



UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

IN RE:

MARK W. DOCKAL JR.

CASE NO. 20-10447-SMR

DEBTOR

CHAPTER 13

CHAPTER 13 TRUSTEE'S MOTION TO DISMISS  
AND NOTICE OF OPPORTUNITY OF HEARING

This pleading requests relief that may be adverse to your interests.

If no timely response is filed within twenty-one (21) days from the date of service, no hearing will be held and the relief requested in the motion will be granted without a hearing being held. A timely response is necessary for a hearing to be held.

If you file a timely response, a hearing will be held on the motion on June 8, 2023 AT 1:30 PM via WebEx Meetings application.

If you wish to file a Motion to Modify Plan in Response, it must be filed by 05/07/2023 (at least 32 days before the hearing on the Motion to Dismiss).

Deborah B. Langehennig, the Chapter 13 Trustee in this case, states that the Debtor is in material default in the amount of \$2,970.00 as of March 20, 2023 per the confirmed plan filed by the Debtor on July 8, 2020, and that the payments made by or for the Debtor have not been made as proposed. Please note that the default figure noted above may include the current month's plan payment.

A copy of the Trustee's Report dated March 20, 2023 is attached. This report discloses that the Debtor is in material default of the payments proposed by the Debtor's plan, all without demonstrated justification.

Wherefore, the Trustee moves that the case be dismissed.

Respectfully submitted,

/s/ Deborah B. Langehennig

Deborah B. Langehennig  
P.O. Box 91419  
Austin, TX 78709

\*Proposed order attached as exhibit

FILED at 11:21 A M  
3-28, 2023  
PAM BEAM, Clerk  
Co Court, Mason County, Texas  
By Pam Beam



### RECEIPT HISTORY

<u>Date</u>	<u>Description</u>	<u>Amount</u>
June 1, 2020	PERSONAL CHECK FROM DEBTOR/ HOLD I	\$570.00
July 2, 2020	MONEY ORDER FROM DEBTOR	\$570.00
July 13, 2020	MONEY ORDER FROM DEBTOR	\$570.00
August 17, 2020	MONEY ORDER FROM DEBTOR	\$570.00
September 30, 2020	MONEY ORDER FROM DEBTOR	\$570.00
October 27, 2020	MONEY ORDER FROM DEBTOR	\$570.00
December 8, 2020	MONEY ORDER FROM DEBTOR	\$570.00
February 1, 2021	MONEY ORDER FROM DEBTOR	\$570.00
February 1, 2021	MONEY ORDER FROM DEBTOR	\$570.00
April 1, 2021	TFS - MONEYGRAM	\$1,140.00
June 1, 2021	TFS - MONEYGRAM	\$570.00
June 1, 2021	TFS - MONEYGRAM	(\$570.00)
June 1, 2021	TFS - MONEYGRAM	\$570.00
July 1, 2021	TFS - MONEYGRAM	\$670.00
August 2, 2021	TFS - MONEYGRAM	\$670.00
September 1, 2021	TFS - MONEYGRAM	\$670.00
October 1, 2021	TFS - MONEYGRAM	\$670.00
November 3, 2021	TFS - MONEYGRAM	\$670.00
December 3, 2021	TFS - MONEYGRAM	\$670.00
December 31, 2021	TFS - MONEYGRAM	\$670.00
February 3, 2022	TFS - MONEYGRAM	\$670.00
March 2, 2022	TFS - MONEYGRAM	\$670.00
April 5, 2022	TFS - MONEYGRAM	\$670.00
May 4, 2022	TFS - MONEYGRAM	\$670.00
June 2, 2022	TFS - MONEYGRAM	\$770.00
July 7, 2022	TFS - MONEYGRAM	\$780.00
August 2, 2022	TFS - MONEYGRAM	\$770.00
September 6, 2022	TFS - MONEYGRAM	\$770.00
October 6, 2022	TFS - MONEYGRAM	\$770.00
November 2, 2022	TFS - MONEYGRAM	\$770.00
December 6, 2022	TFS - MONEYGRAM	\$770.00
January 9, 2023	TFS - MONEYGRAM	\$770.00

**Total Receipts: \$20,380.00**

FILED at \_\_\_\_\_  
\_\_\_\_\_ 05 \_\_\_\_\_  
JAN 10 2023  
Clerk, Wood County, Texas  
\_\_\_\_\_



## PAYMENT SCHEDULE BREAKDOWN

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Period	Date	Pmt Due	Pmt Rec	Pmt Total	Forgive Amount	Amount Due
1	04/2020	\$570.00		\$0.00		\$570.00
2	05/2020	\$570.00		\$0.00		\$1,140.00
3	06/2020	\$570.00	\$570.00	\$570.00		\$1,140.00
4	07/2020	\$570.00	\$1,140.00	\$1,710.00		\$570.00
5	08/2020	\$570.00	\$570.00	\$2,280.00		\$570.00
6	09/2020	\$570.00	\$570.00	\$2,850.00		\$570.00
7	10/2020	\$570.00	\$570.00	\$3,420.00		\$570.00
8	11/2020	\$570.00		\$3,420.00		\$1,140.00
9	12/2020	\$570.00	\$570.00	\$3,990.00		\$1,140.00
10	01/2021	\$570.00		\$3,990.00		\$1,710.00
11	02/2021	\$570.00	\$1,140.00	\$5,130.00		\$1,140.00
12	03/2021	\$570.00		\$5,130.00		\$1,710.00
13	04/2021	\$670.00	\$1,140.00	\$6,270.00		\$1,240.00
14	05/2021	\$670.00		\$6,270.00		\$1,910.00
15	06/2021	\$670.00	\$570.00	\$6,840.00		\$2,010.00
16	07/2021	\$670.00	\$670.00	\$7,510.00		\$2,010.00
17	08/2021	\$670.00	\$670.00	\$8,180.00		\$2,010.00
18	09/2021	\$670.00	\$670.00	\$8,850.00		\$2,010.00
19	10/2021	\$670.00	\$670.00	\$9,520.00		\$2,010.00
20	11/2021	\$670.00	\$670.00	\$10,190.00		\$2,010.00
21	12/2021	\$670.00	\$1,340.00	\$11,530.00		\$1,340.00
22	01/2022	\$670.00		\$11,530.00		\$2,010.00
23	02/2022	\$670.00	\$670.00	\$12,200.00		\$2,010.00
24	03/2022	\$670.00	\$670.00	\$12,870.00		\$2,010.00
25	04/2022	\$770.00	\$670.00	\$13,540.00		\$2,110.00
26	05/2022	\$770.00	\$670.00	\$14,210.00		\$2,210.00
27	06/2022	\$770.00	\$770.00	\$14,980.00		\$2,210.00
28	07/2022	\$770.00	\$780.00	\$15,760.00		\$2,200.00
29	08/2022	\$770.00	\$770.00	\$16,530.00		\$2,200.00
30	09/2022	\$770.00	\$770.00	\$17,300.00		\$2,200.00
31	10/2022	\$770.00	\$770.00	\$18,070.00		\$2,200.00
32	11/2022	\$770.00	\$770.00	\$18,840.00		\$2,200.00
33	12/2022	\$770.00	\$770.00	\$19,610.00		\$2,200.00
34	01/2023	\$770.00	\$770.00	\$20,380.00		\$2,200.00
35	02/2023	\$770.00		\$20,380.00		\$2,970.00
36	03/2023	\$0.00		\$20,380.00		\$2,970.00

**Total Delinquent Amount: \$2,970.00**



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CHAPTER 13

**ORDER GRANTING TRUSTEE'S MOTION TO DISMISS CASE**

The Court considered the *Trustee's Motion to Dismiss Case* and determined that the *Motion* should be granted. It is therefore;

**ORDERED** that this Chapter 13 case is DISMISSED. It is further;

**ORDERED** that the Trustee be discharged and relieved of her trust and of her sureties, and that the remaining balances of all debts due and owing creditors as of the date of this dismissal are not discharged or affected in any manner by this order.

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Prepared by:  
Deborah B. Langehennig  
P.O. Box 91419  
Austin, TX 78709