

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS

In re:

Christina A. Moreno
Debtor

Case Number 13-51775-cag

A Chapter 13 Proceeding

MOTION FOR ADEQUATE PROTECTION

Now Comes, Randolph Brooks Federal Credit Union, Movant, a secured creditor herein, who files this Motion for Adequate Protection as to the pursuant to 11 U.S.C. 363(e), 363, 361, 1325(a)(5)(B)iii and 1326(a)(1), and Paragraph 4(b)(4) of the Amended Standing Order Relating to Chapter 13 Practices in the San Antonio Division entered November 7, 2005, and as modified by the Standing Order Relating to Attorneys Fees - Ch. 13 San Antonio Division entered June 13, 2006; and in support thereof would show the following:

I.

Debtor filed a Petition in the Bankruptcy Court, and an Order for relief was entered.

II.

Movant was listed as a secured creditor in the schedules filed by Debtor. Copies of the contract and security agreements have been filed in this cause previously and are incorporated herein by reference. Movant is the owner and holder of the contracts and related security agreements. The contract called for monthly payments to be made to the holder of the contract. The contracts are secured by a security interest in collateral described as a 2008 Dodge Charger VIN 2B3KA33G18H275689.

III.

There has been a default in the contractually required payments to Movant. Movant has filed its Proof of Claim to each of the items of collateral, and properly served the Chapter 13 Trustee and the attorney for the Debtor.

IV.

The Plan fails to provide for adequate protection payments pre-confirmation; distributions to Movant are not scheduled to commence immediately.

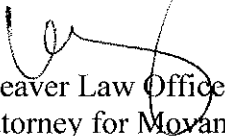
V.

Movant requests adequate protection payments to commence with the first payment to the Trustee, which is within 30 days of the filing of the Petition herein and to continue monthly thereafter until the commencement of regular equal monthly disbursements to Movant under the Plan. Movant requests at least \$112.00 per month as adequate protection payments.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Movant requests adequate protection payment as to the collateral, and for such other and further relief to which Movant may be entitled as the Court may deem just and proper.

Respectfully Submitted,


Weaver Law Office
Attorney for Movant
William P. Weaver Jr.
512 Heimer Rd.
San Antonio, TX 78232
(210) 495-1400
(210) 495-5864 fax

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing pleading was served via electronic means as listed on the Court's ECF noticing system or by regular first class mail on the parties in interest listed hereafter:

Christina A. Moreno
12210 Madrigal
San Antonio, TX 78233

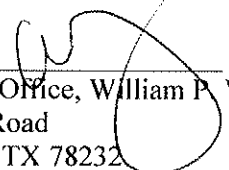
Magdalena Gonzales
2939 Mossrock , Suite 130
San Antonio, TX 78230

Mary Viegelahn, Ch. 13 Trustee
909 N.E. Loop 410, Suite 400
San Antonio TX 78209.

The United States Trustee
P.O. Box 1539
San Antonio, TX 78295-1539

Other parties entitled to notice, if any, are noted on an attachment to this document.

Dated: 8/6, 2013.

By: 
Weaver Law Office, William P. Weaver, Jr.
512 Heimer Road
San Antonio, TX 78232

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