

STATE OF ALABAMA

COUNTY OF SHELBY

20090727000287160 1/2 \$14.00
Shelby Cnty Judge of Probate, AL
07/27/2009 12:57:40 PM FILED/CERT

LIS PENDENS

COMES NOW, Susan S. DePaola, Trustee for the bankruptcy estate of Clyde H. Earnest and Donna H. Earnest, Chapter 7 Bankruptcy case number 08-32280, filed October 29, 2008 (Notice of Commencement is attached hereto as **Exhibit "A"**) in the United States Bankruptcy Court for the Middle District of Alabama, and files this notice of Lis Pendens with the Office of the Judge of Probate of Shelby County, Alabama.

This notice is for all assets of Clyde H. Earnest and Donna H. Earnest, including, but not limited to:

The SE 1/4 of SW 1/2 of Section 35, Township 21 South, Range 2 West

Said property and its alienability is subject to the administration of the United States Bankruptcy Court for the Middle District of Alabama and may be property of the bankruptcy estate, 11 U.S.C. § 541. Any transfer or alienability may be set aside pursuant to the trustee's power to avoid transfers and conveyances as provided in the *United States Bankruptcy Code*.

Respectfully submitted on this the 22nd day of July 2009.


Susan S. DePaola, Trustee

Susan DePaola
1726 West Second St. STE B
Montgomery, Alabama 36106
Tel (334) 262-1600
Fax (334) 262-1638

UNITED STATES BANKRUPTCY COURT Middle District of Alabama

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on October 29, 2008.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Clyde H. Earnest
Rural Route 2 Box 251A
Uniontown, AL 36786

Donna H. Earnest
Rural Route 2 Box 251A
Uniontown, AL 36786

Case Number:
08-32280

Social Security / Individual Taxpayer ID / Employer Tax ID / Other
nos:

Attorney for Debtor(s) (name and address):

David O. Gatch
David O. Gatch, Attorney at Law
PO Box 2044
Clanton, AL 35046
Telephone number: 205-280-6939

Bankruptcy Trustee (name and address):

Susan S. DePaola
1726 West Second Street
Suite B
Montgomery, AL 36106
Telephone number: 334-262-1600

Meeting of Creditors

*** photo identification required ***

Date: **December 5, 2008**

Time: **09:00 AM**

Location: **Frank M. Johnson, Jr. Federal Courthouse, (Lee St. entrance), Sec. 341 Meeting Room (105), Montgomery, AL 36104**

Presumption of Abuse under 11 U.S.C. § 707(b)

See "Presumption of Abuse" on reverse side.

The presumption of abuse does not arise.

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts: February 3, 2009

Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

Creditor with a Foreign Address:

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

Address of the Bankruptcy Clerk's Office:

One Church Street
Montgomery, AL 36104
Telephone number: 334-954-3800

For the Court:

Clerk of the Bankruptcy Court:
Richard S. Oda

Hours Open: Monday – Friday 8:30 AM – 4:00 PM

Date: October 30, 2008



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