

**United States Bankruptcy Court  
Eastern District of Virginia**

**Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle): <b>Indian River Citgo, Inc.</b>	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): <b>AKA Indian River Citgo</b>	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) <b>46-0490570</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): <b>5337 Indian River Road Virginia Beach, VA</b>	Street Address of Joint Debtor (No. and Street, City, and State):
ZIP Code <b>23464</b>	ZIP Code
County of Residence or of the Principal Place of Business: <b>Virginia Beach Cit</b>	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): <b>6330 N. Center Drive, # 140 Norfolk, VA</b>	Mailing Address of Joint Debtor (if different from street address):
ZIP Code <b>23502</b>	ZIP Code

Location of Principal Assets of Business Debtor (if different from street address above):

<p align="center"><b>Type of Debtor</b> (Form of Organization) (Check one box)</p> <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<p align="center"><b>Nature of Business</b> (Check one box)</p> <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other	<p align="center"><b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)</p> <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding
<p align="center"><b>Tax-Exempt Entity</b> (Check box, if applicable)</p> <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		<p align="center"><b>Nature of Debts</b> (Check one box)</p> <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.

<p align="center"><b>Filing Fee</b> (Check one box)</p> <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> 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. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	<p align="center"><b>Chapter 11 Debtors</b></p> <p>Check one box:</p> <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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**Statistical/Administrative Information**

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**

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1-49	50-99	100-199	200-999	1,000-5,000	5,001-10,000	10,001-25,000	25,001-50,000	50,001-100,000	OVER 100,000

**Estimated Assets**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion

**Estimated Liabilities**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion

THIS SPACE IS FOR COURT USE ONLY

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>	Name of Debtor(s): <b>Indian River Citgo, Inc.</b>
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**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location Where Filed: <b>- None -</b>	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor** (If more than one, attach additional sheet)

Name of Debtor: <b>- None -</b>	Case Number:	Date Filed:
District:	Relationship:	Judge:

<p style="text-align: center;"><b>Exhibit A</b></p> <p>(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>	<p style="text-align: center;"><b>Exhibit B</b></p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts.)</p> <p>I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).</p> <p><b>X</b> _____ Signature of Attorney for Debtor(s) (Date)</p>
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**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

Yes, and Exhibit C is attached and made a part of this petition.

No.

**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

**Information Regarding the Debtor - Venue**

(Check any applicable box)

Debtor has been domiciled or has had a residence, 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.

There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes)

Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

\_\_\_\_\_  
(Name of landlord that obtained judgment)

\_\_\_\_\_  
(Address of landlord)

Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and

Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.

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

**Voluntary Petition**

*(This page must be completed and filed in every case)*

Name of Debtor(s):  
**Indian River Citgo, Inc.**

**Signatures**

**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 and 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 relief available under each such chapter, and choose to proceed under chapter 7.  
[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** \_\_\_\_\_  
Signature of Debtor

**X** \_\_\_\_\_  
Signature of Joint Debtor

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

\_\_\_\_\_  
Date

**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** \_\_\_\_\_  
Signature of Foreign Representative

\_\_\_\_\_  
Printed Name of Foreign Representative

\_\_\_\_\_  
Date

**Signature of Attorney\***

**X** /s/ W. Greer McCreedy, II  
Signature of Attorney for Debtor(s)

W. Greer McCreedy, II VSB#27681  
Printed Name of Attorney for Debtor(s)

Kellam, Pickrell, Cox & Tayloe  
Firm Name

300 Bank of Commonwealth Bldg.  
403 Boush Street  
Norfolk, VA 23510

\_\_\_\_\_  
Address

**Email: Michelle@kpct.com**

(757) 627-8365 Fax: (757) 625-2189  
Telephone Number

February 8, 2010  
Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**Signature of Non-Attorney Bankruptcy Petition Preparer**

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 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

\_\_\_\_\_  
Social-Security number (If the 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.)

\_\_\_\_\_  
Address

**X** \_\_\_\_\_  
Date

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:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*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.*

**Signature of Debtor (Corporation/Partnership)**

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 petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** /s/ James W. Thomas, Jr.  
Signature of Authorized Individual

James W. Thomas, Jr.  
Printed Name of Authorized Individual

President  
Title of Authorized Individual

February 8, 2010  
Date

**United States Bankruptcy Court**  
**Eastern District of Virginia**

In re Indian River Citgo, Inc.

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)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
<b>Bank of Hampton Roads 201 Volvo Parkway Chesapeake, VA 23320</b>	<b>Bank of Hampton Roads 201 Volvo Parkway Chesapeake, VA 23320</b>	<b>Secured by Real Property owned by Indian River Citgo, LLC</b>		<b>300,000.00</b>
<b>City of Virginia Beach Office of the Treasurer 2401 Courthouse Drive Virginia Beach, VA 23456</b>	<b>City of Virginia Beach Office of the Treasurer 2401 Courthouse Drive Virginia Beach, VA 23456</b>	<b>Business License Taxes Due</b>		<b>11,907.00</b>
<b>City of Virginia Beach Office of the Treasurer 2401 Courthouse Drive Virginia Beach, VA 23456</b>	<b>City of Virginia Beach Office of the Treasurer 2401 Courthouse Drive Virginia Beach, VA 23456</b>	<b>2009 Real Estate Taxes Due (Per lease Agreement for Rental Property)</b>		<b>9,620.22</b>
<b>City of Virginia Beach Office of the Treasurer 2401 Courthouse Drive Virginia Beach, VA 23456</b>	<b>City of Virginia Beach Office of the Treasurer 2401 Courthouse Drive Virginia Beach, VA 23456</b>	<b>2009 Personal Property Taxes Due</b>		<b>3,292.00</b>
<b>City of Virginia Beach Office of the Treasurer 2401 Courthouse Drive Virginia Beach, VA 23456</b>	<b>City of Virginia Beach Office of the Treasurer 2401 Courthouse Drive Virginia Beach, VA 23456</b>	<b>False Alarm Charge</b>		<b>500.00</b>
<b>Commonwealth of Virginia Department of Taxation, Legal P.O. Box 2156 Richmond, VA 23218</b>	<b>Commonwealth of Virginia Department of Taxation, Legal P.O. Box 2156 Richmond, VA 23218</b>	<b>VA Withholding Taxes Due</b>		<b>1,072.16</b>
<b>Commonwealth of Virginia Department of Taxation, Legal P.O. Box 2156 Richmond, VA 23218</b>	<b>Commonwealth of Virginia Department of Taxation, Legal P.O. Box 2156 Richmond, VA 23218</b>	<b>VA Sales Taxes Due</b>		<b>6,095.45</b>
<b>Costco Wholesale 850 Glenrock Road Norfolk, VA 23502</b>	<b>Costco Wholesale 850 Glenrock Road Norfolk, VA 23502</b>	<b>Account</b>		<b>140.00</b>
<b>Dominion Virginia Power Post Office Box 26543 Richmond, VA 23290-0001</b>	<b>Dominion Virginia Power Post Office Box 26543 Richmond, VA 23290-0001</b>	<b>Past Due Utility Bill</b>		<b>749.62</b>

Debtor(s)

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**  
 (Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
<i>Name of creditor and complete mailing address including zip code</i>	<i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	<i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	<i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	<i>Amount of claim [if secured, also state value of security]</i>
Dominion Virginia Power Post Office Box 26543 Richmond, VA 23290-0001	Dominion Virginia Power Post Office Box 26543 Richmond, VA 23290-0001	Past Due Utility Bill		391.49
First Equity Card Corp. P.O. Box 23029 Columbus, GA 31902-3029	First Equity Card Corp. P.O. Box 23029 Columbus, GA 31902-3029	Credit Card		16,000.00
Frank G. Hill 9531 Selby Place Norfolk, VA 23503	Frank G. Hill 9531 Selby Place Norfolk, VA 23503	Account		4,496.80
Internal Revenue Service P.O. Box 16236 Philadelphia, PA 19114-0236	Internal Revenue Service P.O. Box 16236 Philadelphia, PA 19114-0236	Form 941 Tax Due		36,447.72
Mid Atlantic Car Wash Technolo DBA Washtech P.O. Box 573 Earlysville, VA 22936	Mid Atlantic Car Wash Technolo DBA Washtech P.O. Box 573 Earlysville, VA 22936	Account		31,990.52
Tank Lines, Inc. dba PAPCO P.O. Box 62265 Virginia Beach, VA 23462	Tank Lines, Inc. dba PAPCO P.O. Box 62265 Virginia Beach, VA 23462	Previous Open Account		28,000.00
The Peninsula Insurance Co. P.O. Box 19 Salisbury, MD 21803	The Peninsula Insurance Co. P.O. Box 19 Salisbury, MD 21803	Account		2,719.00
The Virginian Pilot P.O. Box 1837 Norfolk, VA 23501	The Virginian Pilot P.O. Box 1837 Norfolk, VA 23501	Account		106.66

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

I, the President of the corporation named as 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 February 8, 2010

Signature /s/ James W. Thomas, Jr.  
James W. Thomas, Jr.  
 President

*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.*

Bank of Hampton Roads  
201 Volvo Parkway  
Chesapeake, VA 23320

City of Virginia Beach  
Office of the Treasurer  
2401 Courthouse Drive  
Virginia Beach, VA 23456

Civil Process Clerk  
U.S. Attorney's Office  
101 W Main Street, Suite 8000  
Norfolk, VA 23510

Commonwealth of Virginia  
Department of Taxation, Legal  
P.O. Box 2156  
Richmond, VA 23218

Costco Wholesale  
850 Glenrock Road  
Norfolk, VA 23502

Dominion Virginia Power  
Post Office Box 26543  
Richmond, VA 23290-0001

First Equity Card Corp.  
P.O. Box 23029  
Columbus, GA 31902-3029

Frank G. Hill  
9531 Selby Place  
Norfolk, VA 23503

Indian River Petroleum, LLC  
5337 Indian River Road  
Virginia Beach, VA 23464

Internal Revenue Service  
P.O. Box 16236  
Philadelphia, PA 19114-0236

James W. Thomas Jr.  
6330 North Center Drive,  
Ste 140  
Norfolk, VA 23502

Kaufman & Canoles  
P.O. Box 3037  
Attn: Dennis Lewendowski, Esq.  
Norfolk, VA 23514

Mid Atlantic Car Wash Technolo  
DBA Washtech  
P.O. Box 573  
Earlysville, VA 22936

Office of the Attorney General  
950 Pennsylvania Avenue, NW  
Washington, DC 20350

Papco Oil Company  
4920 Southern Blvd  
Virginia Beach, VA 23462

Pete G. Zemanian, Esquire  
600 Twon Point Center  
150 Boush Street  
Norfolk, VA 23510

Premium Assignment Corporation  
P.O. Box 3100  
Tallahassee, FL 32315

Tank Lines, Inc. dba PAPCO  
P.O. Box 62265  
Virginia Beach, VA 23462

TCF Leasing Co.  
11100 Wayzata Blvd. Suite 801  
Hopkins, MN 55305

The Peninsula Insurance Co.  
P.O. Box 19  
Salisbury, MD 21803

The Virginian Pilot  
P.O. Box 1837  
Norfolk, VA 23501



**United States Bankruptcy Court  
Eastern District of Virginia**

In re Indian River Citgo, 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 Indian River Citgo, 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:

**James W. Thomas, Jr.**  
**1335 Laurel Ridge Lane**  
**Chesapeake, VA 23322**

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None [*Check if applicable*]

**February 8, 2010**

Date

**/s/ W. Greer McCreedy, II**

**W. Greer McCreedy, II VSB#27681**

Signature of Attorney or Litigant  
Counsel for Indian River Citgo, Inc.

**Kellam, Pickrell, Cox & Tayloe**  
**300 Bank of Commonwealth Bldg.**  
**403 Boush Street**  
**Norfolk, VA 23510**  
**(757) 627-8365 Fax:(757) 625-2189**  
**Michelle@kpct.com**