



**IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.**

**Dated: January 10, 2018.**

A handwritten signature in black ink that reads "Craig A. Gargotta".

**CRAIG A. GARGOTTA  
UNITED STATES BANKRUPTCY JUDGE**

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

In Re:  
Christina Alexandra Moreno  
Debtor(s)

Chapter 13

Case No. 17-52057 G

**ORDER CONFIRMING THE DEBTOR'S CHAPTER 13 PLAN**

A hearing having been held pursuant to 11 U.S.C. §1324, no timely objection to confirmation having been filed, the Trustee having recommended confirmation;

**IT IS ORDERED THAT:**

1. The Plan as filed on September 01, 2017 is confirmed, except as to the following modifications:

If this chapter 13 plan provides for a dividend of less than 100 % to allowed unsecured creditors, the Debtor(s) is directed to pay into the plan all disposable income, as defined by 11 U.S.C. section 1325(b)(1) (B) and (2), for the term of the plan, including income tax refunds received during that period . The Debtor(s) is directed to maintain the same number of tax exemptions for withholding as when the case was filed, except as required by a change in dependents allowance(s) and/or marital status. Should the Debtor(s) change the withholding exemptions, the Debtor(s) must amend Schedules I and J within 30 days, specifically noting the basis for the amendment . If Schedule I (Statement of Current Income) includes annual tax refunds as 1/12 prorated income, the Debtor(s) is directed to pay into the plan any amount that exceeds the annualized amount set forth on Schedule I. The Trustee shall have the discretion to increase the percentage dividend to the unsecured creditors as a result of additional payments made under this provision . The Trustee shall have the discretion and authority to determine whether tax refunds are disposable income, provided that the Debtor(s) submits to the Trustee supporting documentation and a Stipulation to Retain Tax Refund, which the Debtor(s) shall file with the Court. The Debtor(s) reserves the right to file a motion to retain the tax refund.

Debtor agrees to defer all issues of fair market value, exemption, disposable income, value of non-exempt assets and amount necessary to meet liquidation as to child support arrears as listed on Schedule B until Debtor receives the funds or case converts to Chapter 7 .

2. The Plan, as confirmed, may be extended to 60 months for cause shown if the applicable commitment period is 36 months.

3. Allowance of Attorney Fees: MALAISE LAW FIRM has requested fees of \$3,600.00 of which \$300.00 was paid to Counsel prior to filing the petition. The balance of \$3,300.00 shall be paid by the Trustee pursuant to the Plan.

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Prepared By:  
MARY K. VIEGELAHN  
CHAPTER 13 TRUSTEE  
10500 Heritage Blvd, Ste. 201  
San Antonio, TX 78216  
(210) 824-1460 fax:(210) 824-1328