Case 10-29460	Doc 1	Filed 09/0
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B1 (Official Form 1)(4/10)			Doc	cument	Pa	ge 1 of	f 10				
		United S West			uptcy (Tenness					Volu	untary	Petition
Name of Debtor (in Hammerton , I			Middle):					ebtor (Spouse 1, Brenda	e) (Last, First, Louise	Middle):		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):				All Ot (inclue	her Names le married,	used by the , maiden, and	Joint Debtor i trade names)	n the last 8	years			
Last four digits of S (if more than one, state all xxx-xx-9460	oc. Sec. or Indi	ividual-Taxpa	yer I.D. (ITIN) No./C	Complete EI	(if more	our digits o than one, state	e all)	r Individual-T	°axpayer I.E	D. (ITIN) N	lo./Complete EIN
Street Address of D 8589 Riverch Germantown,	ase Drive	Street, City, a	nd State):	:	ZIP Code	858		hase Driv	r (No. and Str e	eet, City, ar	nd State):	ZIP Code
				3	88139	-						38139
County of Residence Shelby		-				Sh	elby		Principal Pla			
Mailing Address of	Debtor (if diffe	erent from stre	et addres	s):		Mailin	g Address	of Joint Debt	tor (if differer	nt from stree	et address):	:
					ZIP Code							ZIP Code
Location of Princip (if different from st	al Assets of Bus reet address abo	siness Debtor ove):										
Tv	oe of Debtor			Nature o	f Business			Chapter	r of Bankrup	tcv Code U	nder Whi	ch
(Form	of Organization)			(Check	one box)				Petition is Fi			
 (Check one box) Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Health Care Business Single Asset Real Estate as due in 11 U.S.C. § 101 (51B) Railroad Stockbroker Commodity Broker Clearing Bank 			defined	□ Chapt □ Chapt □ Chapt □ Chapt □ Chapt	ter 9 ter 11 ter 12	of □ Ch	a Foreign N	Aain Proce atition for F	Recognition			
Other (If debtor i check this box and	s not one of the a l state type of ent	bove entities, ity below.)	unde	Tax-Exer (Check box, tor is a tax-e er Title 26 o	npt Entity if applicable exempt orga f the United	nization States	tates "incurred by an individual primarily for					
				e (the Intern	al Revenue	Code).	a perso					
	Filing Fee (C	Theck one box)		Check o		nall business	-	oter 11 Debto		\ \	
 Full Filing Fee attached Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. 					ee years thereafter).							
Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. THIS SPACE IS FOR COURT USE ONLY Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. THIS SPACE IS FOR COURT USE ONLY						USE ONLY						
Estimated Number 1- 50- 49 99	of Creditors	200-] 1,000- 5,000	5,001- 10,000	10,001-	□ 25,001- 50,000	□ 50,001- 100,000	OVER 100,000				
Estimated Assets	11 to \$100,001 to 00 \$500,000	to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion					
Estimated Liabilitie	1 to \$100,001 to	to \$1 1	\$1,000,001 o \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100	\$100,000,001 to \$500 million	5500,000,001 to \$1 billion					

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B1 (Official For	rm 1)(4/10) Document	Page 2 of 10	Page 2
	y Petition	Name of Debtor(s): Hammerton, Kenneth Raymo	ond
(This page mı	ist be completed and filed in every case)	Hammerton, Brenda Louise	
	All Prior Bankruptcy Cases Filed Within Las		
Location Where Filed:	- None -	Case Number:	Date Filed:
Location Where Filed:		Case Number:	Date Filed:
Pe	ending Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more than	n one, attach additional sheet)
Name of Debt - None -	tor:	Case Number:	Date Filed:
District:		Relationship:	Judge:
	Exhibit A		hibit B whose debts are primarily consumer debts.)
forms 10K a pursuant to S	pleted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.)	have informed the petitioner that [he of 12, or 13 of title 11, United States Coordinates Coordinates (11, 11, 11, 11, 11, 11, 11, 11, 11, 11	I in the foregoing petition, declare that I or she] may proceed under chapter 7, 11, de, and have explained the relief available ify that I delivered to the debtor the notice
🛛 Exhibit	A is attached and made a part of this petition.	X /s/ Steven N. Douglass Signature of Attorney for Debtor(s) Steven N. Douglass 9770	
	ו הו	l iibit C	
No.	Exhibit C is attached and made a part of this petition. Exhibit C is attached and made a part of this petition.	ibit D ch spouse must complete and attach a	a separate Exhibit D.)
-	D completed and signed by the debtor is attached and made		separate Exhibit D.)
If this is a join	int petition:		
Exhibit	D also completed and signed by the joint debtor is attached a	and made a part of this petition.	
	Information Regardin	ng the Debtor - Venue	
	(Check any ap		
	Debtor has been domiciled or has had a residence, princip days immediately preceding the date of this petition or for		
	There is a bankruptcy case concerning debtor's affiliate, g	eneral partner, or partnership pending	in this District.
	Debtor is a debtor in a foreign proceeding and has its prine this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or th sought in this District.	s in the United States but is a defendant	nt in an action or
	Certification by a Debtor Who Reside (Check all app		ty
	Landlord has a judgment against the debtor for possession		complete the following.)
	(Name of landlord that obtained judgment)		
	(Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment		
	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)).

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B1 (Official Form 1)(4/10) Docume	ent	Page 3 of 10 Page					
Voluntary Petition		Name of Debtor(s): Hammerton, Kenneth Raymond					
(This page must be completed and filed in every case)		Hammerton, Brenda Louise					
Signature(c) of Debter(c) (Individual/Laint)	Signa	natures					
 Signature(s) of Debtor(s) (Individual/Joint) I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the r available under each such chapter, and choose to proceed under chapter [If no attorney represents me and no bankruptcy petition preparer signs petition] I have obtained and read the notice required by 11 U.S.C. §342 I request relief in accordance with the chapter of title 11, United States Construction. 	r relief r 7. the 2(b).	Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.) I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached. 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.					
X /s/ Kenneth Raymond Hammerton							
Signature of Debtor Kenneth Raymond Hammerton	-	Signature of Foreign Representative					
X /s/ Brenda Louise Hammerton Signature of Joint Debtor Brenda Louise Hammerton	-	Printed Name of Foreign Representative Date					
Telephone Number (If not represented by attorney)	-	Signature of Non-Attorney Bankruptcy Petition Preparer					
September 1, 2010							
Date	-	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/ Steven N. Douglass Signature of Attorney for Debtor(s) Steven N. Douglass 9770 Printed Name of Attorney for Debtor(s) Harris Shelton Hanover Walsh, PLLC Firm Name 2700 One Commerce Square Memphis, TN 38103-2555 Address	-	 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. Printed Name and title, if any, of Bankruptcy Petition Preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.) 					
(901) 525-1455 Fax: (901) 526-4084 Telephone Number September 1, 2010 Date *In a case in which § 707(b)(4)(D) applies, this signature also constitute certification that the attorney has no knowledge after an inquiry that the	- es a	Address X					
information in the schedules is incorrect.	, 						
Signature of Debtor (Corporation/Partnership)		Date Signature of Bankruptcy Petition Preparer or officer, principal, responsible					
I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this pon behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United to the second se		person, or partner whose Social Security number is provided above.					
States Code, specified in this petition.		not an murviuuai.					
X	-						
Printed Name of Authorized Individual	-	If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.					
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	-						

5 1D (Of	ficial Form 1, Exhibit D) (12/09)	United States Bankruptcy Court Western District of Tennessee		
In re	Kenneth Raymond Hammerton Brenda Louise Hammerton		Case No.	
		Debtor(s)	Chapter	11

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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 14 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 seven 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.

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B 1D (Official Form 1, Exhibit D) (12/09) - Cont.

□ 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.]

 \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/ Kenneth Raymond Hammerton Kenneth Raymond Hammerton Date: September 1, 2010 Page 2

5 1D (Of	ficial Form 1, Exhibit D) (12/09)	United States Bankruptcy Court Western District of Tennessee			
In re	Kenneth Raymond Hammerton Brenda Louise Hammerton		Case No.		
		Debtor(s)	Chapter	11	

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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 14 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 seven 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.

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B 1D (Official Form 1, Exhibit D) (12/09) - Cont.

□ 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.]

 \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 Louise Hammerton Brenda Louise Hammerton Date: September 1, 2010 Page 2

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4 (Offic	cial Form 4) (12/07)				
	τ	Jnited States Ban Western District	Ĩ		
		vv cstern District	of remiessee		
In re	Kenneth Raymond Hammerton Brenda Louise Hammerton		Case	e No.	

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11

Chapter

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Debtor(s)

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]
Advanta Bank	Advanta Bank	Credit Card		16,000.00
Citibank PO Box 6000 The Lakes, NV 89163	Citibank PO Box 6000 The Lakes, NV 89163	Credit Card		63,000.00
First Tennessee	First Tennessee	Line of Credit		21,000.00
Mississippi Sales & Use Jackson, MS	Mississippi Sales & Use Jackson, MS		Contingent Unliquidated Disputed	95,000.00

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B4

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B4 (Official Form 4) (12/07) - Cont.

Kenneth Raymond Hammerton In re

Brenda Louise Hammerton

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]

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

We, Kenneth Raymond Hammerton and Brenda Louise Hammerton, the debtors in this case, declare under penalty of perjury that we have read the foregoing list and that it is true and correct to the best of our information and belief.

Date	September 1, 2010	Signature	/s/ Kenneth Raymond Hammerton	
		-	Kenneth Raymond Hammerton	
			Debtor	
Date	September 1, 2010	Signature	/s/ Brenda Louise Hammerton	
		U	Brenda Louise Hammerton	
			Joint 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.

?

Advanta Bank

Citi Mortgage PO Box 183040 Columbus, OH 43218-3040

Citibank PO Box 6000 The Lakes, NV 89163

CitiMortgage

Community Bank 6465 N. Quail Hollow Rd., Ste. 100 Memphis, TN 38120

First Horizon 4000 Horizon Way Irving, TX 75063

First Tennessee

Mississippi Sales & Use Jackson, MS