

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF NORTH CAROLINA

Case number (if known) _____ Chapter 11

Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Bessie Burger, Inc.

2. All other names debtor used in the last 8 years
Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 27-3470982

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>518 Forest Lane</u> <u>Wallace, NC 28466</u> <small>Number, Street, City, State & ZIP Code</small>	<u>PO Box 817</u> <u>Wallace, NC 28466</u> <small>P.O. Box, Number, Street, City, State & ZIP Code</small>
	<u>Duplin</u> <small>County</small>	Location of principal assets, if different from principal place of business _____ <small>Number, Street, City, State & ZIP Code</small>

5. Debtor's website (URL) http://www.bessieburger.com/

6. Type of debtor
 Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
 Partnership (excluding LLP)
 Other. Specify: _____

Debtor **Bessie Burger, Inc.**
Name

Case number (if known)

7. Describe debtor's business

A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))
- Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- Railroad (as defined in 11 U.S.C. § 101(44))
- Stockbroker (as defined in 11 U.S.C. § 101(53A))
- Commodity Broker (as defined in 11 U.S.C. § 101(6))
- Clearing Bank (as defined in 11 U.S.C. § 781(3))
- None of the above

B. Check all that apply

- Tax-exempt entity (as described in 26 U.S.C. §501)
- Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

7225

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- Chapter 7
- Chapter 9

Chapter 11. Check all that apply:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- A plan is being filed with this petition.
- Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- No.
- Yes.

If more than 2 cases, attach a separate list.

District _____ When _____ Case number _____
District _____ When _____ Case number _____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- No
- Yes.

List all cases. If more than 1, attach a separate list

Debtor _____ Relationship _____
District _____ When _____ Case number, if known _____

Debtor **Bessie Burger, Inc.**
Name

Case number (if known)

11. Why is the case filed in this district? *Check all that apply:*
- Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
 - A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?
- No
 - Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.
- Why does the property need immediate attention?** *(Check all that apply.)*
- It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
 - It needs to be physically secured or protected from the weather.
 - It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
 - Other _____
- Where is the property?** _____
Number, Street, City, State & ZIP Code
- Is the property insured?**
- No
 - Yes. Insurance agency _____
Contact name _____
Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds *Check one:*
- Funds will be available for distribution to unsecured creditors.
 - After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors
- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated Assets
- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> \$0 - \$50,000 | <input type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

16. Estimated liabilities
- | | | |
|---|--|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input checked="" type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor **Bessie Burger, Inc.**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
I have been authorized to file this petition on behalf of the debtor.
I have examined the information in this petition and have a reasonable belief that the information is true and correct.
I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 25, 2017
MM / DD / YYYY

/s/ Earl F. Brinkley, Jr.
Signature of authorized representative of debtor

Title Director - Owner

Earl F. Brinkley, Jr.
Printed name

18. Signature of attorney

/s/ Richard P. Cook
Signature of attorney for debtor

Date January 25, 2017
MM / DD / YYYY

Richard P. Cook
Printed name

Richard P. Cook, PLLC
Firm name

dba Cape Fear Debt Relief
7036 Wrightsville Ave, Suite 101
Wilmington, NC 28403
Number, Street, City, State & ZIP Code

Contact phone (910) 399-3458 Email address CapeFearDebtRelief@gmail.com

NC Bar 37614
Bar number and State

**RESOLUTIONS OF THE BOARD OF DIRECTORS
OF BESSIE BURGER, INC.**

The undersigned, being all of the directors of Bessie Burger, Inc. (the "Company"), do hereby adopt the following resolutions by signing their written consent hereto and by the execution of this consent do hereby waive any and all formalities regarding notice of time, date, place and purpose of meeting.

WHEREAS, the directors of the Company have evaluated the Company's alternatives in connection with its current financial condition and have determined that the filing of a voluntary petition for relief (the "Petition") under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the Eastern District of North Carolina is in the best interests of the Company; and

RESOLVED, that the Company shall be, and hereby is authorized to file a Petition for relief under Title 11 of the United States Bankruptcy Code, in the Eastern District of North Carolina (the "Bankruptcy Court") and perform any and all such acts as are reasonable, advisable, expedient, convenient, proper, or necessary to effect any of the foregoing;

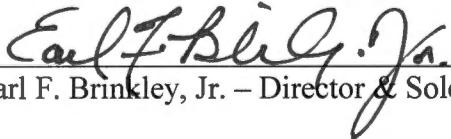
FURTHER RESOLVED, that Earl F. Brinkley, Jr. shall be authorized to act on behalf of the Company with respect to all of the Company's bankruptcy proceedings, including but not limited to signing any and all documents pertaining to the Company's bankruptcy and attending any and all hearings and conferences related to the Company's bankruptcy;

FURTHER RESOLVED, that any officer of the Company, or any other such person designated by the Company, shall be, and each of them, acting alone, hereby is, authorized, directed and empowered on behalf of, and in the name of, the Company to: (a) execute, acknowledge, deliver, verify, and file or cause to be filed all petition, schedules, statements, lists, motions, applications, and other papers or documents necessary or desirable in connection with the foregoing; and (b) execute, acknowledge, deliver, and verify any and all other documents necessary or appropriate in connection therewith or to administer the Company's chapter 11 case in such form;

FURTHER RESOLVED, that all acts lawfully done or actions lawfully taken or to be taken by the Company in connection with the implementation of these resolutions in all respects are hereby ratified, confirmed, and approved; and

FURTHER RESOLVED, that the Chairman of the Board of Directors is hereby authorized to certify and deliver, to any person to whom such certification and delivery may be deemed necessary or appropriate in the opinion of the Company or its legal counsel, a true copy of the foregoing resolutions.

This action is effective as of the 24th day of January, 2017.



Earl F. Brinkley, Jr. – Director & Sole Shareholder

Fill in this information to identify the case:

Debtor name **Bessie Burger, Inc.**

United States Bankruptcy Court for the: **EASTERN DISTRICT OF NORTH CAROLINA**

Case number (if known): _____

Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders 12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
BMW Bank of North America Attn: Managing Officer/Agent PO Box 3608 Dublin, OH 43016		2017 BMW X5 20,000 miles		\$92,000.00	\$45,000.00	\$47,000.00
Chase Cardmember Services Attn: Managing Officer/Agent PO Box 1423 Charlotte, NC 28201-1423		Credit card				\$5,000.00
Direct Capital Attn: Managing Officer/Agent 155 Commerce Way Portsmouth, NH 03801		All property of the Debtor		\$30,708.34	\$30,000.00	\$708.34
Four Oaks Bank Attn: Managing Officer/Agent PO Box 309 Four Oaks, NC 27524		Business Loan				\$46,000.00
Funston Land and Timber Attn: Managing Officer/Agent 6225 Smith Ave., Suite B100 Baltimore, MD 21209		Landlord - Leland Location				\$3,700.00

Debtor **Bessie Burger, Inc.**
Name _____

Case number (if known) _____

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Internal Revenue Service Centralized Insolvency Operations PO Box 7346 Philadelphia, PA 19101		Withholding taxes				\$40,000.00
NC Department of Commerce Division of Employment Security PO Box 26504		Unemployment taxes				\$5,500.00
North Carolina Dept. of Revenue Attn: Bankruptcy Unit PO Box 1168 Raleigh, NC 27602		Sales taxes				\$25,000.00
Robert Scott PO Box 7742 Wilson, NC 27895		Landlord - Clinton Location	Disputed			\$20,000.00
Sampson County Tax Administration Attn: Managing Officer/Agent 126 W. Elizabeth Street Clinton, NC 28328		Ad valorem personal property taxes		\$1.00	\$0.00	\$1.00

**United States Bankruptcy Court
Eastern District of North Carolina**

In re **Bessie Burger, Inc.**

Debtor(s)

Case No.
Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the Director - Owner of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **January 25, 2017**

/s/ Earl F. Brinkley, Jr.

Earl F. Brinkley, Jr./Director - Owner
Signer/Title

BMW Bank of North America
Attn: Managing Officer/Agent
PO Box 3608
Dublin, OH 43016

North Carolina Dept. of Revenue
Attn: Bankruptcy Unit
PO Box 1168
Raleigh, NC 27602

Brunswick County Revenue
Attn: Managing Officer/Agent
PO Box 580335
Charlotte, NC 28231

Robert Scott
PO Box 7742
Wilson, NC 27895

Chase
Attn: Managing Officer/Agent
PO Box 15298
Wilmington, DE 19850

Sampson County Tax Administration
Attn: Managing Officer/Agent
126 W. Elizabeth Street
Clinton, NC 28328

Chase Cardmember Services
Attn: Managing Officer/Agent
PO Box 1423
Charlotte, NC 28201-1423

Secured Lender Solutions, LLC
Attn: Managing Officer/Agent
PO Box 2576
Springfield, IL 62708

Direct Capital
Attn: Managing Officer/Agent
155 Commerce Way
Portsmouth, NH 03801

US Foods, Inc.
Attn: Managing Officer/Agent
1500 NC Hwy 39
Zebulon, NC 27597

Four Oaks Bank
Attn: Managing Officer/Agent
PO Box 309
Four Oaks, NC 27524

Funston Land and Timber
Attn: Managing Officer/Agent
6225 Smith Ave., Suite B100
Baltimore, MD 21209

Internal Revenue Service
Centralized Insolvency Operations
PO Box 7346
Philadelphia, PA 19101

NC Department of Commerce
Division of Employment Security
PO Box 26504

**United States Bankruptcy Court
Eastern District of North Carolina**

In re **Bessie Burger, Inc.** Debtor(s) Case No. _____ Chapter **11**

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Earl F. Brinkley, Jr. 518 Forest Lane Wallace, NC 28466		100%	Owner

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **Director - Owner** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date **January 25, 2017** Signature **/s/ Earl F. Brinkley, Jr.
Earl F. Brinkley, Jr.**

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

**United States Bankruptcy Court
Eastern District of North Carolina**

In re **Bessie Burger, Inc.**

Debtor(s)

Case No.

Chapter **11**

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **Bessie Burger, Inc.** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

None [*Check if applicable*]

January 25, 2017

Date

/s/ Richard P. Cook

Richard P. Cook

Signature of Attorney or Litigant
Counsel for **Bessie Burger, Inc.**

Richard P. Cook, PLLC

dba Cape Fear Debt Relief

7036 Wrightsville Ave, Suite 101

Wilmington, NC 28403

(910) 399-3458 Fax:(877) 836-6822

CapeFearDebtRelief@gmail.com