B1 (Official Form 1) (1/08)

United States Bankruptcy Court District of Arizona					Volu	untary Petition		
Name of Debtor (if individual, enter Last, First, Middle): Phelps, Marvin Melvin			Name of Joint Debtor (Spouse) (Last, First, Middle): Phelps, Shirley Nell					
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. EIN (if more than one, state all): 2059	D. (ITIN) No./Complete		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 0254					
Street Address of Debtor (No. & Street, City, State & 1349 Rocky Knoll	Zip Code):	1	Street Address of Joint Debtor (No. & Street, City, State & Zip Code): 1349 Rocky Knoll					
Cottonwood, AZ	ZIPCODE 86326	- '	Cottonwood, AZ					
County of Residence or of the Principal Place of Busi Yavapai	ness:		County of Residence or of the Principal Place of Business: Yavapai					
Mailing Address of Debtor (if different from street ad P. O. Box 550 Cottonwood, AZ	ldress)	F	Mailing Address of Joint Debtor (if different from street address): P. O. Box 550 Cottonwood, AZ					
	ZIPCODE 86326		Cottonw	00u, A			2	ZIPCODE 86326
Location of Principal Assets of Business Debtor (if di	ifferent from street address	s above	e):					
	-						2	ZIPCODE
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.)	Check one box: Debtor is a smal			inder ie box: s a small	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box.) □ Chapter 7 □ Chapter 15 Petition for □ Chapter 9 Recognition of a Foreign ☑ Chapter 11 Main Proceeding □ Chapter 12 □ Chapter 15 Petition for □ Chapter 12 □ Chapter 15 Petition for □ Chapter 12 □ Chapter 15 Petition for □ Chapter 13 Recognition of a Foreign Nonmain Proceeding			
is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.			 Debtor's aggregate noncontingent liquidated debts owed to non-insiders or affiliates are less than \$2,190,000. Check all applicable boxes: 					
Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.			 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 THIS SPACE IS FOR ✓ Debtor estimates that funds will be available for distribution to unsecured creditors. COURT USE ONLY Obstribution to unsecured creditors. COURT USE ONLY								
Estimated Number of Creditors Image: Strength of Creditors		5,001- 10,001-		□ 25,001- 50,000		50,001- 100,000	Dver 100,000	
	$0,001 \text{ to } \overline{\$1}0,000,001 \overline{\$5}0,000,001 \text{ to } \overline{\$2}$		\$100,00 to \$500		5500,000,001 to \$1 billion	D More than \$1 billion		
Estimated Liabilities			\$100,00	,	500,000,001 \$500,000,001	More than \$1 billion		

B1 (Official Form 1) (1/08)		Page 2			
Voluntary Petition (This page must be completed and filed in every case)	ntary Petition Name of Debtor(s): Description Description				
Prior Bankruptcy Case Filed Within Last 8 Years (If more than two, attach additional sheet)					
Location Where Filed: None	Case Number: Date Filed:				
Location Where Filed:	Case Number:	Date Filed:			
Pending Bankruptcy Case Filed by any Spouse, Partner or	Affiliate of this Debtor (If mor	re than one, attach additional sheet)			
Name of Debtor: None	Case Number: Date Filed:				
District:	Relationship:	Judge:			
Exhibit A (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.)	Exhibit B (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 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 § 342(b) of the Bankruptcy Code.				
	X /s/ Pernell W. McGuire Signature of Attorney for Debtor(s)	5/11/09			
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 a 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.)					
(Name of landlord or lessor that obtained judgment)					
(Address of landlord or lessor)					
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 a filing of the petition.	any rent that would become due du	aring the 30-day period after the			
Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).					

Page 3					
Name of Debtor(s): Phelps, Marvin Melvin & Phelps, Shirley Nell					
Signatures					
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 Date					
Signature of Non-Attorney 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); 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					
1 x					
Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above. Date 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.					

United States Bankruptcy Court District of Arizona

IN RE:	Case No	

Debtor(s)

Phelps, Marvin Melvin

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.

 \checkmark 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*.

 \Box 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.*

 \Box 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 applicable statement.] [Must be accompanied by a motion for determination by the court.]

- 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: /s/ Marvin Melvin Phelps

Date: May 11, 2009

Certificate Number: 02910-AZ-CC-006938817

CERTIFICATE OF COUNSELING

I CERTIFY that on May 4, 2009	, at	3:53				
Marvin Phelps	Phelps received from					
InCharge Education Foundation, Inc.						
an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the						
District of Arizona	, aı	n individual [or	r group] briefing that complied			
with the provisions of 11 U.S.C. §§ 109(h) and 111.						
A debt repayment plan was not prepared	Ifad	lebt repayment	plan was prepared, a copy of			
the debt repayment plan is attached to this o	certificat	e.				
This counseling session was conducted by	internet a	nd telephone	·			
Date: May 4, 2009	By	/s/Steven Canfi	cłd			
	Name	Steven Canfield	<u>i</u>			
	Title	Bankruptey Co	unselor			
* Individuals who wish to file a bankruptcy Code are required to file with the United St counseling from the nonprofit budget and c the counseling services and a copy of the de credit counseling agency. See 11 U.S.C. §§	ates Ban redit cou ebt repay	kruptcy Court a inseling agency ment plan, if an	a completed certificate of that provided the individual			

United States Bankruptcy Court District of Arizona

IN RE:	Case No.

Debtor(s)

Phelps, Shirley Nell

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.

 \checkmark 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*.

 \Box 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.*

 \Box 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 applicable statement.] [Must be accompanied by a motion for determination by the court.]

- 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.

Date: May 11, 2009

Certificate Number: 02910-AZ-CC-007008962

CERTIFICATE OF COUNSELING

[CERTIFY that on May 11, 2009	, at	1:27	o'clock <u>PM EDT</u> ,		
Shirley Phelps	rcceived from				
InCharge Education Foundation, Inc.			,		
an agency approved pursuant to 11 U.S.C.	§11i to	provide ere	dit counseling in the		
District of Arizona	, ar	1 individua	l [or group] briefing that complied		
with the provisions of 11 U.S.C. §§ 109(h)	and 111.				
A debt repayment plan was not prepared	Ifad	lebt repaym	ent plan was prepared, a copy of		
the debt repayment plan is attached to this	certificat	e.			
This counseling session was conducted by	internet a	nd telephon	e		
Date: May 11, 2009	Ву	/s/Asbley	Casey		
	Name	Ashley Ca	scy		
	Title	Bankrupte	y Counselor		
* Individuals who wish to file a bankrupte Code are required to file with the United S counseling from the nonprofit budget and the counseling services and a copy of the c credit counseling agency. See 11 U.S.C. §	tates Ban credit cou lebt repay	kruptcy Co inseling ag iment plan,	ourt a completed certificate of ency that provided the individual if any, developed through the		

Phelps, Marvin Melvin & Phelps, Shirley Nell

IN RE:

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United States Bankruptcy Court District of Arizona

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Case No.

Chapter 11

guardian." Do not disclose the child's name. See, 11 (1) Name of creditor and complete mailing addres including zip code	s Namo addre	2 and Fed. R. Bankr. P. 1007(m). (2) e, telephone number and complete mailing ess, including zip code, of employee, agent epartment of creditor familiar with claim who may be contacted	(3) Nature of claim (trade debt, bank loan, government contract, etc.)	(4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff	(5) Amount of claim (if secured also state value of security)
JP Morgan Chase Bank 1300 W. Highway 89A Sedona, AZ 86336			Bank Ioan	Contingent	1,000,000.00
Yavapai County Treasurer Ross Jacobs 1015 Fair Street Prescott, AZ 88305-1807					2,193.24 Collateral: 0.00 Unsecured: 2,193.24
Bank Of America P.O. Box 1390 Norfolk, VA 23501					300.00
Wells Fargo Bank P.O. Box 5445 Portland, OR 97228					136.00
DECLARAT	ION UNDE	CR PENALTY OF PERJURY BY IN	DIVIDUAL DEB	BTOR	
I declare under penalty of perjury that I have	read the for	regoing list and that it is true and correct	et to the best of m	y information and b	belief.
Date: May 11, 2009	Signature of Debtor	/s/ Marvin Melvin Phelps		Marvir	Melvin Phelps
Date: May 11, 2009	Signature of Joint De	/s/ Shirley Nell Phelps		Shir	ley Nell Phelps

(if any)

Debtor(s)

United States Bankruptcy Court District of Arizona

IN RE:		Case No.
Phelps, Marvin Melvin & Phelps, Shirle		Chapter 11
	Debtor(s) DECLARATION	
	jury, that the Master Mailing List, consisting o edules pursuant to Local Bankruptcy Rule 100'	· · · · · ·
Date: May 11, 2009	Signature: /s/ Marvin Melvin Phelps Marvin Melvin Phelps	Debtor
Date: May 11, 2009	Signature: <u>/s/ Shirley Nell Phelps</u> Shirley Nell Phelps	Joint Debtor, if any
Date: May 11, 2009	Signature: <u>/s/ Pernell W. McGuire</u> Pernell W. McGuire 015909	Attorney (if applicable)

BANK OF AMERICA PO BOX 1390 NORFOLK VA 23501

BANK OF AMERICA 4161 PIEDMONT PKWY GREENSBORO NC 27410

GERALD SHELLEY QUARLES & BRADY LLP TWO NORTH CENTRAL AVENUE PHOENIX AZ 85004

JP MORGAN CHASE BANK WEST SEDONA LPO 1300 WEST HIGHWAY 89A SEDONA AZ 86336

JP MORGAN CHASE BANK 1300 W HIGHWAY 89A SEDONA AZ 86336

WELLS FARGO BANK PO BOX 5445 PORTLAND OR 97228

YAVAPAI COUNTY TREASURER ROSS JACOBS 1015 FAIR STREET PRESCOTT AZ 88305-1807