

KATHLEEN A. LEAVITT  
CHAPTER 13 BANKRUPTCY TRUSTEE  
201 Las Vegas Blvd South  
Suite 200  
Las Vegas, NV 89101  
(702) 853-0700

E-FILED

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

IN RE:  
ROBERT ALLAN GATLIN

CASE NO: BKS-12-23910-BAM

CHAPTER 13

Hearing Date: March 07, 2013

Hearing Time: 1:30 pm

R NATHAN GIBBS LTD  
Attorney for the Debtor

**TRUSTEE'S OPPOSITION TO CONFIRMATION OF PLAN #1  
COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

The Trustee herein, Kathleen A. Leavitt, hereby objects to confirmation of Plan and hereby represents the following:

The debtor(s) filed for Chapter 13 relief on 12/21/2012. The 341(a) Meeting of Creditors held on February 12, 2013 at 11:00 am was:

- Continued to February 26, 2013 at 3:00 pm

The Trustee objects to confirmation of the Chapter 13 Plan for the following reason (s):

- Debtor(s) failed to appear[11 USC § 341 (a)]: ROBERT ALLAN GATLIN and
- Debtor(s) failed to comply with notice/re-notice requirements [B.R. 2002 (a)(1)B.R.2002 (b)] Plan
- Plan is not feasible [11USC 1322] due to: Santander Consumer USA
- The plan failed to provide for all of the Debtor's Disposable Income [11USC § 1325 (b)(1)(B)] as calculated on form 22C.
- Trustee objects to the exemptions claimed as the exemptions are not allowed under NRS 21 .090 or the amounts specified exceed the allowable exemption: Specifically: object to 21 .090(1)(bb)
- Trustee objects to the deduction of expenses as set forth in Line 9-list additional income from sienna  
Line 16-object to household size  
Line 27a-object to expense  
Line 44-object to expense; need verification of Form 22C Chapter 13 Statement of Current Monthly Income and Calculations of Commitment Period and Disposable Income as it is not an allowable expense deduction; as a result the disposable income set forth in Form 22C may not be met. 11 USC §707(b)(2)(A)(ii) and 11 USC §1325(a) and (b).

The Debtor(s) has failed to cooperate with the Trustee [11 USC § 521(a)(3)] as the following documents were not provided:

- All tax returns for all taxable periods ending during the 4-year period ending on the date of the filing of the petition. Specifically, tax years 2008
- Paystubs for the following periods: June-December 2012, January 2013 11 USC §704 (a)(4) and/or 11 USC §52 (1)(B)(iv)

Debtor(s) failed to cooperate with the Trustee as necessary to enable the Trustee to perform her duties pursuant to 11 U.S.C. §704 and/or §1302 as the Debtor did not provide the following documents or must file the stated amendments:

- Verification of Support to dependents not living with debtor, Childcare .
- Bank Statements for the following periods: US Bank #1999 (10/11/12-12/21/12); US Bank #1973 (9/22/12-12/21/12); US Bank #4659 (10/20/12-12/21/12).
- Amendment to Plan: 2.12.2 need to move verifcrest to 2.13. or 2.14; 2.13.1 need to correct to start date to month 1; .
- Amendment to Schedule B. Personal Property: list life insurance, list US Bank accounts #3776, #5841, #6617 .
- Amendment to Schedule J. Current Expenditures of Individual Debtor(s): object to food, medical recreation health and auto insurance.

WHEREFORE, the Trustee objects to confirmation and recommends that this case be dismissed .

Dated: 2/13/13

/s/ Kathleen A. Leavitt  
Kathleen A. Leavitt  
Chapter 13 Trustee

KATHLEEN A. LEAVITT  
CHAPTER 13 STANDING TRUSTEE  
201 Las Vegas Blvd South  
Suite 200  
Las Vegas, NV 89101  
(702) 853-0700

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

**IN RE:**

**ROBERT ALLAN GATLIN**

**Debtor (s)**

**CASE NO: BKS-12-23910-BAM  
Chapter 13**

**CERTIFICATE OF SERVICE**

1. On February 13, 2013, I served the following document(s):

**TRUSTEE'S OPPOSITION TO CONFIRMATION OF PLAN #1 COMBINED WITH TRUSTEE'S  
RECOMMENDATION FOR DISMISSAL**

2. I served the above-named documents(s) by the following means to the persons as listed below:

**United States mail, postage fully prepaid**

ROBERT ALLAN GATLIN  
1521 RAVANUSA DRIVE  
HENDERSON, NV 89052

R NATHAN GIBBS LTD  
5280 SOUTH EASTERN AVE  
SUITE D-2  
LAS VEGAS, NV 89119

**I declare under penalty of perjury that the foregoing is true and correct.**

Signed on: 2/13/13

/s/ Esther Carr  
\_\_\_\_\_  
Employee of  
Kathleen A. Leavitt  
Chapter 13 Standing Trustee