Case 15-22780 Filed 04/06/15 Doc 1

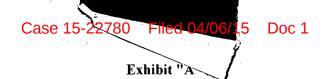
	nited States Bankru FERN District of C		\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		Volt	intary Petition
Name of Debtor (if individual, enter Last, First, Midd Day & Night, Truck Trailer, Repair In	•		Name of Joint	Debtor (Spouse) (Last,	First, Middle):	
All Other Names Used by the Debtor in the last 8 yea (include married, maiden, and trade names): DAY & NIGHT TRUCK AND TRAILER REPAIR				es Used by the Joint De d, maiden, and trade na		
Last four digits of Soc. Sec. or Individual-Taxpayer I (if more than one, state all): 46-2959096	D. (ITIN) No./Complete	e EIN	Last four digits (if more than or		ual-Taxpayer I.D. (ITIN)	No./Complete EIN
Street Address of Debtor (No. and Street, City, and S 850 Delta Lane	tate):		Street Address	of Joint Debtor (No. an	d Street, City, and State):	
West Sacramento, CA		691	Country of Paris	damas and fish a Damas and	I Diagram of Decisions	
County of Residence or of the Principal Place of Busi YOLO	ness.		County of Resi	dence or of the Principa	al Place of Business:	
Mailing Address of Debtor (if different from street ad	dress):		Mailing Addres	ss of Joint Debtor (if dif	ferent from street address):
Location of Principal Assets of Business Debtor (if di	fferent from street addre	ess above):				
Type of Debtor (Form of Organization)		re of Business neck one box.)			of Bankruptcy Code Und Petition is Filed (Check	
(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.)	Health Care Bus Single Asset Rea 11 U.S.C § 101 Railroad Stockbroker Commodity Bro Clearing Bank Other	al Estate as defin (51B)	ned in	Chapter 7 Chapter 9 Chapter 11 Chapter 12 Chapter 13	Chapter 15 Petitic Recognition of a Main Proceeding Chapter 15 Petitic Recognition of a Nonmain Proceed Nature of Debts	Foreign on for Foreign
Chapter 15 Debtors Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending.)	f the United State	rion es	(Check one box.) Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incured by an individual primarily for a personal, family, or household purpose.		
Filing Fee (Check one box.)			Check one bo		11 Debtors	
 ☐ 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. 				a small business debto on to a small business de aggregate noncontingen or affiliates) are less tha 16 and every three years blicable boxes: being filed with this per		.C. § 101(51D) ing debts owned to oject to adjustment
Statistical/Administrative Information ☐ Debtor estimates that funds will be available fo ☐ Debtor estimates that, after any exempt propert expenses paid, there will be no funds available	y is excluded and admin	istrative	of credito	ors, in accordance with	ļi.	FILED
Estimated Number of Creditors		5,001- 10,000	10,001- 25,000	25,001- 50,000	□ C AF	PR - 6 2015
\$50,000 \$100,000 \$500,000 to	500,001 \$1,000,0 \$1 to \$10 illion million	001 \$10,000 to \$50 million	,001 \$50,000 to \$100 million		\$50 EASTERN C	TES BANKRUPTCY COLDISTRICT OF CALIFORN
\$50,000 \$100,000 \$500,000 to				0,001 \$100,000,001		-22180 AR

BI (Official Form 1) (04/13) Page 2

Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Day & Night Truck	Trailer Repair Inc	
All Prior Bankruptcy Case Filed Within La	st 8 Years (If more than two, attach addi	tional sheet.)	
Location Where Filed:	Case Number:	Date Filed:	<u> </u>
Location Where Filed:	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner or	Affiliate of this Debtor (If more than on	e, attach additional sheet.)	
Name of Debtor:	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		Exhibit B etcd if debtor is an individual re primarily consumer debts.)	
Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)	I, the attorney for the petitioner named have informed the petitioner that {he or 12, or 13 of title 11, United States Cod available under each such chapter. I fur debtor the notice required by 11 U.S.C	r she] may proceed under chapte le, and have explained the relief rther certify that I delivered to th	er 7, 11,
Exhibit A is attached and made a part of this petition.	× Rull Meca	04/07	/2015
	Signature of Attorney	Date	
Does the debtor own or have possession of any property that poses or is alleged to pose Yes, and Exhibit C is attached and made a part of this petition. No	e a threat of imminent and identifiable harm	to public health or safety?	
(To be completed by every individual debtor. If a joint petition is filed, each spouse mu Exhibit D completed and signed by the debtor is attached and made a part of this p If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached and made a pa	ist complete and attach a separate Exhibit D petition.	v.)	
	arding the Debtor - Venue		
(Check an	ny applicable box.)		
Debtor has been domiciled or has had a residence, principal place of business		days immediately	
preceding the date of this petition or for a longer part of such 180 days than i	in any other District.		
☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partner, or partner.	artnership pending in this District.		
Debtor is a debtor in a foreign proceeding and has its principal place of busine or has no principal place of business or assets in the United States but is a dethis District, or the interests of the parties will be served in regard to the relied	efendant in an action or proceeding [in a fed		
Certification by a Debtor Who Ro	esides as a Tenant of Residential Propert	у .	
_	applicable boxes.)		
Landlord has a judgment against the debtor for possession of debtor's residen Ri	nce. (If box checked, complete the following iver City Petroleum Inc	g.)	
(N	Name of landlord that obtained judgment)		
-	10 Delta Lane, West Sacramento, CA 95691		
(A	Address of landlord)	٠.	
Debtor claims that under applicable nonbankruptcy law, there are circumstantentire monetary default that gave rise to the judgment for possession, after the	•		
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)).			

B1 (Official Form 1) (04/13) Page 3

Voluntary Petition (This page must be completed and filed in every case)	Name of Debtor(s): Day & Night Truck Trailer Repair Inc
Sign	atures
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 § 342(b) of the Bankruptcy Code. I request relief in accordance with the chapter of title 11, United States Code, specified in this petition. X Corporate Secretary, Day & Night truck and trailer repair Signature of Debtor	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 § 1515 of title 11 are attached. Pursuant to § 1511 of title 11, United States Code, 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)
Signature of Joint Debtor Telephone Number (If not represented by attorney) 04/06/2015 Date	(Printed Name of Foreign Representative) Date
Signature of Attorney* X	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 notice and information required under I1 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 19B 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.)
* 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. **Sumder** Supply** Signature of Authorized Individual Surinder Singh Printed Name of Authorized Individual Corporate Secretary **DAYANIGM** Trucker Troubler** Title of Authorized Individual O4/06/2015 Date	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 imprisionment or both 11 U.S.C. § 110; 18 U.S.C. § 156.



[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 of the Bankruptcy Code, this Exhibit "A" shall be completed and attached to the petition.]

EXHIBIT "A" TO VOLUNTARY PETITION

1.	If any of the debtor's securities are regithe SEC file number is 125,000.	stered under Section 12 of	the Secur	rities Exchan	ge Act of 1934,		
2.	The following financial data is the later on 04/06/2015.	st available information an	d refers to	the debtor's	condition		
a.	Total assets			\$			125,000.00
b.	Total debts (including debts listed in 2.	c., below)		\$			43,000.00
c.	Debt securities held by more than 500	holders					Approximate number of holders
	☐ Secured ☐ Unsecured	☐ Subordinated	\$	4	7.000		unknown
	Secured Unsecured	☐ Subordinated	\$				
	☐ Secured ☐ Unsecured	☐ Subordinated	\$			_	
	☐ Secured ☐ Unsecured	☐ Subordinated	\$		dervisor vende u.c. v.	_	
	Secured Unsecured	☐ Subordinated	\$		No.	_	
d.	Number of shares of prefered stock				0.0	_	0.0
e.	Number of shares of common stock				0.0	_	(03
	Comments, if any:						
					•		
3.	Brief description of debtor's business:						
	List the names of any person who dire more of the voting securities of debtor:	ctly or indirectly owns, co	ntrols, or l	nolds, with p	ower to vote, 5%	or	
		•					,

UNITED STATES BANKRUPTCY COURT **EASTERN District of CALIFORNIA**

In Re:	Day & Night Truck AT Trailer Repair Inc	Case No.	
	Debtor		(if known)

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 14 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 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 Corporate Secretary, Day & Night truck and trailer repair

B 4 (Official Form 4) (12/07)

UNITED STATES BANKRUPTCY COURT

Eastern District of California

In re	Day & Truck and Trailer Reapir Inc	;5	Case No.	
	Debtor	_	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 and Fed. R. Bankr. P. 1007(m).

Date: _	ACRAMENTO F 04/06/2014	Crty Cherk S Secretary Da	y & Truck state Iven	gh Ier Robair
CITY OF	ACRAMENTO A	ENYSS RANKIN	6,500	6,500
River City Petroleum Inc	Kurt Schmidl	Lease	9,500.00	9,500.00
River City Petroleum Inc	Jason Javitz	Lease Contract	31,000.00	31,000.00
and complete mailing address, including zip code	complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	(trade debt, bank loan, government	is contingent,	[if secured also value of security]
(1) Name of creditor	(2) Name, telephone number and	(3) Nature of claim	(4) Indicate if claim	(5) Amount of claim

[Declaration as in Form 2]

UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF CALIFORNIA

	 .
In re	: Chapter 11
DAY+Night TRUCK	: Case No. 15()
Debtors.	: (Joint Administration Requested
	<u> </u>

DECLARATION REGARDING CONSOLIDATED LIST OF CREDITORS HOLDING 50 LARGEST UNSECURED CLAIMS

I.S.W. Chief Financial Officer of the above-captioned Debtors, declare under penalty of perjury that I have reviewed the foregoing "Consolidated List of Creditors Holding 50 Largest Unsecured Claims" and that it is true and correct to the best of my knowledge, information and belief.

Dated: 04 (06/13

Name: 50R/NDER SINGH Title: Chief Financial Officer

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.