

1 KATHLEEN A. LEAVITT
CHAPTER 13 BANKRUPTCY TRUSTEE
2 201 Las Vegas Blvd South
Suite 200
3 Las Vegas, NV 89101
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E-FILED

5 **UNITED STATES BANKRUPTCY COURT**
DISTRICT OF NEVADA

6 IN RE:
7 ROBERT ALLAN GATLIN

CASE NO: BKS-15-10815-LED

CHAPTER 13

Hearing Date: June 23, 2016
Hearing Time: 1:30 pm

9
10 FRANK SORRENTINO ESO
Attorney for the Debtor

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

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

15 The debtor(s) filed for Chapter 13 relief on 02/20/2015. The 341(a) Meeting of Creditors held on April
16 21, 2015 at 8:00 am was:

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

- 18 • The proposed Plan is not feasible as the Debtor(s) lacks sufficient regular income [11 USC § 109 (e)]
- 19 • Plan is not feasible [11USC 1322] due to: Nation Star Mortgage - Post Petition Fees &
- 20 Charges.
- 21 • Other: Debtor to provide affidavit as to where the \$13,600 in missed plan payments (payments that should have been made according to prior plans) has gone.

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

- 24 • Paystubs for the following periods: February - April 2016 11 USC §704(a)(4) and/or 11 USC §521(a)(1)(B)(iv)

1 Debtor(s) failed to cooperate with the Trustee as necessary to enable the Trustee to perform her duties
2 pursuant to 11 USC §704 and/or §1302 as the Debtor did not provide the following documents:

- 3 • Amendment to Schedule I. Current Income of Individual Debtor(s): to show how debtor will
4 be able to afford plan payments..
- 5 • Amendment to Schedule J. Current Expenditures of Individual Debtor(s): to show how
6 debtor will be able to afford plan payments..

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

8 Dated: 5/16/16

9 /s/ Kathleen A. Leavitt
10 Kathleen A. Leavitt
11 Chapter 13 Trustee
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1 KATHLEEN A. LEAVITT
2 CHAPTER 13 STANDING TRUSTEE
3 201 Las Vegas Blvd South
4 Suite 200
5 Las Vegas, NV 89101

6 **UNITED STATES BANKRUPTCY COURT**
7 **DISTRICT OF NEVADA**

8 **IN RE:**

CASE NO: BKS-15-10815-LED
Chapter 13

9 **ROBERT ALLAN GATLIN**

Debtor (s)

10 **CERTIFICATE OF SERVICE**

11 1. On May 16, 2016, I served the following document(s):

12 **TRUSTEE'S OPPOSITION TO CONFIRMATION OF PLAN #4 COMBINED WITH**
13 **TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

14 2. I served the above-named documents(s) by the following means to the persons

15 as listed below:

16 **United States mail, postage fully prepaid**

17 ROBERT ALLAN GATLIN
18 1521 RAVANUSA DRIVE
19 HENDERSON, NV 89052

CHRISTOPHER P BURKE ESQ
218 S MARYLAND PKWY
LAS VEGAS, NV 89101

FRANK SORRENTINO ESQ
1118 E CARSON AVE
LAS VEGAS, NV 89101

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

21 Signed on: 5/16/16

22 /s/ Esther Carr
23 Employee of
24 Kathleen A. Leavitt
Chapter 13 Standing Trustee