

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS**

IN RE:	§	
Armando Montelongo Jr.	§	Case No.
Lily Montelongo	§	
	§	
Debtor(s)	§	Chapter 13 Proceeding

Notice: Local Rule 3002 provides, in part:

"Every Creditor filing a Proof of Claim in all cases shall transmit a copy with attachments, if any, to the Debtor's Attorney (or the Debtor if the Debtor is pro se) and the Trustee appointed in the case."

Creditors are further notified that **WITHOUT FURTHER NOTICE** the Plan may be amended at the Meeting of Creditors (341(a) meeting). Any amendment may affect your status as a creditor. The Debtor's estimate of how much the Plan will pay, projected payments and estimates of the allowed claims may also change. The following information is an attempt to advise Creditors of the status of the case based on the information known at the time of its preparation. Any special concerns of a creditor may justify attendance at the First Meeting of Creditors and such other action as may be appropriate under the circumstances. More detailed information is on file at the office of the United States Bankruptcy Clerk in El Paso, Texas.

DEBTOR'S CHAPTER 13 PLAN

- A. The Debtor's Plan Payment is scheduled at 900.00 per month [Pay Order, Direct Pay] for 60 months. **\$415.38 to be deducted from debtor's Bi-Weekly wages at City of El Paso** . The gross amount to be paid into the plan is 54,000.00 .
- B. The Plan proposes to pay in full all allowed priority, special class and secured claims to the extent of the value of the collateral and approximately 27 % of the unsecured allowed claims.
- C. Value of non-exempt assets is 0.00 .
- D. Monthly net income is 2,224.00 , less expenses of 1,324.00 , equals the amount available for plan, which is 900.00 .
- E. If the payment of any debt is proposed to be paid directly by the Debtor outside the Plan, it is so noted in Section IV(1) set forth below.

I. Vesting of Estate Property

- Upon confirmation of the Plan, all property of the estate SHALL vest in the Debtor(s), and SHALL NOT remain as property of the estate subject to the automatic stay of 11 U.S.C. §362.
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II. Lien Release

The holder of each secured claim shall retain the lien on the collateral securing its claim. Once a secured creditor (other than a creditor paid directly pursuant to this plan under 11 U.S.C. Section 1322(b)(2) & (b)(5)), has received payments which satisfy the creditor's secured claim, the creditor shall release the lien(s) securing its claim, except to the extent the Internal Revenue Code or the Bankruptcy Code operate to provide otherwise.

III. Executory Contracts/Unexpired Leases

Pursuant to 11 U.S.C. §1322(b)(7) of the Bankruptcy Code, the Debtor(s) hereby elects to assume the following executory contracts or unexpired leases. If any default exists, the Debtor's plan to cure such default is noted in Section IV (2)(E) set forth below:

Other Party	Description of Contract or Lease
Villa Del Norte Apartments	Month to month lease Assume Lease

Pursuant to 11 U.S.C. §1322(b)(7) of the Bankruptcy Code, the Debtor(s) hereby elects to reject the following executory contracts or unexpired leases, if any:

Other Party	Description of Contract or Lease
-NONE-	

IV. Specific Treatment for Payment of Allowed Claims

1. DIRECT PAYMENTS BY DEBTOR TO CREDITORS

Creditor Name	Remarks	Debt Amount	Monthly Payment
-NONE-			

2. PAYMENTS BY TRUSTEE

A. Administrative Expenses

The Trustee may receive up to 10% of all sums disbursed, except on any funds returned to the debtor.

Creditor Name	Amount of Debt	Payment Method 1. Before 2. After, or 3. Along With Secured Creditors	Remarks
Edgar Borrego	1,995.00	3. Along With	Attorney Fees

B. Secured Creditors

Creditor Name/Collateral	Estimated Amount of Debt	Value of Collateral	Monthly Payment or Method of Disbursement	Interest Rate	Anticipated Total to Be Paid	Other Treatment/Remarks
Ameri-Credit 2001 Chevy Cavalier	12,321.00	8,300.00	Prorata	12%	8,300.00	
GMAC 2003 Geo Tracker	17,581.00	17,600.00	Prorata	12%	17,581.00	
Household Automotive Finance Corporation 1998 Kia Sportage	6,175.00	6,200.00	Prorata	12%	6,175.00	

C. Priority Creditors

Creditor Name	Estimated Amount of Debt	Payment Method 1. Before 2. After 3. Along With Secured Creditors	Remarks
-NONE-			

D. General Unsecured Creditors, [including claims from rejection of executory contracts]. (Describe treatment for the class of general, unsecured creditors.)

General Nonpriority Unsecured debts shall be paid **27** cents on the dollar and paid pro rata, with no interest if the creditor has no Co-obligors, provided that where the amount or balance of any unsecured claim is less than \$10.00 it may be paid in full.

Special Nonpriority Unsecured debts which are co-signed or are non-dischargeable shall be paid in full (100%) as listed below.

Creditor Name	Estimated Amount of Debt	Remarks
-NONE-		

E. Cure claims on Assumed Executory Contracts & Leases:

Creditor Name	Estimated Amount of Debt	Monthly Payment or Method of Disbursement	Remarks
-NONE-			

Totals:

Administrative Claims	<u>1,995.00</u>
Secured Claims	<u>32,056.00</u>
Priority Claims	<u>0.00</u>
Unsecured Claims	<u>14,678.00</u>
Cure Claims	<u>0.00</u>

F. Supplemental Plan Provisions

The following are the Supplemental Plan Provisions:

None

Respectfully submitted _____.

Armando Montelongo Jr.
 Signature of Debtor

Lily Montelongo
 Signature of Joint Debtor

Name and Address of Attorney for Debtor:
Edgar Borrego 00787107
Attorney for Tanzy & Borrego Law Offices
2610 Montana Avenue
El Paso, TX 79903-3712
(915) 566-4300 Fax:(915) 566-1122

**United States Bankruptcy Court
Western District of Texas**

In re **Armando Montelongo Jr.**
Lily Montelongo

Debtor(s)

Case No. _____
Chapter **13**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the attached Chapter 13 Plan was served on _____, on the persons listed below and/or on the attached list, at the addresses listed, by the following method(s): **First Class Mail**.

Edgar Borrego 00787107
Attorney for Tanzy & Borrego Law Offices

To creditors:

Ameri-Credit
P.O. Box 78143
Phoenix, AZ 85062-8143

Capital One
P.O. Box 85015
Richmond, VA 23285-5015

Capital One
P.O. Box 85015
Richmond, VA 23285-5015

First Consumers National Bank
9310 SW Gemini Dr.
Beaverton, OR 97078-0001

GMAC
P.O. Box 173928
Denver, CO 80217-3928

Household Automotive Finance Corporation
P.O. Box 17904
San Diego, CA 92177

Kohl's
P.O. Box 2983
Milwaukee, WI 53201-2983

Lab One
10101 Renner Blvd.
Shawnee Mission, KS 66219-9752

Lab One
c/o Berlin-Wheeler
P.O. Box 479
Topeka, KS 66601

Mervyns
c/o Retailers National Bank
P.O. Box 1334, 4B-E
Minneapolis, MN 55440-1334

Physicians Healthcare Assoc., P.A.
7100 Westwind, Suite 310
El Paso, TX 79912-1743

Providian
P.O. Box 9016
Pleasanton, CA 94566-9016

Target
c/o Retailers National Bank
P.O. Box 1581
Minneapolis, MN 55440-1581

Union Plus
Household Credit Services
P.O. Box 80027
Salinas, CA 93912-0027

Wal-Mart
c/o Chase
P.O. Box 15919
Wilmington, DE 19850-5919
