Residence or of the Principal Place of Business: <b>Jackson</b>
Mailing Address of Debtor (if different from street address): <b>SAME</b>	Mailing Address of Joint Debtor (if different from street address): <b>SAME</b>
ZIPCODE	ZIPCODE
Location of Principal Assets of Business Debtor (if different from street address above): <b>SAME</b>	
ZIPCODE	

<b>Type of Debtor (Form of organization)</b> (Check one box.) <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (if debtor is not one of the above entities, check this box and state type of entity below  <hr/>	<b>Nature of Business</b> (Check one box.) <input type="checkbox"/> Health Care Business <input checked="" type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other  <hr/> <b>Tax-Exempt Entity</b> (Check box, if applicable.) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box)</b> <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  <b>Nature of Debts (Check one box)</b> <input type="checkbox"/> 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" <input checked="" type="checkbox"/> Debts are primarily business debts.  <b>Chapter 11 Debtors:</b> Check one box: <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).  Check if: <input checked="" type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). <hr/> Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
<b>Filing Fee (Check one box)</b> <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		

<b>Statistical/Administrative Information</b> <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.	THIS SPACE IS FOR COURT USE ONLY
<b>Estimated Number of Creditors</b> <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000	
<b>Estimated Assets</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input checked="" type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	
<b>Estimated Liabilities</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): <b>E. FLOYD BARNES and DONNA L. BARNES</b>	
<b>All Prior Bankruptcy Cases Filed Within Last 8 Years</b> (If more than two, attach additional sheet)			
Location Where Filed: <b>NONE</b>	Case Number:	Date Filed:	
Location Where Filed:	Case Number:	Date Filed:	
<b>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor</b> (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 have delivered to the debtor the notice required by 11 U.S.C. §342(b).</p> <p><b>X Robert D. McWhorter</b>      6/7/2010</p> <p style="text-align:center;">Signature of Attorney for Debtor(s) <span style="float:right;">Date</span></p>		
<b>Exhibit C</b>			
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?			
<input type="checkbox"/> Yes, and exhibit C is attached and made a part of this petition.			
<input checked="" type="checkbox"/> No			
<b>Exhibit D</b>			
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)			
<input checked="" type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made part of this petition.			
If this is a joint petition:			
<input checked="" type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.			
<b>Information Regarding the Debtor - Venue</b> (Check any applicable box)			
<input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.			
<input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.			
<input type="checkbox"/> 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 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.			
<b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b> (Check all applicable boxes.)			
<input type="checkbox"/> 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)			
<input type="checkbox"/> 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			
<input type="checkbox"/> Debtor has included with 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.			
<input type="checkbox"/> 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):  
**E. FLOYD BARNES and  
DONNA L. BARNES**

**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.

X *E. Floyd Barnes*  
Signature of Debtor

X *Donna L. Barnes*  
Signature of Joint Debtor

Telephone Number (if not represented by attorney)

61712010

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.

X \_\_\_\_\_  
(Signature of Foreign Representative)

\_\_\_\_\_  
(Printed name of Foreign Representative)

\_\_\_\_\_  
(Date)

**Signature of Attorney\***

X *Robert D. McWhorter, Jr.*  
Signature of Attorney for Debtor(s)

Robert D. McWhorter, Jr. ASB0261M68R  
Printed Name of Attorney for Debtor(s)

Inzer, Haney & McWhorter, P.A.  
Firm Name

P. O. Drawer 287  
Address

Gadsden AL 35902-0287

256-546-1656  
Telephone Number

61712010  
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 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

X \_\_\_\_\_  
Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided

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 the 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



Form 1040

Department of the Treasury - Internal Revenue Service U.S. Individual Income Tax Return 2006

(99) IRS Use Only - Do not write or staple in this space.

Label (See instructions on page 16.) Use the IRS label. Otherwise, please print or type.

Header section containing tax year (2006), OMB No. 1545-0074, filer information (ELMER F BARNES, DONNA L BARNES), home address (5700 ALABAMA HWY 71, DUTTON AL 35744), and social security numbers.

Presidential Election Campaign: Check here if you, or your spouse if filing jointly, want \$3 to go to this fund (see page 16). [ ] You [ ] Spouse

Filing Status: 1 [ ] Single, 2 [X] Married filing jointly (even if only one had income), 3 [ ] Married filing separately, 4 [ ] Head of household, 5 [ ] Qualifying widow(er).

Exemptions: 6a [X] Yourself, 6b [X] Spouse, 6c Dependents table with columns for name, SSN, relationship, and child status. Total exemptions claimed: 2.

Income section: 7 Wages, salaries, tips, etc. (1,274); 8a Taxable interest (175); 10 Taxable refunds, credits, or offsets of state and local income taxes (2,483); 13 Capital gain or (loss) (1,048); 17 Rental real estate, royalties, partnerships, S corporations, trusts, etc. (5,378); 22 Total income (10,358).

Adjusted Gross Income section: 23 Archer MSA deduction; 24 Certain business expenses; 25 Health savings account deduction; 26 Moving expenses; 27 One-half of self-employment tax (556); 28 Self-employed SEP, SIMPLE, and qualified plans; 29 Self-employed health insurance deduction; 30 Penalty on early withdrawal of savings; 31a Alimony paid; 32 IRA deduction; 33 Student loan interest deduction; 34 Jury duty pay; 35 Domestic production activities deduction; 36 Add lines 23 through 31a and 32 through 35 (556); 37 Subtract line 36 from line 22. This is your adjusted gross income (9,802).

<b>Tax and Credits</b>	38	Amount from line 37 (adjusted gross income)		38	9,802
	39a	Check if: <input type="checkbox"/> You were born before January 2, 1942, <input type="checkbox"/> Spouse was born before January 2, 1942, <input type="checkbox"/> Blind. <input type="checkbox"/> Blind.	Total boxes checked	39a	
	b	If your spouse itemizes on a separate return or you were a dual-status alien, see page 34 and check here <span style="float:right;">▶ 39b</span>			
	40	Itemized deductions (from Schedule A) or your standard deduction (see left margin)		40	10,300
	41	Subtract line 40 from line 38		41	-498
	42	If line 38 is over \$112,875, or you provided housing to a person displaced by Hurricane Katrina, see page 36. Otherwise, multiply \$3,300 by the total number of exemptions claimed on line 6d		42	6,600
	43	Taxable income. Subtract line 42 from line 41. If line 42 is more than line 41, enter -0-		43	0
	44	Tax (see page 36). Check if any tax is from: a <input type="checkbox"/> Form(s) 8814 b <input type="checkbox"/> Form 4972		44	0
	45	Alternative minimum tax (see page 39). Attach Form 6251		45	
	46	Add lines 44 and 45		46	
	47	Foreign tax credit. Attach Form 1116 if required	47		
	48	Credit for child and dependent care expenses. Attach Form 2441	48		
	49	Credit for the elderly or the disabled. Attach Schedule R	49		
	50	Education credits. Attach Form 8863	50		
	51	Retirement savings contributions credit. Attach Form 8880	51		
	52	Residential energy credits. Attach Form 5695	52		
	53	Child tax credit (see page 42). Attach Form 8901 if required	53		
	54	Credits from: a <input type="checkbox"/> Form 8396 b <input type="checkbox"/> Form 8839 c <input type="checkbox"/> Form 8859	54		
	55	Other credits: a <input type="checkbox"/> Form 3800 b <input type="checkbox"/> Form 8801 c <input type="checkbox"/> Form	55		
	56	Add lines 47 through 55. These are your total credits	56		
	57	Subtract line 56 from line 46. If line 56 is more than line 46, enter -0-	57		0
<b>Other Taxes</b>	58	Self-employment tax. Attach Schedule SE		58	1,111
	59	Social security and Medicare tax on tip income not reported to employer. Attach Form 4137		59	
	60	Additional tax on IRAs, other qualified retirement plans, etc. Attach Form 5329 if required		60	
	61	Advance earned income credit payments from Form(s) W-2, box 9		61	
	62	Household employment taxes. Attach Schedule H		62	
	63	Add lines 57 through 62. This is your total tax		63	1,111
<b>Payments</b>	64	Federal income tax withheld from Forms W-2 and 1099	64		
	65	2006 estimated tax payments and amount applied from 2005 return	65		
	66a	Earned income credit (EIC)	66a	329	
	b	Nontaxable combat pay election ▶ 66b			
	67	Excess social security and tier 1 RRTA tax withheld (see page 60)	67		
	68	Additional child tax credit. Attach Form 8812	68		
	69	Amount paid with request for extension to file (see page 60)	69		
	70	Payments from: a <input type="checkbox"/> Form 2439 b <input type="checkbox"/> Form 4136 c <input type="checkbox"/> Form 8885	70		
	71	Credit for federal telephone excise tax paid. Attach Form 8913 if required	71	40	
	72	Add ln. 64, 65, 66a, & 67 - 71. These are your total payments	72		369
<b>Refund</b>	73	If line 72 is more than line 63, subtract line 63 from line 72. This is the amount you overpaid		73	
Direct deposit? See page 61 and fill in 74b, 74c, and 74d, or Form 8888.	74a	Amount of line 73 you want refunded to you. If Form 8888 is attached, check here ▶ <input type="checkbox"/>		74a	
	b	Routing number			
	c	Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings			
	d	Account number			
	75	Amount of line 73 you want applied to your 2007 estimated tax ▶ 75			
<b>Amount You Owe</b>	76	Amount you owe. Subtract line 72 from line 63. For details on how to pay, see page 62		76	742
	77	Estimated tax penalty (see page 62)	77		

**Third Party Designee** Do you want to allow another person to discuss this return with the IRS (see page 63)?  Yes. Complete the following.  No

Designee's name ▶ **Preparer** Personal identification number (PIN) ▶  Phone no. ▶

**Sign Here** Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Your signature	Date	Your occupation	Daytime phone number
Spouse's signature. If a joint return, both must sign.	Date	Spouse's occupation	

**Paid Preparer's Use Only**

Preparer's signature ▶ **Thomas G Perkins** Date **10/04/07** Check if self-employed  Preparer's SSN or PTIN **421-62-4236**

Firm's name (or yours if self-employed), address, and ZIP code ▶ **Thomas G. Perkins, CPA**  
**201 College Ave**  
**Scottsboro** AL 35768-1843 Phone no. **256-259-2669**

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION**

In re **E. FLOYD BARNES**  
and  
**DONNA L. BARNES**

Case No.  
Chapter: **11**

\_\_\_\_\_/Debtor(s)

Attorney For Debtor: *Robert D. McWhorter, Jr.*

**LIST OF CREDITORS**

#	CREDITOR	CLAIM AND SECURITY	C D S U	CLAIM AMOUNT
1	<b>ALFA Financial</b> P.O. Box 11000 Montgomery, AL 36101			\$ 6,000.00
2	<b>American Express</b> P.O. Box 650448 Dallas, TX 75265			\$ 800.00
3	<b>Bruce Hamilton</b> 21 County Road 643 Henagar, AL 35978			\$ 27,000.00
4	<b>Capital One</b> P.O. Box 6492 Carol Stream, IL 60197			\$ 3,500.00
5	<b>Capital One</b> P.O. Box 6492 Carol Stream, IL 60197			\$ 2,800.00
6	<b>Chase</b> P.O. Box 15298 Wilmington, DE 19850	Credit card account		\$ 9,025.00
7	<b>Ciena Capital</b> P.O. Box 26507 Greenville, SC 29616			\$ 13,000.00
8	<b>Donald Perkins</b> 1526 Needmore Road Albertville, AL 35950			\$ 30,000.00

**LIST OF CREDITORS**

(Continuation Sheet)

#	CREDITOR	CLAIM AND SECURITY	C D S U	CLAIM AMOUNT
9	First Bank of the South P.O. Box 9 Rainsville, AL 35986			\$ 7,550.00
10	First National Bank 402 South Broad Street Scottsboro, AL 35768			\$ 20,500.00
11	Ford Credit Box 105697 Atlanta, GA 30348-5697			\$ 12,000.00
12	HFC Finance Corp of AL P.O. Box 3425 Buffalo, NY 14240			\$ 367,700.00
13	Horizon Bank 1167 Main Street Fyffe, AL 35971			\$ 50,000.00
14	HSBC P.O. Box 60167 City of Industry, CA 91716			\$ 1,162.00
15	Inovative Bank 360 14th Street Oakland, CA 94612			\$ 4,000.00
16	JC Penney P.O. Box 960090 Orlando, FL 32896			\$ 2,650.00
17	MidSouth Media Group c/o The Wimm Brown Law Firm P.O. Box 249 Southaven, MS 38671			\$ 6,000.00
18	Peoples Independent Bank 121 Billy B. Dyar Blvd Boaz, AL 35957			\$ 99,536.00
19	Peoples Independent Bank 121 Billy B. Dyar Blvd. Boaz, AL 35957			\$ 20,000.00



**LIST OF CREDITORS**

(Continuation Sheet)

#	CREDITOR	CLAIM AND SECURITY	C D S U	CLAIM AMOUNT
20	Peoples Independent Bank 121 Billy B. Dyar Blvd. Boaz, AL 35957			\$ 50,800.00
21	Realty Resources 102 Hammond Drive Atlanta, GA 30328			\$ 200,000.00
22	RPI Media 265 Racine Dr., Suite 201 Wilmington, NC 28403			\$ 94,360.00
23	Rymeg Engineering 102 N. Market Street Scottsboro, AL 35768			\$ 22,000.00
24	Sears P.O. Box 183081 Columbus, OH 43218	Credit card account		\$ 525.00
25	Shell 689151 DeMoines, IA 50368	Credit card account		\$ 1,350.00
26	Shell P.O. Box 689151 DeMoines, IA 50368	Credit card account		\$ 450.00
27	Tractor Supply P.O. Box 653054 Dallas, TX 75265	Charge account		\$ 1,725.00
28	US Bank P.O. Box 790408 St.Louis, MO 63179			\$ 2,300.00

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION

In re *ELMER F. BARNES*  
*aka Sonny Barnes*  
and  
*DONNA L. BARNES*

Case No.  
Chapter 11

\_\_\_\_\_/ Debtor

Attorney for Debtor: *Robert D. McWhorter, Jr.*

VERIFICATION OF CREDITOR LIST

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

Date: 6/7/10

*Elmer F. Barnes*  
Debtor

*Donna L. Barnes*  
Joint Debtor

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

In re E. FLOYD BARNES
aka Sonny Barnes
aka Elmer Floyd Barnes
and
DONNA L. BARNES

Case No.
Chapter 11

Attorney for Debtor: Robert D. McWhorter, Jr. / Debtor

STATEMENT PURSUANT TO RULE 2016(B)

The undersigned, pursuant to Rule 2016(b), Bankruptcy Rules, states that:

- 1. The undersigned is the attorney for the debtor(s) in this case.
2. The compensation paid or agreed to be paid by the debtor(s), to the undersigned is:
a) For legal services rendered or to be rendered in contemplation of and in connection with this case ... \$ 0.00
b) Prior to the filing of this statement, debtor(s) have paid ... \$ 0.00
c) The unpaid balance due and payable is ... \$ 0.00
3. \$ 1,039.00 of the filing fee in this case has been paid.
4. The Services rendered or to be rendered include the following:
a) Analysis of the financial situation, and rendering advice and assistance to the debtor(s) in determining whether to file a petition under title 11 of the United States Code.
b) Preparation and filing of the petition, schedules, statement of financial affairs and other documents required by the court.
c) Representation of the debtor(s) at the meeting of creditors.
5. The source of payments made by the debtor(s) to the undersigned was from earnings, wages and compensation for services performed, and
None other
6. The source of payments to be made by the debtor(s) to the undersigned for the unpaid balance remaining, if any, will be from earnings, wages and compensation for services performed, and
Debtors have agreed to pay counsel at the rate of \$200.00 per hour for services rendered in this case, subject to court approval, from future income.
7. The undersigned has received no transfer, assignment or pledge of property from debtor(s) except the following for the value stated:
None
8. The undersigned has not shared or agreed to share with any other entity, other than with members of undersigned's law firm, any compensation paid or to be paid except as follows:
None

Dated: 6/7/2010

Respectfully submitted,

x 

Attorney for Petitioner: Robert D. McWhorter, Jr.

Inzer, Haney & McWhorter, P.A.

P. O. Drawer 287

Gadsden AL 35902-0287

256-546-1656

# STATEMENT OF INFORMATION REQUIRED BY 11 U.S.C. § 341

## INTRODUCTION

Pursuant to the Bankruptcy Reform Act of 1994, the Office of the United States Trustee, United States Department of Justice, has prepared this information sheet to help you understand some of the possible consequences of filing a bankruptcy petition under chapter 7 of the Bankruptcy Code. This information is intended to make you aware of

- (1) the potential consequences of seeking a discharge in bankruptcy, including the effects on credit history;
- (2) the effect of receiving a discharge of debts;
- (3) the effect of reaffirming a debt; and
- (4) your ability to file a petition under a different chapter of the Bankruptcy Code.

There are many other provisions of the Bankruptcy Code that may affect your situation. This information sheet contains only general principles of law and is not a substitute for legal advice. If you have questions or need further information as to how the bankruptcy laws apply to your specific case, you should consult with your lawyer.

## WHAT IS A DISCHARGE?

The filing of a chapter 7 petition is designed to result in a discharge of most of the debts you listed on your bankruptcy schedules. A discharge is a court order that says you do not have to repay your debts, but there are a number of exceptions. Debts which may not be discharged in your chapter 7 case include, for example, most taxes, child support, alimony, and student loans; court-ordered fines and restitution; debts obtained through fraud or deception; and personal injury debts caused by driving while intoxicated or taking drugs. Your discharge may be denied entirely if you, for example, destroy or conceal property; destroy, conceal or falsify records; or make a false oath. Creditors cannot ask you to pay any debts which have been discharged. You can only receive a chapter 7 discharge once every six (6) years.

## WHAT ARE THE POTENTIAL EFFECTS OF A DISCHARGE?

The fact that you filed bankruptcy can appear on your credit report for as long as 10 years. Thus, filing a bankruptcy petition may affect your ability to obtain credit in the future. Also, you may not be excused from repaying any debts that were not listed on your bankruptcy schedules or that you incurred after you filed bankruptcy.

## WHAT ARE THE EFFECTS OF REAFFIRMING A DEBT?

After you file your petition, a creditor may ask you to reaffirm a certain debt or you may seek to do so on your own. Reaffirming a debt means that you sign and file with the court a legally enforceable document, which states that you promise to repay all or a portion of the debt that may otherwise have been discharged in your bankruptcy case. Reaffirmation agreements must generally be filed with the court within 60 days after the first meeting of creditors.

Reaffirmation agreements are strictly voluntary - they are not required by the Bankruptcy Code or other state or federal law. You can voluntarily repay any debt instead of signing a reaffirmation agreement, but there may be valid reasons for wanting to reaffirm a particular debt.

Reaffirmation agreements must not impose an undue burden on you or your dependents and must be in your best interest. If you decide to sign a reaffirmation agreement, you may cancel it at any time before the court issues your discharge order or within sixty (60) days after the reaffirmation agreement was filed with the court, whichever is later. If you reaffirm a debt and fail to make the payments required in the reaffirmation agreement, the creditor can take action against you to recover any property that was given as security for the loan and you may remain personally liable for any remaining debt.

## OTHER BANKRUPTCY OPTIONS

You have a choice in deciding what chapter of the Bankruptcy Code will best suit your needs. Even if you have already filed for relief under chapter 7, you may be eligible to convert your case to a different chapter.

Chapter 7 is the liquidation chapter of the Bankruptcy Code. Under chapter 7, a trustee is appointed to collect and sell, if economically feasible, all property you own that is not exempt from these actions.

Chapter 11 is the reorganization chapter most commonly used by businesses, but it is also available to individuals. Creditors vote on whether to accept or reject a plan, which also must be approved by the court. While the debtor normally remains in control of the assets, the court can order the appointment of a trustee to take possession and control of the business.

Chapter 12 offers bankruptcy relief to those who qualify as family farmers. Family farmers must propose a plan to repay their creditors over a three-to-five year period and it must be approved by the court. Plan payments are made through a chapter 12 trustee, who also monitors the debtors' farming operations during the pendency of the plan.

Finally, chapter 13 generally permits individuals to keep their property by repaying creditors out of their future income. Each chapter 13 debtor writes a plan which must be approved by the bankruptcy court. The debtor must pay the chapter 13 trustee the amounts set forth in their plan. Debtors receive a discharge after they complete their chapter 13 repayment plan. Chapter 13 is only available to individuals with regular income whose debts do not exceed \$1,077,000 (\$269,250 in unsecured debts and \$807,750 in secured debts).

AGAIN, PLEASE SPEAK TO YOUR LAWYER IF YOU NEED FURTHER INFORMATION OR EXPLANATION, INCLUDING HOW THE BANKRUPTCY LAWS RELATE TO YOUR SPECIFIC CASE.

6/7/2010

Date

6/7/2010

Date

*Floyd Barrer*

Debtor

*Robert D. McWhorter*

Attorney for Debtor(s)

*Donna Barrer*

Joint Debtor

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION

In re *E. FLOYD BARNES*  
*aka Sonny Barnes*  
*aka Elmer Floyd Barnes*  
and  
*DONNA L. BARNES*

Case No.  
Chapter 11

\_\_\_\_\_/ Debtor

Attorney for Debtor: *Robert D. McWhorter, Jr.*

**VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

Date: 6/7/2010

*Elmer F. Barnes*  
Debtor

*Donna L. Barnes*  
Joint Debtor

ALFA Financial  
P O Box 11000  
Montgomery AL 36101

First Bank of the South  
P O Box 9  
Rainsville AL 35986

MidSouth Media Group  
c/o The Wimm Brown Law Firm  
P O Box 249  
Southaven MS 38671

American Express  
P O Box 650448  
Dallas TX 75265

First National Bank  
402 South Broad Street  
Scottsboro AL 35768

Peoples Independent Bank  
121 Billy B Dyar Blvd  
Boaz AL 35957

E FLOYD BARNES  
5700 Alabama Hwy 71  
Dutton AL 35744

Ford Credit  
Box 105697  
Atlanta GA 30348-5697

Realty Resources  
102 Hammond Drive  
Atlanta GA 30328

DONNA L BARNES  
5700 Alabama Hwy 71  
Scottsboro AL 35744

HFC  
P O Box 5233  
Carol Stream IL 60197

RPI Media  
265 Racine Dr Suite 201  
Wilmington NC 28403

Bruce Hamilton  
21 County Road 643  
Henagar AL 35978

HFC Finance Corp of AL  
P O Box 3425  
Buffalo NY 14240

Rymeg Engineering  
102 N Market Street  
Scottsboro AL 35768

Capital One  
P O Box 6492  
Carol Stream IL 60197

Horizon Bank  
1167 Main Street  
Fyffe AL 35971

Sears  
P O Box 183081  
Columbus OH 43218

Chase  
P O Box 15298  
Wilmington DE 19850

HSBC  
P O Box 60167  
City of Industry CA 91716

Shell  
689151  
DeMoines IA 50368

Ciena Capital  
P O Box 26507  
Greenville SC 29616

Inovative Bank  
360 14th Street  
Oakland CA 94612

Shell  
P O Box 689151  
DeMoines IA 50368

Donald Perkins  
1526 Needmore Road  
Albertville AL 35950

JC Penney  
P O Box 960090  
Orlando FL 32896

Tractor Supply  
P O Box 653054  
Dallas TX 75265

US Bank  
P O Box 790408  
St Louis MO 63179