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B1 (Official Form 1)(1/08)								
United States Bankruptcy Co Northern District of Georgia							Petition	
Name of Debtor (if individual, enter Last, First, Middle): Cheeks, Brenda S				of Joint De	ebtor (Spouse	e) (Last, First, M	iddle):	
All Other Names used by the Debtor in the last (include married, maiden, and trade names):	3 years		All Ot (includ	her Names le married,	used by the J maiden, and	Joint Debtor in the trade names):	he last 8 years	
Last four digits of Soc. Sec. or Individual-Taxpa (if more than one, state all) xxx-xx-2614	yer I.D. (ITIN) No./C	Complete EIN	Last fo	our digits of e than one, s		r Individual-Tax	payer I.D. (ITIN) N	o./Complete EIN
Street Address of Debtor (No. and Street, City, a 3525 Lenardo Dr. S.W. Atlanta, GA	and State):	ZIP Code	Street	Address of	Joint Debtor	r (No. and Street	, City, and State):	ZIP Code
		0331				<u> </u>		
County of Residence or of the Principal Place of Fulton	Business:		Count	y of Reside	nce or of the	Principal Place	of Business:	
Mailing Address of Debtor (if different from str	eet address):		Mailin	g Address	of Joint Debt	tor (if different f	rom street address):	
	Г	ZIP Code	-					ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):								
Type of Debtor		f Business			-		Code Under Whi	ch
(Form of Organization) (Check one box)	(Check	one box) siness		Chapt		Petition is Filed	(Check one box)	
Individual (includes Joint Debtors)	☐ Single Asset Rea in 11 U.S.C. § 1		efined	Fined Chapter 9 Chapter 15 Petition for Recognition				
See Exhibit D on page 2 of this form.	Railroad	01 (31B)		Chapt		of a Foreign Main Proceeding		e
□ Corporation (includes LLC and LLP)	□ Stockbroker □ Commodity Bro	Iron		□ Chapter 12 □ Chapter 15 Petition for Recognition □ Chapter 13 □ Chapter 15 Petition for Recognition				
Partnership	Clearing Bank	Ker						
Other (If debtor is not one of the above entities, check this box and state type of entity below.)	□ Other		Nature of Debts (Check one box)					
		npt Entity if applicable)	Debts are primarily consumer debts,					
	Debtor is a tax-e under Title 26 or Code (the Intern	exempt organ f the United	States	"incurr		§ 101(8) as idual primarily for household purpose		ess debts.
Filing Fee (Check or	e box)			one box:		Chapter 11 De		101/51D
Full Filing Fee attached							fined in 11 U.S.C. § s defined in 11 U.S.	
☐ Filing Fee to be paid in installments (applica attach signed application for the court's cons is unable to pay fee except in installments. F	ideration certifying th	at the debtor	Check	Debtor's a	aggregate nor	ncontingent liqui) are less than \$2	idated debts (exclud	ing debts owed
☐ Filing Fee waiver requested (applicable to cl	apter 7 individuals of	nly). Must	Check	all applica	,		.,190,000.	
attach signed application for the court's cons	ideration. See Official I	Form 3B.		Acceptant	ces of the plan		prepetition from on 11 U.S.C. § 1126(1	
Statistical/Administrative Information							ACE IS FOR COURT	
 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		
1- 50- 100- 200-	Image: 1,000- 5,001- 5,000 10,000] 5,001- 0,000	□ 50,001- 100,000	OVER 100,000			
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1	\$1,000,001 \$10,000,001 to \$10 to \$50 million million	to \$100 to] 100,000,001 \$500 nillion	\$500,000,001 to \$1 billion				
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1	\$1,000,001 \$10,000,001 to \$10 to \$50 million million	to \$100 to		500,000,001 to \$1 billion				

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B1 (Official For	m 1)(1/08) Document	Page 2 of 41	Page 2
``````	y Petition	Name of Debtor(s): Cheeks, Brenda S	
(This page mu	st be completed and filed in every case)		
	All Prior Bankruptcy Cases Filed Within Last		
Location Where Filed:	- None -	Case Number:	Date Filed:
Location Where Filed:		Case Number:	Date Filed:
	nding Bankruptcy Case Filed by any Spouse, Partner, or		an one, attach additional sheet)
Name of Debte - None -	or:	Case Number:	Date Filed:
District:		Relationship:	Judge:
forms 10K a	<b>Exhibit A</b> bleted if debtor is required to file periodic reports (e.g., nd 10Q) with the Securities and Exchange Commission	(To be completed if debtor is an individual I, the attorney for the petitioner name have informed the petitioner that [he	<b>Exhibit B</b> al whose debts are primarily consumer debts.) ed in the foregoing petition, declare that I or she] may proceed under chapter 7, 11,
pursuant to S	Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.)	12, or 13 of title 11, United States Co under each such chapter. I further cer required by 11 U.S.C. §342(b).	ode, and have explained the relief available rtify that I delivered to the debtor the notice
Exhibit	A is attached and made a part of this petition.	X /s/ William T. Payne Signature of Attorney for Debtor( William T. Payne	September 16, 2009           (s)         (Date)
		libit C	
	or own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.	pose a threat of imminent and identifiab	le harm to public health or safety?
Exhibit If this is a join	leted by every individual debtor. If a joint petition is filed, each D completed and signed by the debtor is attached and made a	a part of this petition.	a separate Exhibit D.)
	Information Regardin	ig the Debtor - Venue	
	(Check any ap	0	
•	Debtor has been domiciled or has had a residence, principa days immediately preceding the date of this petition or for	al place of business, or principal asso a longer part of such 180 days than	ets in this District for 180 in any other District.
	There is a bankruptcy case concerning debtor's affiliate, ge		-
	Debtor is a debtor in a foreign proceeding and has its princ this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or the sought in this District.	s in the United States but is a defend he interests of the parties will be serv	ant in an action or ved in regard to the relief
	Certification by a Debtor Who Reside (Check all app		erty
	Landlord has a judgment against the debtor for possession		l, complete the following.)
	(Name of landlord that obtained judgment)		
	(Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, th the entire monetary default that gave rise to the judgment f	tere are circumstances under which t	the debtor would be permitted to cure
	Debtor has included in this petition the deposit with the co after the filing of the petition.		_

Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

	ed 09/16/09	
B1 (Official Form 1)(1/08)	Document	Page 3
Voluntary Petition		Name of Debtor(s):
(This page must be completed and filed in every case)		Cheeks, Brenda S
(This page must be completed and fired in every care,	Signa	atures
Signature(s) of Debtor(s) (Individual/Joir	at)	Signature of a Foreign Representative
I declare under penalty of perjury that the information provid petition is true and correct. [If petitioner is an individual whose debts are primarily const has chosen to file under chapter 7] I am aware that I may pro chapter 7, 11, 12, or 13 of title 11, United States Code, under available under each such chapter, and choose to proceed und [If no attorney represents me and no bankruptcy petition prep petition] I have obtained and read the notice required by 11 U I request relief in accordance with the chapter of title 11, Uni specified in this petition.	umer debts and oceed under rstand the relief der chapter 7. parer signs the U.S.C. §342(b).	<ul> <li>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.</li> <li>(Check only one box.)</li> <li>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.</li> <li>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.</li> </ul>
${f X}$ /s/ Brenda S Cheeks		X
X /s/ Brenda S Cheeks Signature of Debtor Brenda S Cheeks	I	Signature of Foreign Representative
		Printed Name of Foreign Representative
X		Printed Name of Foreign Representative
Diginatio of Joint 2 Color		Date
Telephone Number (If not represented by attorney)		Signature of Non-Attorney Bankruptcy Petition Preparer
September 16, 2009		
Date	I	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
Signature of Attorney*          X       /s/ William T. Payne         Signature of Attorney for Debtor(s)         William T. Payne         Printed Name of Attorney for Debtor(s)         William T. Payne, P.C.		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.
Firm Name		Printed Name and title, if any, of Bankruptcy Petition Preparer
One Decatur Town Center Suite 200 150 East Ponce de Leon Ave. Decatur, GA 30030 Address		Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)
Email: wtplaw1100@ 404 377 1100 Fax: 404 378 0152 Telephone Number	aol.com	
September 16, 2009		····
Date *In a case in which § 707(b)(4)(D) applies, this signature also certification that the attorney has no knowledge after an inqu information in the schedules is incorrect.		Address <b>X</b>
Signature of Debtor (Corporation/Partner	ship)	Date
I declare under penalty of perjury that the information provid petition is true and correct, and that I have been authorized to on behalf of the debtor. The debtor requests relief in accordance with the chapter of the States Code, specified in this petition.	o file this petition title 11, United	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:
X		
		If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.
Printed Name of Authorized Individual		
Title of Authorized Individual		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.
Date		

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B 1D(Official Form 1, Exhibit D) (12/08)

## United States Bankruptcy Court Northern District of Georgia

In re Brenda S Cheeks

Debtor(s)

Case No. Chapter

11

## EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

■ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.

 $\Box$  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.] Software Copyright (c) 1996-2009 Best Case Solutions - Evanston, IL - (800) 492-8037 Best

Best Case Bankruptcy

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B 1D(Official Form 1, Exhibit D) (12/08) - Cont.

 $\Box$  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.);

 $\Box$  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/ Brenda S Cheeks Brenda S Cheeks

Date: September 16, 2009

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B7 (Official Form 7) (12/07)

## **United States Bankruptcy Court** Northern District of Georgia

**Brenda S Cheeks** In re

Debtor(s)

Case No. Chapter

11

## STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, 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).

Ouestions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Ouestions 19 - 25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 1. Income from employment or operation of business

None State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's п business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar vear to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
\$20,000.00	2009 YTD: Socical Security/ Day Care
\$10,140.00	2007: Social Security/ Day Care

#### 2. Income other than from employment or operation of business

None State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business п during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
\$813.00	Social Security, Recieved Monthly

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#### 3. Payments to creditors

None *Complete a. or b., as appropriate, and c.* 

a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS	DATES OF		AMOUNT STILL
OF CREDITOR	PAYMENTS	AMOUNT PAID	OWING

None b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

	DATES OF	AMOUNT PAID OR	
NAME AND ADDRESS OF CREDITOR	PAYMENTS/ TRANSFERS	VALUE OF TRANSFERS	AMOUNT STILL OWING
NAME AND ADDRESS OF CREDITOR	IKANSFEKS	IKANSFEKS	OWING

None c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

# NAME AND ADDRESS OF CREDITOR AND AMOUNT STILL RELATIONSHIP TO DEBTOR DATE OF PAYMENT AMOUNT PAID OWING 4. Suits and administrative proceedings, executions, garnishments and attachments V V

None a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT		COURT OR AGENCY	STATUS OR
AND CASE NUMBER	NATURE OF PROCEEDING	AND LOCATION	DISPOSITION

None b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED

## DATE OF SEIZURE

DESCRIPTION AND VALUE OF PROPERTY

#### 5. Repossessions, foreclosures and returns

None List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

	DATE OF REPOSSESSION,	
NAME AND ADDRESS OF	FORECLOSURE SALE,	DESCRIPTION AND VALUE OF
CREDITOR OR SELLER	TRANSFER OR RETURN	PROPERTY

2

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	6. Assignments and recei	verships				3
None	a. Describe any assignmen	t of property filing under	chapter 12 or chapter 1			ding the commencement of oth spouses whether or not a
NAME AN	ND ADDRESS OF ASSIGN	VEE	DATE OF ASSIGNMENT	TERMS OF	ASSIGNMENT	OR SETTLEMENT
None	preceding the commencem	ent of this ca	se. (Married debtors fil	receiver, or court-appointed ing under chapter 12 or chap n is filed, unless the spouses	oter 13 must inclu	ide information concerning
	ND ADDRESS JSTODIAN		IAME AND LOCATIC OF COURT CASE TITLE & NUMB	DATE OF		PTION AND VALUE OF PROPERTY
	7. Gifts					
None	and usual gifts to family m aggregating less than \$100	embers aggre per recipient	gating less than \$200 is . (Married debtors filin	immediately preceding the constraints of the constr	member and character 13 must includ	aritable contributions e gifts or contributions by
	AND ADDRESS OF OR ORGANIZATION		ELATIONSHIP TO DEBTOR, IF ANY	DATE OF G		RIPTION AND UE OF GIFT
	8. Losses					
None	since the commencement	of this case.	(Married debtors filing	n <b>one year</b> immediately prec under chapter 12 or chapter ses are separated and a joint	13 must include	losses by either or both
	TION AND VALUE PROPERTY		LOSS W	PTION OF CIRCUMSTAN AS COVERED IN WHOLE NSURANCE, GIVE PARTI	OR IN PART	DATE OF LOSS
	9. Payments related to de	ebt counselin	g or bankruptcy			
None		tion, relief un	der the bankruptcy law	of the debtor to any persons, or preparation of the petitio		eys, for consultation within <b>one year</b> immediately
OF P.	ND ADDRESS AYEE ewood Ave		NAME OF P	F PAYMENT, PAYOR IF OTHER N DEBTOR		MOUNT OF MONEY SCRIPTION AND VALUE OF PROPERTY
Suite 180 Atlanta, 0	00 GA 30303					
	10. Other transfers					
None	a. East an other property, other than property transferred in the ordinary course of the business of inflatent analysis of the debtor,					
	ND ADDRESS OF TRANS ELATIONSHIP TO DEBTC		DATE		PROPERTY TR ND VALUE REC	

b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled

4

NAME O DEVICE	DF TRUST OR OTHER	DATE(S) OF TRANSFER(S)		NEY OR DESCRIPTION AND RTY OR DEBTOR'S INTEREST
	11. Closed financial accounts			
None	otherwise transferred within on financial accounts, certificates cooperatives, associations, brol include information concerning	nstruments held in the name of the debto e year immediately preceding the comme of deposit, or other instruments; shares ar terage houses and other financial instituti accounts or instruments held by or for ea d and a joint petition is not filed.)	encement of this case. Inclued a share accounts held in boons. (Married debtors filing	ide checking, savings, or other anks, credit unions, pension funds, g under chapter 12 or chapter 13 must
NAME A	AND ADDRESS OF INSTITUTIO	TYPE OF ACCOU DIGITS OF ACCO N AND AMOUNT OF I	UNT NUMBER,	AMOUNT AND DATE OF SALE OR CLOSING
	12. Safe deposit boxes			
None	immediately preceding the com	box or depository in which the debtor has mencement of this case. (Married debtors bouses whether or not a joint petition is fi	s filing under chapter 12 or	chapter 13 must include boxes or
OR O Georgia 1155 W	AND ADDRESS OF BANK THER DEPOSITORY a's Own Credit Union est Peachtree Street , GA 30348	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY <b>Debtor</b>	DESCRIPTION OF CONTENTS <b>N/A</b>	DATE OF TRANSFER OR SURRENDER, IF ANY <b>N/A</b>
	13. Setoffs			
None	commencement of this case. (N	ditor, including a bank, against a debt or larried debtors filing under chapter 12 or setition is filed, unless the spouses are sep	chapter 13 must include in	formation concerning either or both
NAME A	AND ADDRESS OF CREDITOR	DATE OF SETOFF		AMOUNT OF SETOFF
	14. Property held for another	· person		
None	List all property owned by anot	her person that the debtor holds or contro	bls.	
NAME A	AND ADDRESS OF OWNER	DESCRIPTION AND PROPERTY		LOCATION OF PROPERTY
	15. Prior address of debtor			
None		<b>three years</b> immediately preceding the c l vacated prior to the commencement of t		
ADDRE	SS	NAME USED		DATES OF OCCUPANCY

None

trust or similar device of which the debtor is a beneficiary.

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#### 16. Spouses and Former Spouses

None

^e If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

#### NAME

#### 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

	NAME AND ADDRESS OF	DATE OF	ENVIRONMENTAL
SITE NAME AND ADDRESS	GOVERNMENTAL UNIT	NOTICE	LAW

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

	NAME AND ADDRESS OF	DATE OF	ENVIRONMENTAL
SITE NAME AND ADDRESS	GOVERNMENTAL UNIT	NOTICE	LAW

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

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#### 18. Nature, location and name of business

None a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

*If the debtor is a partnership*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

*If the debtor is a corporation*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

	LAST FOUR DIGITS OF SOCIAL-SECURITY OR			
	OTHER INDIVIDUAL TAXPAYER-LD, NO.			BEGINNING AND
NAME	(ITIN)/ COMPLETE EIN	ADDRESS	NATURE OF BUSINESS	ENDING DATES

None b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

#### NAME ADDRESS

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

#### 19. Books, records and financial statements

ADDRESS

None a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

#### NAME AND ADDRESS

None b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

None c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME

NAME

None d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

#### NAME AND ADDRESS

6

#### DATES SERVICES RENDERED

#### DATES SERVICES RENDERED

#### ADDRESS

DATE ISSUED

#### Document Page 12 of 41 20. Inventories None a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory. DOLLAR AMOUNT OF INVENTORY DATE OF INVENTORY INVENTORY SUPERVISOR (Specify cost, market or other basis) b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above. None NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY DATE OF INVENTORY RECORDS 21. Current Partners, Officers, Directors and Shareholders None a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership. NATURE OF INTEREST PERCENTAGE OF INTEREST NAME AND ADDRESS None b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation. NATURE AND PERCENTAGE NAME AND ADDRESS TITLE OF STOCK OWNERSHIP 22. Former partners, officers, directors and shareholders None a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case. NAME ADDRESS DATE OF WITHDRAWAL None b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case. NAME AND ADDRESS TITLE DATE OF TERMINATION 23. Withdrawals from a partnership or distributions by a corporation None If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case. NAME & ADDRESS AMOUNT OF MONEY OF RECIPIENT, DATE AND PURPOSE OR DESCRIPTION AND RELATIONSHIP TO DEBTOR OF WITHDRAWAL VALUE OF PROPERTY 24. Tax Consolidation Group. None If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within six years immediately preceding the commencement of the case. NAME OF PARENT CORPORATION TAXPAYER IDENTIFICATION NUMBER (EIN) 25. Pension Funds. None If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within six years immediately preceding the commencement of the case. NAME OF PENSION FUND TAXPAYER IDENTIFICATION NUMBER (EIN)

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Case 09-84295

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I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date September 16, 2009

Signature /s/ Brenda S Cheeks Brenda S Cheeks Debtor

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. \$\$ 152 and 3571

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B4 (Official Form 4) (12/07)

## United States Bankruptcy Court

Northern District of Georgia

In re Brenda S Cheeks

Debtor(s)

Case No. Chapter

11

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [*or* chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
AT&T	AT&T	Care Of CBCS		216.60
P.O. Box 69	P.O. Box 69			
Columbus, OH 43216 Bank of America	Columbus, OH 43216 Bank of America			467 749 00
P.O. Box 5170	P.O. Box 5170			167,718.00
Simi Valley, CA 93062	Simi Valley, CA 93062			
Bank of America	Bank of America	Single Family		167,718.00
PO Box 5170	PO Box 5170	Home located at		107,710.00
Summerland, CA 93067	Summerland, CA 93067	3525 Leonardo Dr		(160,000.00 secured)
Country Wide Home Loan	Country Wide Home Loan	1784 Temple Ave,		7,600.00
P.O. Box 5170	P.O. Box 5170	Collier Park, GA		
Simi Valley, CA 93062	Simi Valley, CA 93062	30337		(Unknown secured)
Direct TV	Direct TV	Satellite TV		154.00
PO Box 538605	PO Box 538605			
Atlanta, GA 30353	Atlanta, GA 30353			
GE Money Bank	GE Money Bank	Credit Card		680.00
PO Box 960061	PO Box 960061			
Orlando, FL 32896	Orlando, FL 32896			
GE Money Bank	GE Money Bank	Credit Card		679.00
PO Box 960061	PO Box 960061			
Orlando, FL 32896	Orlando, FL 32896 IRS			2 245 02
IRS 401 W. Peachtree Street NW	401 W. Peachtree Street NW			3,345.93
902 D	902 D			
Atlanta, GA 30308	Atlanta, GA 30308			
J.P. Morgan Chase Bank	J.P. Morgan Chase Bank	Building located at		110,000.00
7255 Baymedows Way	7255 Baymedows Way	1784 Temple Ave,		
Jacksonville, FL 32256	Jacksonville, FL 32256	Coller Park, Ga		(Unknown
,	,	30337		secured)
JC Penny	JC Penny	Credit Card		735.00
PO Box 960090	PO Box 960090			
Orlando, FL 32896	Orlando, FL 32896			
Macy's	Macy's	Credit Card		3,500.00
P.O. Box 311499	P.O. Box 311499			
Atlanta, GA 31131	Atlanta, GA 31131			

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**B4** (Official Form 4) (12/07) - Cont. In re **Brenda S Cheeks** 

Debtor(s)

Case No.

## LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
South Wind Owners Asso. PO Box 6685 Hilton Head Island, SC 29938	South Wind Owners Asso. PO Box 6685 Hilton Head Island, SC 29938	PrePaid vacation		2,134.00
Wachovia Bank PO Box 18006 Hauppauge, NY 11788	Wachovia Bank PO Box 18006 Hauppauge, NY 11788	Credit Card		676.00
Walmart PO Box 530927 Atlanta, GA 30353	Walmart PO Box 530927 Atlanta, GA 30353	Credit Card		1,458.00

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

I, **Brenda S Cheeks**, 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 September 16, 2009

Signature /s/ Brenda S Cheeks Brenda S Cheeks Debtor

*Penalty for making a false statement or concealing property*: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

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B6A (Official Form 6A) (12/07)

In re Br

Brenda S Cheeks

Case No.

Debtor

## **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
Home located at 3525 Lenardo Dr, S.W. Atlanta, GA 30331	Fee Simple	-	160,000.00	160,000.00
4 Unit Apartment Buildings, 1784 Temple Ave, College Park Ga 30337	Fee Simple	-	250,000.00	110,000.00

Sub-Total >	410,000.00	(Total of this page)
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B6B (Official Form 6B) (12/07)

In re

Brenda S Cheeks

Case No.

Debtor

## **SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply 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).

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1.	Cash on hand		Cash with Petitioner	-	5.00
2.	Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Georgia Telco Checking Account	-	10.00
3.	Security deposits with public utilities, telephone companies, landlords, and others.		Georgia Power	-	200.00
4.	Household goods and furnishings, including audio, video, and computer equipment.		3 BR Suite, LR Suite, Dinette, Various Cooking and Eating utinsils	-	400.00
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	х			
6.	Wearing apparel.		Petitioners Wardrobe	-	300.00
7.	Furs and jewelry.	Х			
8.	Firearms and sports, photographic, and other hobby equipment.		One Camera	-	25.00
9.	Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		Term Life	-	0.00
10.	Annuities. Itemize and name each	Х			

**2** continuation sheets attached to the Schedule of Personal Property

940.00

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**B6B** (Official Form 6B) (12/07) - Cont.

In r	e Brenda S Cheeks			Case No	
			Debtor ,		
		SCHEI	DULE B - PERSONAL PROPER (Continuation Sheet)	ТҮ	
	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property without Deducting any Secured Claim or Exemption
	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	Annu	uity with National Life	-	60,000.00
	Stock and interests in incorporated and unincorporated businesses. Itemize.	Veriz	zon Shares	-	2,000.00
	Interests in partnerships or joint ventures. Itemize.	X			
	Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
6.	Accounts receivable.	X			
	Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	x			
18.	Other liquidated debts owed to debtor including tax refunds. Give particulars	<b>X</b>			
	Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	x			
	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
1	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	х			

Sheet  $\underline{1}$  of  $\underline{2}$  continuation sheets attached to the Schedule of Personal Property

62,000.00

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B6B (Official Form 6B) (12/07) - Cont.

In re **Brenda S Cheeks** Case No. Debtor **SCHEDULE B - PERSONAL PROPERTY** (Continuation Sheet) N O Husband, Current Value of Wife, Debtor's Interest in Property, Type of Property Description and Location of Property Ň E Joint, or without Deducting any Community Secured Claim or Exemption 22. Patents, copyrights, and other Х intellectual property. Give particulars. Х 23. Licenses, franchises, and other general intangibles. Give particulars. 24. Customer lists or other compilations Х containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes. **1998 Cadillac Seville** 800.00 25. Automobiles, trucks, trailers, and other vehicles and accessories. Х 26. Boats, motors, and accessories. Х 27. Aircraft and accessories. Х 28. Office equipment, furnishings, and supplies. 29. Machinery, fixtures, equipment, and Х supplies used in business. Х 30. Inventory. 31. Animals. Х Х 32. Crops - growing or harvested. Give particulars. Х 33. Farming equipment and implements. Х 34. Farm supplies, chemicals, and feed. 35. Other personal property of any kind Х not already listed. Itemize.

(Report also on Summary of Schedules)

800.00

Case 09-84295

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B6C (Official Form 6C) (12/07)

In re Brenda S Cheeks		Case No.	
	Debtor,		
SCHEDULE C	- PROPERTY CLAIMED AS	EXEMPT	
Debtor claims the exemptions to which debtor is entitled (Check one box) ☐ 11 U.S.C. §522(b)(2) ■ 11 U.S.C. §522(b)(3)	under: Check if debtor of \$136,875.	claims a homestead exe	mption that exceeds
Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
Other Exemptions Cash with Petitioner	Ga. Code Ann. § 44-13-100(a)(6)	5.00	5.00
Georgia Telco checking Account	Ga. Code Ann. § 44-13-100(a)(6)	10.00	10.00
Georgia Power Secuirty Deposit	Ga. Code Ann. § 44-13-100(a)(6)	200.00	200.00
2 BR Suites, LR Suite, Dinette, Various cooking and eating untinsils	Ga. Code Ann. § 44-13-100(a)(4)	400.00	400.00
Petitioners Wardrobe	Ga. Code Ann. § 44-13-100(a)(4)	300.00	300.00
One Camera	Ga. Code Ann. § 44-13-100(a)(4)	20.00	20.00
Term Life	Ga. Code Ann. § 44-13-100(a)(8)	0.00	0.00
Annuity with National Life	Ga. Code Ann. § 33-28-7	60,000.00	60,000.00
Verizon Shares	Ga. Code Ann. § 44-13-100(a)(6)	2,000.00	2,000.00
1998 Cadillace Seville	Ga. Code Ann. § 44-13-100(a)(3)	800.00	800.00
4 Unit Apartments located at 1784 Temple Ave, College Park Ga, 30337	Ga. Code Ann. § 44-13-100(a)(1)	10,000.00	250,000.00
Single Family Home located at 3525 Leonardo Dr., Atlanta Ga, 30331	Ga. Code Ann. § 44-13-100(a)(1)	0.00	160,000.00

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B6D (Official Form 6D) (12/07)

In re	
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**Brenda S Cheeks** 

Case No.

## **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

Debtor

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

other security interests. List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, 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). If all secured creditors will not fit on this page, use the continuation sheet provided. If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community". If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.) Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data. Check this box if debtor has no creditors holding secured claims to report on this Schedule D. Ď Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C OD E B T O R		ISBAND, WIFE, Joint, or Community DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N		D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. xxxxx1208			1971	Ť	D A T E D			
Bank of America PO Box 5170 Summerland, CA 93067		-	Fee Simple Single Family Home located at 3525 Leonardo Dr		D			
			Value \$ 160,000.00				167,718.00	7,718.00
Account No. xxxx4705 Country Wide Home Loan P.O. Box 5170 Simi Valley, CA 93062		-	2008 Home Loan 1784 Temple Ave, Collier Park, GA 30337	,			7 000 00	
Account No. xxxxx1758		+	Value \$         Unknown           2008	+	-	$\vdash$	7,600.00	Unknown
J.P. Morgan Chase Bank 7255 Baymedows Way Jacksonville, FL 32256		-	Home Loan Building located at 1784 Temple Ave, Coller Park, Ga 30337					
		_	Value \$ Unknown				110,000.00	Unknown
Account No.			Value \$	_				
<b>0</b> continuation sheets attached			(Total of t	Subt this			285,318.00	7,718.00
					ota	ıl	285,318.00	7,718.00

(Report on Summary of Schedules)

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B6E (Official Form 6E) (12/07)

In re

Brenda S Cheeks

Case No.

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

Debtor

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts <u>not</u> entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

#### □ Domestic support obligations

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

#### **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

#### □ Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to  $10,950^{\circ}$  per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

#### □ Contributions to employee benefit plans

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

#### □ Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

#### Deposits by individuals

Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

#### Taxes and certain other debts owed to governmental units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

#### □ Commitments to maintain the capital of an insured depository institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

#### □ Claims for death or personal injury while debtor was intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. 507(a)(10).

* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

1 continuation sheets attached

Case 09-84295 Do

## Doc 1 Filed 09/16/09 Entered 09/16/09 14:23:26 Desc Main Document Page 23 of 41

**B6E (Official Form 6E) (12/07) - Cont.** 

In re

Brenda S Cheeks

Case No.

Debtor

## **SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

(Continuation Sheet)

Taxes and Certain Other Debts Owed to Governmental Units

							TYPE OF PRIORITY	7
CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B F O R	Hu H J C	sband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT		E	AMOUNT OF CLAIM	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY AMOUNT ENTITLED TO PRIORITY
Account No.			2003	Т	D A T E D			
IRS 401 W. Peachtree Street NW 902 D Atlanta, GA 30308		-						0.00
Account No.							3,345.93	3,345.93
Account No.								
Account No.								
Account No.								
Sheet $\underline{1}_{}$ of $\underline{1}_{}$ continuation sheets attac				Sub				0.00
Schedule of Creditors Holding Unsecured Prior	rity	Cl	aims (Total of (Report on Summary of S	]	Гota	al	3,345.93 3,345.93	3,345.93 0.00 3,345.93

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Case No.

B6F (Official Form 6F) (12/07)

In re

**Brenda S Cheeks** 

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Debtor

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, 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). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Hu H V J C	sband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONT I NGEN	L I Q U	DISPUTED	AMOUNT OF CLAIM
Account No. xxxxxxx7446			2009 Care Of CBCS	T	T E		
AT&T P.O. Box 69 Columbus, OH 43216		-			D		
Account No. <b>xxxxx1208</b>			2008	+			216.60
Bank of America P.O. Box 5170 Simi Valley, CA 93062		-					
							167,718.00
Account No. xxxx8396 Direct TV PO Box 538605 Atlanta, GA 30353		-	2009 Satellite TV				
							154.00
Account No. xxxxxxxx7176 GE Money Bank PO Box 960061 Orlando, FL 32896		-	2009 Credit Card				
							680.00
<b>2</b> continuation sheets attached			(Total of	Sub this			168,768.60

(Total of this page)

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Case No._____

B6F (Official Form 6F) (12/07) - Cont.

In re

Brenda S Cheeks

Debtor

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

		н	isband, Wife, Joint, or Community		2.1.	JD	1
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	H W J C					AMOUNT OF CLAIM
Account No. xxxxxxxx7176			2009 Credit Cond	T	N   A T   T E		
GE Money Bank PO Box 960061 Orlando, FL 32896		-	Credit Card				679.00
Account No.	╉	+	2008-2009	+		+	
Georgia Telco Visa 1155 Peachtree Street Atlanta, GA 30309		-	Creidt Card				0.00
Account No. xxxxxx4361	╉	+	2009	+	+	+	
JC Penny PO Box 960090 Orlando, FL 32896		-	Credit Card				735.00
Account No. xxxxxx1090		+	2008-2009	+	-	+	
Macy's P.O. Box 311499 Atlanta, GA 31131		-	Credit Card				3,500.00
Account No. <b>x2666</b>	╉	+	2009	+	╈	╈	
South Wind Owners Asso. PO Box 6685 Hilton Head Island, SC 29938		-	PrePaid vacation				2,134.00
Sheet no. <u>1</u> of <u>2</u> sheets attached to Schedule of			1	Sul	bto	tal	
Creditors Holding Unsecured Nonpriority Claims			(Total o				7,048.00

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Case No._____

B6F (Official Form 6F) (12/07) - Cont.

In re

Brenda S Cheeks

Debtor

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

				1		1-	
CREDITOR'S NAME,	C O D E B T O R		isband, Wife, Joint, or Community		UNLIQUIDATED	DISPUTED	
MAILING ADDRESS	E	н w	DATE CLAIM WAS INCURRED AND	T	l	P	
INCLUDING ZIP CODE, AND ACCOUNT NUMBER	B	J	CONSIDERATION FOR CLAIM. IF CLAIM	IN	Q	U	AMOUNT OF CLAIM
(See instructions above.)	ģ	c	IS SUBJECT TO SETOFF, SO STATE.	ģ	Ĭ	Ė	AMOUNT OF CLAIM
	ĸ				A		
Account No. xxxxxxx1822			2009	Т	E		
	1		Credit Card		D		-
Wachovia Bank							
PO Box 18006		-					
Hauppauge, NY 11788							
							676.00
	-				+	_	
Account No. xxxxxxxxX0334			2009				
			Credit Card				
Walmart							
PO Box 530927		-					
Atlanta, GA 30353							
							1,458.00
	-	_		_	+	_	,
Account No.							
	-			_	+	+	
Account No.							
A account No	╉	$\vdash$		+	+	+	
Account No.	1	1					
	1	1					
	1	1					
	1	1					
	1						
Sheet no <b>2</b> of <b>2</b> objects of the ball of <b>2</b> 1 1 1	1	1		Sut			
Sheet no. <b>2</b> of <b>2</b> sheets attached to Schedule of							2,134.00
Creditors Holding Unsecured Nonpriority Claims			(Total of	this	pa	ge)	
					Tot	al	
			(Report on Summary of S				177,950.60
			(Report on Summary of S	cile	uul	(3)	

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B6G (Official Form 6G) (12/07)

In re

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Brenda S Cheeks

Case No.

## SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Debtor

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, 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).

Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract. Doc 1

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**B6H (Official Form 6H) (12/07)** 

In re

Brenda S Cheeks

Case No.

Debtor

## **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, 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).

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

NAME AND ADDRESS OF CREDITOR

Case 09-84295

Doc 1

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B6I (Official Form 6I) (12/07)

Brenda S Cheeks In re

Case No.

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

Debtor(s)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status:	DEPENDENTS (	OF DEBTOR AND SP	OUSE		
Married	RELATIONSHIP(S): None.	AGE(S):			
Employment:	DEBTOR		SPOUSE		
Occupation					
Name of Employer Ur	nemployed	Unemployed			
How long employed					
Address of Employer					
INCOME: (Estimate of average or pro-	jected monthly income at time case filed)		DEBTOR		SPOUSE
	mmissions (Prorate if not paid monthly)	\$	0.00	\$	0.00
2. Estimate monthly overtime		\$	0.00	\$	0.00
3. SUBTOTAL		\$	0.00	\$	0.00
4. LESS PAYROLL DEDUCTIONS					
a. Payroll taxes and social securit	у	\$	0.00	\$	0.00
b. Insurance		\$	0.00	\$	0.00
c. Union dues		\$	0.00	\$	0.00
d. Other (Specify):		\$	0.00	\$	0.00
		\$	0.00	\$	0.00
5. SUBTOTAL OF PAYROLL DEDU	CTIONS	\$	0.00	\$	0.00
6. TOTAL NET MONTHLY TAKE H	OME PAY	\$	0.00	\$	0.00
7. Regular income from operation of b	usiness or profession or farm (Attach detailed state	ement) \$	2,101.00	\$	0.00
8. Income from real property	-	\$	0.00	\$	0.00
9. Interest and dividends		\$	0.00	\$	0.00
dependents listed above	payments payable to the debtor for the debtor's use	or that of \$	0.00	\$	0.00
11. Social security or government assis (Specify): <b>Social Security</b>	stance	\$	1,396.00	\$	1,458.00
(Speen))		\$	0.00	\$	0.00
12. Pension or retirement income		\$	502.83	\$	0.00
13. Other monthly income (Specify): <b>Unemployment</b>		\$	813.00	¢	0.00
(Specify): Unemployment		\$	0.00	\$	0.00
		Φ	0.00	φ	0.00
14. SUBTOTAL OF LINES 7 THROU	JGH 13	\$	4,812.83	\$	1,458.00
15. AVERAGE MONTHLY INCOME	C (Add amounts shown on lines 6 and 14)	\$	4,812.83	\$	1,458.00
16. COMBINED AVERAGE MONTH	ILY INCOME: (Combine column totals from line		\$	6,270	
	(Report a	lso on Summary of	Schedules and i	f applies	able on

Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

Desc Main

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**B6J (Official Form 6J) (12/07)** 

In re Brenda S Cheeks

Debtor(s)

Case No.

## **SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

□ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

1. Rent or home n	ortgage payment (include lot rented	for mobile home)		\$	1,161.73
a. Are real estate	taxes included?	Yes X	No		
b. Is property ins	urance included?	Yes	No <b>X</b>		
2. Utilities:	a. Electricity and heating fuel			\$	130.00
	b. Water and sewer			\$	100.00
	c. Telephone			\$	50.00
	d. Other			\$	0.00
3. Home maintena	nce (repairs and upkeep)			\$	0.00
4. Food				\$	200.00
5. Clothing				\$	0.00
6. Laundry and dr	y cleaning			\$	0.00
7. Medical and de	ntal expenses			\$	0.00
8. Transportation	(not including car payments)			\$	140.00
9. Recreation, clu	os and entertainment, newspapers, m	agazines, etc.		\$	0.00
10. Charitable cor	tributions			\$	80.00
11. Insurance (not	deducted from wages or included in	home mortgage payn	nents)		
	a. Homeowner's or renter's			\$	113.00
	b. Life			\$	75.00
	c. Health			\$	0.00
	d. Auto			\$	90.00
	e. Other			\$	0.00
12. Taxes (not dec	lucted from wages or included in hor	ne mortgage payment	(s)		
	pecify)			\$	0.00
13. Installment pa	yments: (In chapter 11, 12, and 13 ca	ases, do not list payme	ents to be included in the		
plan)					
	a. Auto			\$	0.00
	b. Other <b>Gas</b>			\$	70.00
	c. Other			\$	0.00
14. Alimony, main	itenance, and support paid to others			\$	0.00
	support of additional dependents not	living at your home		\$	0.00
16. Regular experi	ses from operation of business, profe	ession, or farm (attach	detailed statement)	\$	0.00
17. Other				\$	0.00
Other				\$	0.00
if applicable, on the	ONTHLY EXPENSES (Total lines ne Statistical Summary of Certain Lia	abilities and Related I	Data.)	\$	2,209.73
	ncrease or decrease in expenditures g of this document:	reasonably anticipated	l to occur within the year		
20. STATEMENT	OF MONTHLY NET INCOME			_	
				<i><b></b></i>	0.070.00

a. Average monthly income from Line 15 of Schedule I
 b. Average monthly expenses from Line 18 above
 c. Monthly net income (a. minus b.)
 4,061.10

Case 09-84295 Doc 1 Filed 09/16/09 Entered 09/16/09 14:23:26 Desc Main Document Page 31 of 41 United States Bankruptcy Court

In	Norti	hern District of Georg	gia	
m	e Brenda S Cheeks		Case N	
		Debtor(s)	Chapte	r <u>11</u>
	DISCLOSURE OF COMPEN	SATION OF ATTO	<b>DRNEY FOR</b>	DEBTOR(S)
1.	Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule compensation paid to me within one year before the filin be rendered on behalf of the debtor(s) in contemplation of	g of the petition in bankrupt	tcy, or agreed to be	paid to me, for services rendered or to
	For legal services, I have agreed to accept		\$	2,500.00
	Prior to the filing of this statement I have received		\$	1,000.00
	Balance Due		\$	1,500.00
2.	The source of the compensation paid to me was:			
	■ Debtor □ Other (specify):			
3.	The source of compensation to be paid to me is:			
	■ Debtor □ Other (specify):			
4.	■ I have not agreed to share the above-disclosed compe	nsation with any other perso	on unless they are m	embers and associates of my law firm.
	□ I have agreed to share the above-disclosed compensat copy of the agreement, together with a list of the name			
5.	In return for the above-disclosed fee, I have agreed to ren	der legal service for all aspe	ects of the bankrupt	cy case, including:
	<ul> <li>a. Analysis of the debtor's financial situation, and render</li> <li>b. Preparation and filing of any petition, schedules, states</li> <li>c. Representation of the debtor at the meeting of creditor</li> <li>d. [Other provisions as needed]</li> <li>Negotiations with secured creditors to rereaffirmation agreements and application</li> <li>522(f)(2)(A) for avoidance of liens on hour</li> </ul>	ment of affairs and plan whi is and confirmation hearing, educe to market value; e is as needed; preparatio	ch may be required and any adjourned xemption planni	hearings thereof; ng; preparation and filing of
6.	By agreement with the debtor(s), the above-disclosed fee Representation of the debtors in any disc any other adversary proceeding.	does not include the followi chargeability actions, ju	ng service: dicial lien avoida	nces, relief from stay actions or
		CERTIFICATION		
this	I certify that the foregoing is a complete statement of any bankruptcy proceeding.	agreement or arrangement fo	or payment to me fo	r representation of the debtor(s) in
	ed: September 16, 2009	/s/ William T. Pa	ayne	
Dat				

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Case 09-84295

Doc 1

B6 Summary (Official Form 6 - Summary) (12/07)

# United States Bankruptcy Court

Northern District of Georgia

]	n	re	

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Brenda S Cheeks

Debtor

Chapter	1	1

## SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	410,000.00		
B - Personal Property	Yes	3	63,740.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		285,318.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	2		3,345.93	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	3		177,950.60	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			6,270.83
J - Current Expenditures of Individual Debtor(s)	Yes	1			2,209.73
Total Number of Sheets of ALL Schedu	ıles	15			
	T	otal Assets	473,740.00		
			Total Liabilities	466,614.53	

Case 09-84295

Form 6 - Statistical Summary (12/07)

## **United States Bankruptcy Court**

Northern District of Georgia

In re

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Brenda S Cheeks

Debtor

Case No.____

Chapter_____11

## STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C.§ 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

□ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

#### This information is for statistical purposes only under 28 U.S.C. § 159.

#### Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	3,345.93
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	0.00
Student Loan Obligations (from Schedule F)	0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	0.00
TOTAL	3,345.93

#### State the following:

Average Income (from Schedule I, Line 16)	6,270.83
Average Expenses (from Schedule J, Line 18)	2,209.73
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	2,101.00

#### State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		7,718.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	3,345.93	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		0.00
4. Total from Schedule F		177,950.60
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		185,668.60

Case 09-84295 Doc 1

B6 Declaration (Official Form 6 - Declaration). (12/07)

In re

**United States Bankruptcy Court** 

Northern District of Georgia

Document

Brenda S Cheeks		Case No.			
	Debtor(s)	Chapter	11		
DECLADATION CONCEL		CHEDIU	70		
DECLARATION CONCERNING DEBTOR'S SCHEDULES					
DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR					
I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of					
<b>17</b> sheets, and that they are true and correct to the best of my knowledge, information, and belief.					
·· · · · · · · · · · · · · · · ·	,	· ··· ···, ····			

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Date September 16, 2009

Signature /s/ Brenda S Cheeks **Brenda S Cheeks** Debtor

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

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Entered 09/16/09 14:23:26 Desc Main Case 09-84295 Doc 1 Filed 09/16/09 Page 35 of 41 Document

# **United States Bankruptcy Court**

Northern District of Georgia

**Brenda S Cheeks** In re

Debtor(s)

Case No. Chapter

11

## **VERIFICATION OF CREDITOR MATRIX**

The above-named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date: September 16, 2009

/s/ Brenda S Cheeks

**Brenda S Cheeks** Signature of Debtor

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF GEORGIA

## NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

#### <u>Chapter 7</u>: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

# <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments

over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### **<u>Chapter 11</u>**: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

#### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

#### **Certificate of Attorney**

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

William T. Payne	X /s/ William T. Payne	September 16, 2009
Printed Name of Attorney	Signature of Attorney	Date
Address:		
One Decatur Town Center Suite 200		
150 East Ponce de Leon Ave.		
Decatur, GA 30030		
404 377 1100		
wtplaw1100@aol.com		

#### **Certificate of Debtor**

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Brenda S Cheeks	Х	/s/ Brenda S Cheeks	September 16, 2009
Printed Name(s) of Debtor(s)		Signature of Debtor	Date
Case No. (if known)	Х		
		Signature of Joint Debtor (if any)	Date

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B22B (Official Form 22B) (Chapter 11) (01/08)

In re Brenda S Cheeks

Case Number:

(If known)

Debtor(s)

## **CHAPTER 11 STATEMENT OF CURRENT MONTHLY INCOME**

In addition to Schedules I and J, this statement must be completed by every individual Chapter 11 debtor, whether or not filing jointly. Joint debtors may complete one statement only.

	Part I. CALCULATIO	ON OF CURREN	T MONTHLY IN	COM	E	
1	Marital/filing status. Check the box that applies an a. Unmarried. Complete only Column A ("De		as directed.			
-	b. Married, not filing jointly. Complete only co					
	c. D Married, filing jointly. Complete both Colu				se's Income")	for Lines 2-10.
	All figures must reflect average monthly income received from all sources, derived during the six calendar months prior to filing the bankruptcy case, ending on the last day of the month before				Column A	Column B
	the filing. If the amount of monthly income varied				Debtor's	Spouse's
	six-month total by six, and enter the result on the appropriate line.				Income	Income
2	Gross wages, salary, tips, bonuses, overtime, con	missions.		\$	0.00	\$ 0.00
	Net income from the operation of a business, pro			L		
	and enter the difference in the appropriate column(s					
	profession or farm, enter aggregate numbers and pro- number less than zero.	ovide details on an a	tachment. Do not enter	a		
3	number less man zero.	Debtor	Spouse			
	a. Gross receipts	\$ 0.00		)		
	b. Ordinary and necessary business expenses	\$ 0.0				
	c. Business income	Subtract Line b from	Line a	\$	0.00	\$ 0.00
	Net Rental and other real property income. Subt	ract Line b from Lin	e a and enter the			
	difference in the appropriate column(s) of Line 4. I	Do not enter a numbe	r less than zero.	_		
4		Debtor	Spouse			
•	a. Gross receipts	\$ 0.0				
	b. Ordinary and necessary operating expenses c. Rent and other real property income	\$ 0.0 Subtract Line b from		2	0.00	¢ 0.00
5	Interest, dividends, and royalties.	Subtract Line b no.			0.00	
6	Pension and retirement income.			\$	0.00	
0				\$	0.00	\$ 0.00
	Any amounts paid by another person or entity, o expenses of the debtor or the debtor's dependent					
7	<b>purpose.</b> Do not include alimony or separate maintenance payments or amounts paid by the debtor's spouse if Column B is completed.					
				\$	2,101.00	\$ 0.00
	Unemployment compensation. Enter the amount in					
	However, if you contend that unemployment compensation received by you or your spouse was a benefit under the Social Security Act, do not list the amount of such compensation in Column A					
8	or B, but instead state the amount in the space below		ipensation in Column A			
	Unemployment compensation claimed to be a benefit under the Social Security Act Debtor	•\$ 0.00 s	pouse \$ 0.00	<b>)</b>	0.00	¢ 0.00
	Income from all other sources. Specify source and			φ	0.00	\$ 0.00
	on a separate page. Total and enter on Line 9. <b>Do n</b>					
	payments paid by your spouse if Column B is con	npleted, but include	all other payments of	-		
	alimony or separate maintenance. Do not include any benefits received under the Social					
9	Security Act or payments received as a victim of a vicinity of intermediate large demonstration of the vicinity of the vicinit	war crime, crime aga	nst humanity, or as a			
	victim of international or domestic terrorism.	Debtor	Spouse	_ ا		
	a.	\$	\$	-11		
	b.	\$	\$	\$	0.00	\$ 0.00
	Subtotal of current monthly income. Add lines 2		and. if Column B is	Ψ	0.00	<u> </u>
10	completed, add Lines 2 thru 9 in Column B. Enter			1	2,101.00	\$ 0.00

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ſ	ficial Form 22B) (Chapter 11) (01/08)	2
	Total current monthly income. If Column B has been completed, add Line 10, Column A to	
	Line 10, Column B, and enter the total. If Column B has not been completed, enter the amount	
		¢ 2 1 0 1 0

11	Line 10, Column B, a from Line 10, Column	nd enter the total. If Column B has n n A.	ot been completed, enter	the amount \$	2,101.00
		Part II.	VERIFICATION		
12	I declare under penalt must sign.) Date:	y of perjury that the information prov September 16, 2009	ided in this statement is t Signature:		heeks eks

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AT&T P.O. Box 69 Columbus, OH 43216

Bank of America P.O. Box 5170 Simi Valley, CA 93062

Bank of America PO Box 5170 Summerland, CA 93067

Country Wide Home Loan P.O. Box 5170 Simi Valley, CA 93062

Direct TV PO Box 538605 Atlanta, GA 30353

GE Money Bank PO Box 960061 Orlando, FL 32896

GE Money Bank PO Box 960061 Orlando, FL 32896

Georgia Telco Visa 1155 Peachtree Street Atlanta, GA 30309

IRS 401 W. Peachtree Street NW 902 D Atlanta, GA 30308

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J.P. Morgan Chase Bank 7255 Baymedows Way Jacksonville, FL 32256

JC Penny PO Box 960090 Orlando, FL 32896

Macy's P.O. Box 311499 Atlanta, GA 31131

South Wind Owners Asso. PO Box 6685 Hilton Head Island, SC 29938

Wachovia Bank PO Box 18006 Hauppauge, NY 11788

Walmart PO Box 530927 Atlanta, GA 30353