

THE SOUTH CAROLINA COURT OF APPEALS

CHARLES E. HOUSTON, JR., Appellant

vs.

SHIRLEY J. BOONE, AS ADMINISTRATOR OF
THE ESTATE OF DEAN B. BELL; LAW OFFICES
OF DEAN B. BELL, LLC; AND
B. HAMMEL PROPERTIES, LLC,

Respondents

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NOV 17 2020

SC Court of Appeals

Appellate Case No. 2019-001676

AMENDED SUGGESTION OF BANKRUPTCY

TO THE HONORABLE COURT:

COMES NOW, SHIRLEY J. BOONE, Independent Executrix of the Estate of Dean B. Bell, Respondent herein, and files this Amended Suggestion of Bankruptcy and would respectfully show unto the Court the following:

1. On or about the March 20, 2020, Dean B. Bell filed a petition for relief under Chapter 7 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Eastern District of Texas, under Case Number 20-10150. On June 22, 2020, a discharge order was entered in said case, a copy of which is attached hereto and incorporated herein for all purposes as **Exhibit "A"**.
2. Appellant took no action in the bankruptcy proceeding to object to the discharge of the debtor or the dischargability of the alleged debt the basis of this suit. Further, Appellant has not sought relief from the bankruptcy stay.
3. The alleged debt the subject of this suit is subject to the post-discharge bankruptcy stay of 11 U.S.C. §524(a)(2). The discharge granted to the debtor operates as an injunction against the commencement or continuation of an action, the employment of process, or an act, to collect, recover or offset any pre-petition debt as a personal liability of the debtor, whether or not discharge of such debt is waived. The continuation of this appellate proceeding as to Respondent is a violation of such injunction.

4. Respondent requests the Court and all parties to take notice of this stay and that this case be dismissed as to Respondent.

WHEREFORE, PREMISES CONSIDERED, SHIRLEY J. BOONE, Independent Executrix of the Estate of Dean B. Bell, requests the Court and all parties to take notice of the stay in effect pursuant to 11 U.S.C. §524(a)(2) and that this case be dismissed as to Respondent.

BY: Respectfully submitted,
Shirley J. Boone
SHIRLEY J. BOONE
5995 Longwood
Beaumont, Texas 77706

Information to identify the case:

Debtor 1 Dean B. Bell
First Name Middle Name Last Name

Social Security number or ITIN xxx-xx-1900
EIN - - - - -

Debtor 2
(Spouse, if filing) First Name Middle Name Last Name

Social Security number or ITIN - - - - -
EIN - - - - -

United States Bankruptcy Court Eastern District of Texas

Case number: 20-10150

Order of Discharge

12/15

IT IS ORDERED: A discharge under 11 U.S.C. § 727 is granted to:

Dean B. Bell

6/22/20

By the court: Bill Parker
United States Bankruptcy Judge

Explanation of Bankruptcy Discharge in a Chapter 7 Case

This order does not close or dismiss the case, and it does not determine how much money, if any, the trustee will pay creditors.

Creditors cannot collect discharged debts

This order means that no one may make any attempt to collect a discharged debt from the debtors personally. For example, creditors cannot sue, garnish wages, assert a deficiency, or otherwise try to collect from the debtors personally on discharged debts. Creditors cannot contact the debtors by mail, phone, or otherwise in any attempt to collect the debt personally. Creditors who violate this order can be required to pay debtors damages and attorney's fees.

However, a creditor with a lien may enforce a claim against the debtors' property subject to that lien unless the lien was avoided or eliminated. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

This order does not prevent debtors from paying any debt voluntarily or from paying reaffirmed debts according to the reaffirmation agreement. 11 U.S.C. § 524(c), (f).

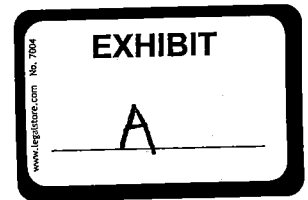
Most debts are discharged

Most debts are covered by the discharge, but not all. Generally, a discharge removes the debtors' personal liability for debts owed before the debtors' bankruptcy case was filed.

Also, if this case began under a different chapter of the Bankruptcy Code and was later converted to chapter 7, debts owed before the conversion are discharged.

In a case involving community property: Special rules protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.

For more information, see page 2 >



Some debts are not discharged

Examples of debts that are not discharged are:

- ◆ debts that are domestic support obligations;
- ◆ debts for most student loans;
- ◆ debts for most taxes;
- ◆ debts that the bankruptcy court has decided or will decide are not discharged in this bankruptcy case;
- ◆ debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- ◆ some debts which the debtors did not properly list;
- ◆ debts for certain types of loans owed to pension, profit sharing, stock bonus, or retirement plans; and
- ◆ debts for death or personal injury caused by operating a vehicle while intoxicated.

Also, debts covered by a valid reaffirmation agreement are not discharged.

In addition, this discharge does not stop creditors from collecting from anyone else who is also liable on the debt, such as an insurance company or a person who cosigned or guaranteed a loan.

This information is only a general summary of the bankruptcy discharge; some exceptions exist. Because the law is complicated, you should consult an attorney to determine the exact effect of the discharge in this case.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been served via certified mail, return receipt requested and/or facsimile on the following:

Charles E. Houston, Jr.
100 Shady Brooke Walk
Fayetteville, GA 30214

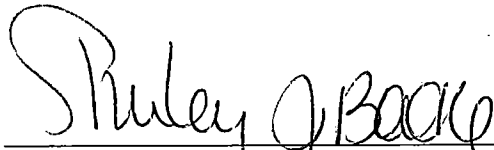
W. Cliff Moore, III
Adams and Reese LLP
P. O. Box 2285
Columbia, South Carolina 29202

Thomas Calvin Taylor
Law Office of Thomas C. Taylor, LLC
P. O. Box 5550
Hilton Head Island, South Carolina 29938

Kirby Darr Shealy, III
Adams and Reese LLP
P. O. Box 2285
Columbia, South Carolina 29202

Jerri Ann Roseneau, Clerk
Clerk of Courts for Beaufort County
P. O. Drawer 1128
Beaufort, South Carolina 29901

on this the 12th day of November, 2020.



SHIRLEY J. BOONE

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November 12, 2020

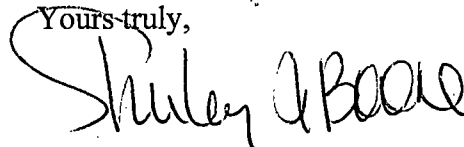
Hon. Jenny Abbott Kitchings, Clerk
The South Carolina Court of Appeals
P. O. Box 11629
Columbia, South Carolina 29211

RE: Appellate Case No. 2019-001676
*Charles E. Houston, Jr., Appellant vs. Shirley J. Boone, as Administrator of the
Estate of Dean B. Bell; Law Offices of Dean B. Bell, LLC; and B. Hammel
Properties, LLC, Respondents*

To Whom it May Concern:

Please find enclosed the Amended Suggestion of Bankruptcy with Exhibit "A" attached to be filed in the above-referenced matter.

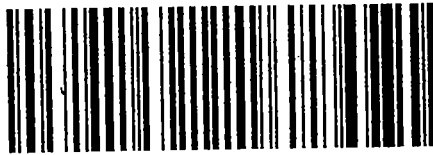
Yours truly,

A handwritten signature in black ink that reads "Shirley J. Boone". The signature is written in a cursive, flowing style.

SHIRLEY J. BOONE

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

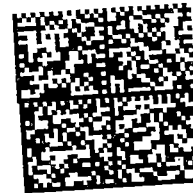
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OFFERMAN & KING, L.L.P.
Attorneys at Law

6420 Wellington Place
Beaumont, Texas 77706



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Hon. Jenny Abbott Kitchings, Clerk
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