

UNITED STATES BANKRUPTCY COURT
Eastern District of California

VOLUNTARY PETITION

Name of Debtor (if individual, enter Last, First, Middle):
Sonrise Baptist Church of Clovis, California

Name 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-Taxpayer I.D. (ITIN)/Complete EIN
 (if more than one, state all):

80-31688-8

Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN
 (if more than one, state all):

Street Address of Debtor (No. and Street, City, and State):

**3105 Locan Ave.
 Clovis, CA**

Street Address of Joint Debtor (No. and Street, City, and State):

ZIP CODE 93619**ZIP CODE**

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

County of Residence or of the Principal Place of Business:

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):

ZIP CODE

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 \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter).

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

- ☒ 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.

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
- ☐ 100,001 or more

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

THIS SPACE IS FOR
 DEBTOR: SONRISE BAPTIST CHURCH OF C
 DEBTOR'S ATTY: B. JAMESON
 JUDGE: HON. W. RIMEL
 CHAPTER: 11 COUNTY: FRESNO

FILED 7/27/11

Rec'd Counter: 07/27/11-3:47PM
 RELIEF ORDERED

CLERK U.S. BANKRUPTCY COURT
 EASTERN DISTRICT OF CALIFORNIA

RECEIPT NO: 1-11-2584 \$1039.00 rPa

11-18495-11

11-18495-11

Voluntary Petition

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

Name of Debtor(s):

Sonrise Baptist Church of Clovis, California

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

Location Where Filed:	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 more than one, attach additional sheet.)

Name of Debtor:	Case Number:	Date Filed:
District: Eastern District of California	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 A is attached and made a part of this petition.

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 have delivered to the debtor the notice required by 11 U.S.C. § 342(b).

X

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 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 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.
- ☐ 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):

Sonrise Baptist Church of Clovis, California

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 _____
Signature of Debtor

X _____
Signature of Joint Debtor

Telephone Number (if not represented by attorney)

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.

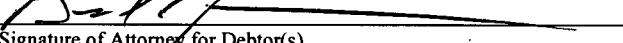
☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X _____
(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

Date

Signature of Attorney*

X 
Signature of Attorney for Debtor(s)
Bradley J. Jameson

Printed Name of Attorney for Debtor(s)
Phillips, Spallas & Angstadt, LLP

Firm Name
Three Embarcadero Center, Suite 550
San Francisco, CA 94111

Address
(415) 278-9400

Telephone Number
07/11/2011


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

X 
Signature of Authorized Individual
Sherman S. Smith

Printed Name of Authorized Individual
Executive Pastor

Title of Authorized Individual
07/27/2011

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 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.

United States Bankruptcy Court

Eastern District of California

In Re: Sunrise Baptist Church of Clovis, California,

Debtor

Case No.

Chapter 11

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, Sherman S. Smith, am the Executive Pastor of Sunrise Baptist Church of Clovis, California, the Debtor named herein and that on July 27, 2011 the following resolution was duly adopted by the Board of Directors of this corporation:

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Sherman S. Smith, the Executive Pastor of Sunrise Baptist Church of Clovis, California, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy on behalf of Sunrise Baptist Church of Clovis, California; and

Be It Further Resolved, that Sherman S. Smith, the Executive Pastor of Sunrise Baptist Church of Clovis, California is authorized and directed to appear in all bankruptcy proceedings on behalf of the Debtor, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the Debtor in connection with such bankruptcy case; and

Be It Further Resolved, that Sherman S. Smith, the Executive Pastor of Sunrise Baptist Church of Clovis, California is authorized and directed to employ the law firm of Phillips, Spallas & Angstadt, LLP to represent the Debtor in such bankruptcy case."

Executed on: July 27, 2011

Signed:



Sherman S. Smith
Executive Pastor

Debtor: **Sonrise Baptist Church of Clovis, California**

Case No. (if known):

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 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) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent, or department 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]
1 Keith & Carol Justesen 4797 N. Kittyhawk Sanger, CA 93657		Loan		\$109,000
2 Robyn Hart 2483 Buckingham St. Clovis, CA 93619		Loan		\$75,000
3 Tim and Valorie Kantor 2726 E. Pontiac Fresno, CA 93726		Loan		\$15,000
4 Mike and Megan Borello 11082 E. Greenbury Way Clovis, CA 93619		Loan		\$50,000
5 Jerry Wages 3386 Twain Ave. Clovis, CA 93619		Loan		\$10,000
6 Jack & Donna Simpson 1454 N. Chestnut Ave. Fresno, CA 93703		Loan		\$10,000
7 Chase Card Services PO Box 94014 Palatine, IL 60094-4014	800-524-3880 Acct. No. 5407-3020-0003-0542	Trade		\$7,800
8 Discover Financial Services PO Box 6103 Carol Stream, IL 60197-6103	800-347-2683 Acct. No. 6011-0006-9220-9467	Trade		\$12,600
9 US Bancorp Equipment Finance, Inc. PO Box 790448 St. Louis, MO 63719-0448	507-532-7754 Acct. No. 500-0146938-000	Trade		\$10,500
10 US Bancorp Equipment Finance, Inc. PO Box 790448 St. Louis, MO 63719-0448	507-532-7754 Acct. No. 500-0158770-000	Trade		\$16,000

Debtor: **Sonrise Baptist Church of Clovis, California**


Case No. (if known):

Chapter 11

(1) Name of creditor and complete mailing address including zip code	(2) Name, telephone number and complete mailing address, including zip code, of employee, agent, or department 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]
11 Keith & Carol Justesen 4797 N. Kittyhawk Ave. Sanger, CA 93657-9280		Trade		\$87,000
12 First Bank Card PO Box 3696 Omaha, NE 68103	800-688-7070 Acct. No. 5477-2593-5359-3754	Trade		\$750
13 First Bank Card PO Box 3696 Omaha, NE 68103	800-688-7070 Acct. No. 5477-2593-0934-5929	Trade		\$520
14 Financial Pacific Leasing 3455 S. 344th Way, no. 300 Federal Way, WA 98801-9546	800-447-7107 Acct. No. 006-0702253-001	Trade		\$11,750
15 BSB Direct Finance, LLC PO Box 2149 Gig Harbor, WA 98335	800-945-3372 Acct. No. 40050420	Trade		\$32,000
16				
17				
18				
19				
20				

I 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 27, 2011


Signature

Sherman S. Smith, Executive Pastor
Print Name and Title

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

I, Sherman S. Smith, the Executive Pastor for Sonrise Baptist Church of Clovis, California, named as 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 27, 2011

Signature

A handwritten signature in black ink, appearing to read 'S. S. Smith', written over a horizontal line.

Sherman S. Smith
Executive Pastor