

Fill in this information to identify your case:

United States Bankruptcy Court for the:

MIDDLE 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	<u>Cherry Contracting Inc.</u>	
2. All other names debtor used in the last 8 years Include any assumed names, trade names and <i>doing business as</i> names	<u>DBA Cherry Precast Construction LLC</u>	
3. Debtor's federal Employer Identification Number (EIN)	<u>56-2264612</u>	
4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>8816 Belhaven Court</u> <u>Lewisville, NC 27023</u> Number, Street, City, State & ZIP Code	<u>P.O. Box 368</u> <u>Lewisville, NC 27023</u> P.O. Box, Number, Street, City, State & ZIP Code
	<u>Forsyth</u> County	Location of principal assets, if different from principal place of business <u>8640 Broad Street Rural Hall, NC 27045</u> Number, Street, City, State & ZIP Code
5. Debtor's website (URL)	_____	
6. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other. Specify: _____	

Debtor **Cherry Contracting 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>.

2373

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 **Cherry Contracting 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 type="checkbox"/> 50-99 | <input type="checkbox"/> 5001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input checked="" 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 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 **Cherry Contracting 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 **September 2, 2016**
MM / DD / YYYY

X /s/ Nelson Fulcher
Signature of authorized representative of debtor

Title **Vice President**

Nelson Fulcher
Printed name

18. Signature of attorney

X /s/ J. Marshall Shelton
Signature of attorney for debtor

Date **September 2, 2016**
MM / DD / YYYY

J. Marshall Shelton
Printed name

Taylor Law Office, P.C.
Firm name

2280 S. Church St.
Suite 203
Burlington, NC 27215
Number, Street, City, State & ZIP Code

Contact phone **336-376-7060** Email address **Marshall@Taylorlawnc.com**

31784
Bar number and State

Fill in this information to identify the case:

Debtor name **Cherry Contracting Inc.**
 United States Bankruptcy Court for the: **MIDDLE 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		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
A.L. Peterson Inc P.O Box 826768 Troy, NY 12182-6768						\$57,079.21
Anderson Bauman Tourtellot VOS PO BOX 2338 Greensboro, NC 27402						\$45,000.00
Bank of America PO BOX 660576 Dallas, TX 75266-0576						\$965,047.79
BlueLinx Coroporation PO Box 536455 Atlanta, GA 30353-6455						\$30,217.24
Gilliam Coble & Moser, LLP PO BOX 621 Burlington, NC 27216						\$27,283.37
Hardscapes Construction-MLK B 139 Gibraltar Ave. Annapolis, MD 21401						\$163,554.99
Holcim, Inc PO BOX 904143 Charlotte, NC 28290-4143						\$29,842.46
Premium Assignment Corp. PO Box 8000 Tallahassee, FL 32314-8000						\$161,639.38

Debtor **Cherry Contracting 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
RAM Tool PO Box 743487 Atlanta, GA 30374-3487						\$33,525.76
Richland County -Treasurer PO Box 8028 Columbia, SC 29202-8028						\$32,389.17
SC- Department of Revenue						\$264,696.92
Smith-Rowe 639 Old US 52 South Mount Airy, NC 27030						\$664,780.09
Smith-Rowe NY 12014						\$92,335.00
Southern & Sons						\$46,495.00
Virginia Department of Taxation PO BOX 1115 Richmond, VA 23218-1150						\$94,118.07
Wells Business BKG Support Group PO BOX 202902 Dallas, TX 75320-2902						\$42,742.20
William R. Austin PO BOX 419 Horse Shoe, NC 28742						\$56,000.00
Wombel Carlyle Sandridge Rice One West 4th Street Winston Salem, NC 27101						\$173,665.18
Yadkin Bank 10200 Mallard Creek Road Charlotte, NC 28262-9704						\$115,151.74
Yadkin Bank 10200 Mallard Creek Road Charlotte, NC 28262-9704						\$35,347.60

A.L. Peterson Inc
P.O Box 826768
Troy, NY 12182-6768

Airgas
PO Box 9249
Marietta, GA 30065-2249

Allstate
American Heritage Life
Dallas, TX 75268-0514

Amerigas-NC
PO Box 371473
Pittsburgh, PA 15250-7473

Amerigas-SC
PO BOX 660288
Dallas, TX 75266-0288

Anderson Bauman Tourtellot VOS
PO BOX 2338
Greensboro, NC 27402

ASSA ABOY
PO BOX 1725
Kernersville, NC 27284

Auto Owners Insurance
PO Box 30315
Lansing, MI 48909

Bain Company
PO BOX 7383
Greensboro, NC 27417-0383

Bank of America
PO BOX 660576
Dallas, TX 75266-0576

BCBSNC
POB BOX 580017
Charlotte, NC 28258-0017

Beacon Technologies, Inc.
164 B Thatcher Road
Greensboro, NC 27409

Best Specialized
PO BOX 409
Kernersville, NC 27285

Better Business Bureau
119 Brookstown Ave. Ste. 304
Winston Salem, NC 27101-5375

BlueLinx Corporation
PO Box 536455
Atlanta, GA 30353-6455

Bowman Trailer Leasing
49 Pascon Court
Gaston, SC 29053

Carolina Alarm Inc.
2581 West Clemmons Rd.
Winston Salem, NC 27127-8773

Carolina Fire Safety
1908 Rosewood Dr.
Columbia, SC 29205

Carolina Form and Scaffolding
PO Box 220
Clayton, NC 27528

Carolina Scales
PO Box 8233
Columbia, SC 29202

Carolina Tractor/Pinn Crane
PO Box 1095
Charlotte, NC 28201-1095

Chandler Concrete Co. Inc
PO BOX 131
Burlington, NC 27216-0131

CIT
Jacksonville, FL 32255-0599

City of Columbia-Water
Columbia, SC 29201-3224

City of Winston-Salem-Water
PO BOX 580055
Charlotte, NC 28258-0055

Colonial Fuel & Lube Service
PO Box 576
Savannah, GA 31402-0576

Companion Life
Columbia, SC 29202

Conac
Duluth, GA 30096

Concrete Logistics
138 Shoreview Dr.
 Mooresville, NC 28117

Concrete Plants, Inc.
650 Ritchie Highway #308
Severna Park, MD 21146

CT Corp
PO BOX 4349
Carol Stream, IL 60197-4349

Delta Engineers
Darryl D. Burns
Endicott, NY 13760

Duke Power
PO Box 70516
Charlotte, NC 28272-0516

Eire Insurance Group
Erie, PA 16530

Elizabeth Rive Tunnels
700 Port Centre Pkwy Ste 2B
Portsmouth, VA 23704-5901

EverBank
PO Box 911608
Denver, CO 80291-1608

Federal Express Freight
PO Box 371461
Pittsburgh, PA 15250-7461

FedEx
PO Box 371461
Pittsburgh, PA 15250-7461

FINCO Premium Finance Co.
PO BOX 26009
Greensboro, NC 27420

Fire-Ade, Inc.
2800 Griffeth Rd.
Winston Salem, NC 27103

Fister Inc.
Dept-20 FTR001
Carol Stream, IL 60197-5940

Forsythe County Tax Collector
PO Box 82
Winston Salem, NC 27102-0082

G & W Equipment
600 Lawton Rd
Charlotte, NC 28216-3437

Gilliam Coble & Moser, LLP
PO BOX 621
Burlington, NC 27216

GS Materials, Inc.
PO BOX 1335
Burlington, NC 27216

H & E Equipment Svcs. Inc.
533 E. Reed St,
Moberly, MO 65270

Hale Trailer, Inc.
Attn: Diane Small
Concord, NC 28027

Hardscapes Construction-Georgia Liles
139 Gibraltar Ave.
Annapolis, MD 21401

Hardscapes Construction-Georgia Liles
Annapolis, MD 21401

Hardscapes Construction-MLK B
139 Gibraltar Ave.
Annapolis, MD 21401

Harry's Electric Company, Inc.
PO BOX 1245
King, NC 27021

Haynswork Sinkler Boyd, PA
1201 Main Street Ste 2200
Columbia, SC 29211-1889

Helser Industries
PO BOX 1569
Tualatin, OR 97062

Hobgood Electric & Machinery
10330 Monticello Rd.
Winnsboro, SC 29180

Holcim, Inc
PO BOX 904143
Charlotte, NC 28290-4143

I & I Sling, Inc.
3824 Patterson St.
Greensboro, NC 27407

Industrial Cleaning

Integrated Systems, Inc.
1150-E Crews Road
Matthews, NC 28105

L.A. Barrier & Son Inc.
PO BOX 84007
Lexington, SC 29073

LEAF
PO BOX 742687
Cincinnati, OH 45274-2647

LiftOne-A Divison of Carolina Tractor
PO BOX 602727
Charlotte, NC 28260-2727

Low Country Pallet & Wood
60 Contractors Ct.
Sumter, SC 29151

Mainstay Suites Airport Lodgining Inc.
5080 Valley View Blvd.
Roanoke, VA 24012

Mar Mac Construction Products, Co.
Lee Murphy
Mc Bee, SC 29101

Merchant Iron Works
PO BOX 309
Sumter, SC 29151

Mid-Atlantic Crane & Equipment
3224 Northside Dr.
Raleigh, NC 27615

ModSpace
12603 Colletions Ctr Dr.
Chicago, IL 60693-0126

My Idea Doctor

Nationwide Testing Assoc. Inc.
PO BOX 508
Mooresville, NC 28115

NC Department of Revenue
Buzz Noell
Winston Salem, NC 27105

NPCA
1320 City Center Dr.
Carmel, IN 46032

Onsite Calibration and Techincal Service
PO BOX 7082
Chestnut Mountain, GA 30502

Paul K. Moore & Associates, Inc.
528 Johnnie Dodds Blvd.
Mount Pleasant, SC 29464

PMC Engineering and Detailing
17375 Crookes Farm Road
Rixeyville, VA 22737

Premium Assignment Corp.
PO Box 8000
Tallahassee, FL 32314-8000

RAM Tool
PO Box 743487
Atlanta, GA 30374-3487

Ray's Pest Control
PO BOX 5957
Winston Salem, NC 27113

Ready Mix Concrete Company
PO BOX 65303
Charlotte, NC 28265-0303

RECO
12001 Sunrise Valley Dr.
Reston, VA 20191

RECO-MLKB
12001 Sunrise Valley Dr.
Reston, VA 20191

Republic Waste-NC
PO Box 9001099
Louisville, KY 40290-1099

Republic Waste-SC
PO Box 9001099
Louisville, KY 40290-1099

Richland County -Treasurer
PO Box 8028
Columbia, SC 29202-8028

Salem Fasteners
PO Box 12575
Winston Salem, NC 27127

Salem Leasing Corporation
PO Box 890788
Charlotte, NC 28289-0788

SC DHEC
2600 Bull St.
Columbia, SC 29201

SC- Department of Revenue
300A Outlet Pointe Blvd.
Columbia, SC 29210

SC- Department of Revenue

SCE & G
Operations Support Ctr.
Cayce, SC 29033

Security Underwriters
PO Box 369
Lewisville, NC 27023

Sharpless & Stavola
PO BOX 22106
Greensboro, NC 27420-2106

Sign, Etc.
434 Brookstown Ave
Winston Salem, NC 27101

Sika Corporation
PO Box 36102
Newark, NJ 07188-6102

Smith-Rowe
639 Old US 52 South
Mount Airy, NC 27030

Smith-Rowe
NY 12014

SNJB- Customer Service Center
2705 W. Sam Houston Pkwy N
Houston, TX 77043-1609

Southern & Sons

Summit Design & Engineering Services
504 Meadowland Dr.
Hillsborough, NC 27278

Sunbelt Rentals
1275 West Mound St.
Columbus, OH 43223

Superior Cranes, Inc.
PO BOX 2371
Rockingham, NC 28380

Superior Vision
Dallas, TX 75320-1839

Thompson Services
PO BOX 23858
Columbia, SC 29224-3858

Tidewater Rebar
1420 Maltby Ave.
Norfolk, VA 23504

Tidy Services
2011 Cook Dr.
Salem, VA 24153

Time Warner Cable
PO BOX 70872
Charlotte, NC 28272-0872

Total Quality Logistics
PO BOX 634558
OH 45263-4558

Triad Radiology
Billing Office
Peoria, IL 61612

Tucker Oil Company
PO BOX 50127
Columbia, SC 29250-0127

Tyco Fire & Security/ADT
PO BOX 371967
Pittsburgh, PA 15250-7967

United Employment Group Inc.
PO BOX 8
East Texas, PA 18046

Verizon
PO BOX 660108
Dallas, TX 75266-0108

Virginia Department of Taxation
PO BOX 1115
Richmond, VA 23218-1150

Volvo Car Financial Services
PO BOX 91300
Mobile, AL 36691-1300

Vulcan Materials
4401 N Patterson Ave.
Winston Salem, NC 27105

Vulcan-NC
PO BOX 101131
Atlanta, GA 30392

Vulcan-SC
PO BOX 101131
Atlanta, GA 30392

W.E.L. Inc.
PO BOX 109
Concord, VA 24538

Wear Check USA
PO BOX 4603
Cary, NC 27519-4603

Wells Business BKG Support Group
PO BOX 202902
Dallas, TX 75320-2902

William R. Austin
PO BOX 419
Horse Shoe, NC 28742

Windstream aka Alltel
PO BOX 9001908
Louisville, KY 40290-1908

Wishart Norris
3120 South Church St.
Burlington, NC 27216-1998

WO Grubb Crane Rental
357 Simmons Dr.
Cloverdale, VA 24077

Wombel Carlyle Sandridge Rice
One West 4th Street
Winston Salem, NC 27101

Xtra Lease
PO BOX 99262
Chicago, IL 60693-9262

Yadkin Bank
10200 Mallard Creek Road
Charlotte, NC 28262-9704

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

In re Cherry Contracting 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 Cherry Contracting 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*]

September 2, 2016

Date

/s/ J. Marshall SheltonJ. Marshall Shelton 31784

Signature of Attorney or Litigant
Counsel for **Cherry Contracting Inc.**

Taylor Law Office, P.C.**2280 S. Church St.****Suite 203****Burlington, NC 27215****336-376-7060 Fax:866-524-8670****Marshall@Taylorlawnc.com**