

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 Tony E. Hawley Construction Company, 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) 56-1260278

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>8156 NC 42 Highway W</u> <u>Kenly, NC 27542</u> Number, Street, City, State & ZIP Code	_____
	<u>Wilson</u> County	Location of principal assets, if different from principal place of business

		Number, Street, City, State & ZIP Code

5. Debtor's website (URL) _____

6. Type of debtor

Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

Partnership (excluding LLP)

Other. Specify: _____

Debtor Tony E. Hawley Construction Company, 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>.

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 Tony E. Hawley Construction Company, 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 type="checkbox"/> 1-49	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 25,001-50,000
<input checked="" 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 type="checkbox"/> \$0 - \$50,000	<input checked="" 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 checked="" 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

Debtor **Tony E. Hawley Construction Company, 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 5, 2018
MM / DD / YYYY

X /s/ Patricia P. Hawley
Signature of authorized representative of debtor
Title President

Patricia P. Hawley
Printed name

18. Signature of attorney

X /s/ John G. Rhyne
Signature of attorney for debtor

Date **January 5, 2018**
MM / DD / YYYY

John G. Rhyne 17570
Printed name

John G. Rhyne, Attorney at Law
Firm name

**P.O. Box 8327
Wilson, NC 27893**
Number, Street, City, State & ZIP Code

Contact phone **252 234 9933** Email address **johnrhyne@johnrhynelaw.com**

17570
Bar number and State

Fill in this information to identify the case:

Debtor name Tony E. Hawley Construction Company, 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
Chase Attn: Officer P.O. Box 15298 Wilmington, DE 19850-5298						\$129,580.19
CK Earnhardt & Son 1906 Badin Rd. Albemarle, NC 28001						\$186,568.28
First Citizens Bank Attn: Officer P.O. Box 1580 Roanoke, VA 24007-1580						\$25,062.79
Harrison Paving 2312 China Cat Ter Chester, VA 23831						\$15,000.00
Hawley Electric, Inc Po Box 217 Elm City, NC 27822						\$16,500.00
Hawley Electric, Inc Po Box 217 Elm City, NC 27822						\$25,000.00
HD Supply 1830 Craig Park Ct. Saint Louis, MO 63146						\$26,059.40
HD Supply 1830 Craig Park Ct. Saint Louis, MO 63146						\$308,103.62
HD Supply 1830 Craig Park Ct. Saint Louis, MO 63146						\$291,177.38

Debtor **Tony E. Hawley Construction Company, 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 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
Hudson Insurance Company 100 William St., 5th Floor New York, NY 10038		Possible liability is bonding company (Hudson Insurance) is required to finish jobs. Amount unknown but estimated to be more than \$300,000				\$300,000.00
Internal Revenue Service P.O. Box 7346 Philadelphia, PA 19101-7346						\$26,211.31
James River Equipment 1128 Hwy 70 West Garner, NC 27529						\$55,755.00
Locklear Boring Inc. PO Box 770 Creedmoor, NC 27522						\$26,160.00
Microcomm 15895 S. Pflumm Rd. Olathe, KS 66062-8502						\$24,944.23
Sandy's Hauling & Backhoe PO Box 1156 Roseboro, NC 28382						\$19,530.00
Sandy's Hauling & Backhoe PO Box 1156 Roseboro, NC 28382						\$100,271.10
TEC Utilities Supply PO Box 25189 Greenville, SC 29616						\$43,369.69
Troy Ready Mix PO Box 137 Troy, NC 27371						\$28,791.56
Xylem 11209 Leadbetter Rd Ashland, VA 23005-3403						\$98,822.58
Young Construction Company 2808 Connector Dr. Wake Forest, NC 27587						\$18,867.00

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

In re **Tony E. Hawley Construction Company, Inc.**

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the President 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 5, 2018**

/s/ Patricia P. Hawley

Patricia P. Hawley/President

Signer/Title

ABVI
2411 Badin Rd.
Albemarle, NC 28001

Best Rentals
1250 S. Church St.
Rocky Mount, NC 27803

Colony Tire Corporation
PO Box 827
Edenton, NC 27932

AG Lee Oil Co, Inc.
PO Box 237
Smithfield, NC 27577

BP Business Solutions
PO Box 923928
Norcross, GA 30010

Dilmar Oil Company, Inc.
PO Box 5629
Florence, SC 29502-5629

Air Compressor Equipment, Inc.
PO Box 3961
Wilson, NC 27895

Bray Trailers, Inc
1770 Highway 58 North
Swansboro, NC 28584

Doug Goines, Esq.
Beswick, Goines, Wickizer & Meeks
911 Arendell St,
Morehead City, NC 28557

AL Lowder, Inc
435 Willow St.
Albemarle, NC 28001

Builders Mutual Insurance Co.
Po Box 150005
Raleigh, NC 27624

Environmental Chemist, Inc
PO Box 1037
Wrightsville Beach, NC 28480

Ampac Machinery, LLC
PO Box 21077
Durham, NC 27703

Cape Fear Engineering, Inc
PO Box 544
Wilmington, NC 28402

Erie Insurance Group
100 Erie Insurance Place
Erie, PA 16530-1104

Applied Resource Management PC
PO Box 882
Hampstead, NC 28443

Carteret County Tax Office
302 Court House Square
Beaufort, NC 28516-6709

Estate of Tony E. Hawley
c/o Robert Farris
PO Box 2727
Wilson, NC 27894

ARC3 Gases
PO Box 1708
Dunn, NC 28335-1708

Chase
Attn: Officer
P.O. Box 15298
Wilmington, DE 19850-5298

Fast Lane Trucking and Contractin
103 Alexandra Ct.
Morehead City, NC 28557

Argos
110 Southwest Dr.
Newport, NC 28570-4128

CK Earnhardt & Son
1906 Badin Rd.
Albemarle, NC 28001

Fed Ex
3875 Airways Module H3
Department 4634
Memphis, TN 38116

B&B Consultants, Inc.
PO Box 429
South Hill, VA 23970

Clegg's Termite Pest Control
PO Box 2208
Smithfield, NC 27577

First Citizens Bank
PO Box 27131
Raleigh, NC 27611-7131

First Citizens Bank
Attn: Officer
P.O. Box 1580
Roanoke, VA 24007-1580

HD Supply
1830 Craig Park Ct.
Saint Louis, MO 63146

Locklear Boring Inc.
PO Box 770
Creedmoor, NC 27522

First Citizens Bank c/oBarry Dumser
DAC 36
PO Box 25187
Raleigh, NC 27611-5187

Herc Rentals
PO Box 650280
Dallas, TX 75265-0280

Martin Marietta
PO Box 30013
Raleigh, NC 27622-0013

Flowcon, Inc.
PO Box 637
Bailey, NC 27807

Hudson Insurance Company
100 William St., 5th Floor
New York, NY 10038

McDavid Associates, Inc
PO Box Drawer 49
Farmville, NC 27828

Getsco
PO Box 159
Middlesex, NC 27557

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Microbac
PO Box 644733
Pittsburgh, PA 15264

Greater Badin Water and Sewer Distr
1000 North First St.
Albemarle, NC 28001

James River Equipment
1128 Hwy 70 West
Garner, NC 27529

Microcomm
15895 S. Pflumm Rd.
Olathe, KS 66062-8502

Greensville County Water and Sewer
1781 Greensville County Circle
Emporia, VA 23847

John Deere Financial
Attn: Managing Agent
PO Box 6600
Johnston, IA 50131-6600

MSC, Inc.
PO B ox 60774
Charlotte, NC 28260-0774

Halifax Linen Service
PO Box 129
Roanoke Rapids, NC 27870

Kenly Chevrolet, Inc.
PO Box 516
Kenly, NC 27542

North Carolina Department of Rev
Attn Bankruptcy
PO Box 1168
Raleigh, NC 27602

Harrison Paving
2312 China Cat Ter
Chester, VA 23831

Kenly Hardware
301 N. Church St.
Kenly, NC 27542

O'Reilly Auto Parts
PO Box 9464
Springfield, MO 65801-9464

Hawley Electric, Inc
Po Box 217
Elm City, NC 27822

Lindsay Precast, Inc.
PO Box 580
Franklinton, NC 27525

Onslow Water and Sewer Authorit
228 Georgetown Road
Jacksonville, NC 28540

Penn National Insurance
PO Box 2257
Harrisburg, PA 17105-2257

Thompson Pump
PO Box 291370
Port Orange, FL 32129-1370

WF Parker & Company
250 Chris St.
Newport, NC 28570

Pine Knoll Shores Tax Collector
100 Municipal Circle
Atlantic Beach, NC 28512

Troy Ready Mix
PO Box 137
Troy, NC 27371

Wilson County
PO Box 1728
Wilson, NC 27894

Road Safe Traffic Systems
270 Mechanical Court
Garner, NC 27529

United Rentals
6125 Lakeview Rd,
Charlotte, NC 28269

Wilson County Tax Administrator
Attn: Officer
P.O. BOX 1162
Wilson, NC 27894-1162

S.C. Kitchen
6011 Farrington Road, Suite 300
Chapel Hill, NC 27517

USI Insurance Services
ATTN Scott D. Mathers
8540 Colonnade Center Dr., Suite 11
Raleigh, NC 27615

Wilson Iron Works, Inc.
PO Box 1649
Wilson, NC 27893

Sandy's Hauling & Backhoe
PO Box 1156
Roseboro, NC 28382

Vulcan Materials Company
Hwy 58 and Points W
Emporia, VA 23847

Wilson Trailer Sales and Service
PO Box 3637
Wilson, NC 27895

Sherwin Williams
2628 Forest Hills Rd.. SW
Wilson, NC 27893-4431

Waste Industries
2810 Contentnea Rd.
Wilson, NC 27893

Xylem
11209 Leadbetter Rd
Ashland, VA 23005-3403

Stark Law Group
6011 Farrington Road, Suite 300
Chapel Hill, NC 27517

Water Guard, Inc
PO Box 2226
Wilson, NC 27894

Young Construction Company
2808 Connector Dr.
Wake Forest, NC 27587

Superior Plumbing
PO Box 2322
Albemarle, NC 28002

Wells Fargo Ins.Services
PO Box 203508
Dallas, TX 75320-3508

TEC Utilities Supply
PO Box 25189
Greenville, SC 29616

West Carteret Water Corporation
4102 Hwy 24
Newport, NC 28570

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

In re **Tony E. Hawley Construction Company, 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 **Tony E. Hawley Construction Company, 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 5, 2018
Date

/s/ John G. Rhyne
John G. Rhyne 17570
Signature of Attorney or Litigant
Counsel for **Tony E. Hawley Construction Company, Inc.**
John G. Rhyne, Attorney at Law
P.O. Box 8327
Wilson, NC 27893
252 234 9933
johnrhyne@johnrhynelaw.com