

**United States Bankruptcy Court
District of Idaho**

Complete this form and mail to: U.S. Bankruptcy Court 550 W. Fort St. Boise, ID 83724

PROOF OF CLAIM

THIS SPACE IS FOR COURT USE ONLY

Name of Debtor:

Case Number:

Thomas GeoDard

98 - 1433

Chapter: *13*

Trustee:

Bernie Rakozy

Proof of claim form and all supporting documents must be filed in **DUPLICATE** on Chapter 12 and 13 cases

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to U.S.C. §503

Name of Creditor (The person or other entity to whom the debtor owes money or property):

**Health & Welfare
Region IV Child Support
1700 N. Myrtle Ave, Ste. A
Boise, ID 83704-7164**

- Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.
- Check box if you have never received any notices from the bankruptcy court in this case.
- Check box if the address differs from the address on the envelope.

Account or other number by which identifies debtor:

ICSEF #14202

Check here if this claim: Replaces Amends a previously filed claim dated:

- 1. Basis for Claim** Goods Sold Services Performed Money Loaned Personal Injury/Wrongful Death Taxes
- Retiree benefits as defined in 11 U.S.C. §1114(a) Other (please describe):
- Wages, Salaries and compensation: Your Social Security Number: _____ (date) to _____ (date)
- Unpaid Compensation for services performed from _____ (date) to _____ (date)

2. Date debt was incurred: *8/1/93 - 9/8/99*

3. If court Judgment, date obtained: *7/4/99 Ode ID*

4. SECURED CLAIM

- Check box if your claim is secured by collateral (including a right of setoff)
- Brief Description of Collateral:**
- Real Estate Motor Vehicle
- Other _____
- Value of Collateral \$ _____
- Amount of arrearage and other charges at time the case was filed included in secured claim, if any: \$ _____

5. UNSECURED PRIORITY CLAIM

- Check box if you have an unsecured priority claim
- Amount entitled to priority \$ _____
- SPECIFY PRIORITY OF CLAIM:**
- Wages, Salaries, or commissions (up to \$4000)* earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier. (11 U.S.C. § 507 (a)(3))
 - Contributions to an employee benefit plan (11 U.S.C. § 507 (a)(4))
 - Up to \$1,800* of deposits toward purchase, lease, or rental of property or services for personal, family or household use (11 U.S.C. § 507 (a)(6))
 - Alimony, maintenance, or support owed to a spouse, former spouse or child (11 U.S.C. § 507 (a)(7))
 - Taxes or penalties owed to governmental units (11 U.S.C. § 507 (a)(8))
 - Other - Specify applicable paragraph of (11 U.S.C. § 507 (a)())

6. TOTAL AMOUNT OF CLAIM AT TIME CASE WAS FILED

UNSECURED \$ _____ SECURED \$ _____

PRIORITY \$ _____ TOTAL \$ *1706.27*

Check box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all additional charges.

**Amounts are subject to adjustment on 4/1/98 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.*

- 7. Credits:** The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.
- 8. Supporting Documents:** Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. **DO NOT SEND ORIGINAL DOCUMENTS.** If the documents are not available, please explain. If the documents are voluminous, attach a summary.
- 9. Date Stamped Copy:** To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

DATE _____ Sign and print the name and title, if any of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any)

50

Penalty for presenting fraudulent claim: Fine up to \$500,000 or imprisonment for up to 5 year, or both. 18 U.S.C. §152 and §3571

14202
Reg 3

RECEIVED
MAR 11 1997

GARY H. LEW
Attorney at Law
503 11th Avenue South
Nampa, Idaho 83651-4295
Telephone: (208) 466-4028

FILED
A.M. 2:00 P.M.
MAY 12 1989
NED J. KERR, CLERK
E. MONTGOMERY
DEPUTY CLERK

Attorney for Plaintiff

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON
MAGISTRATE COURT

* * * * *

LENORA MARIE FREELAND <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">-vs-</p> THOMAS RAY FREELAND, <p style="text-align: right;">Defendant.</p>	CASE NO. D-10424 DECREE OF DIVORCE
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THIS CAUSE came on regularly for hearing before the above-entitled Court in the courtroom of the courthouse at Caldwell, Canyon County, Idaho, upon the complaint of the Plaintiff, the Plaintiff appearing in person and by her attorney of record, Gary H. Lew, the Defendant appearing in person and by his attorney of record, Warren W. Trunnell. The parties having made certain stipulations in open Court as to the date of the

COPY

marriage, that irreconcilable differences have arisen between the parties which are proper grounds for granting a divorce, property settlement, distribution of community debts, that the parties shall be granted joint legal custody of the minor children of the parties, that the Plaintiff shall be granted actual physical custody of the minor children of the parties, and child for support. The matter was submitted to the court, and the court, being fully advised in the premises, finds upon the issues thus framed in favor of the parties.

The Court having heard and considered all of the evidence and testimony and stipulations in open Court in said action, and it thereby having been made to appear to this Court that the Plaintiff and Defendant intermarried at El Paso, Texas, on or about the 27th day of March, 1981, and ever since have been and now are husband and wife; and that the Plaintiff is now and for more than six weeks next preceding the commencement of this action has been a bona fide resident of the State of Idaho;

That the parties have acquired certain community assets and have incurred certain community debts. That parties have stipulated and agreed to a property settlement and division of the community debts.

That there are three (3) minor children the issue of this marriage, to-wit: TAWNA MARIE FREELAND, born September 3,

T - 519-11-1973
A - 518-15-6437
D - 518-17-4390

1983; AMANDA RAE FREELAND, born June 15, 1985, and DANA ROY FREELAND, born September 29, 1986.

That after considering those factors set forth in I.C. 32-717 and 32-717B and other factors considered relevant, finds that it is in the best interest of said minor children that both parties be given joint legal and the Plaintiff having the actual physical custody of the minor children of the parties in such a manner as to assure the minor children a frequent and continuing contact with both parents.

And the Court having found that irreconcilable differences have arisen between the parties hereto, rendering it impossible for said parties to live together as husband and wife; and that the irreconcilable differences between Plaintiff and Defendant are so great that there is no possibility of reconciliation;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, as follows:

1. That the bonds of matrimony heretofore and now existing between the Plaintiff and the Defendant are forever dissolved, and the parties are each restored to the status of a single person, and the parties are each granted a decree of absolute divorce from the other on the grounds of irreconcilable differences.

4. That the Defendant herein be ordered to pay to the Plaintiff the sum of \$286.30 per month for the minor children as and for maintenance and support of the minor children of the parties commencing on the 1st day of May, 1989, with a like payment on the same day of each month thereafter, said support payments to be made in the form of cash, money order, certified check or cashier's check made payable to the order of the Clerk of the District Court, Third Judicial District, Canyon County Courthouse, Caldwell, Idaho 83605, and shall continue until the children shall reach the age of majority, marry, become emancipated, die or until further order of the court. PROVIDED THAT when the oldest of the minor children shall marry, die, or reach the age of majority, that the amount of the child support for the remaining two (2) children shall decrease to the sum of \$246.81 per month. PROVIDED FURTHER THAT when the second oldest of the minor children shall marry, die, or reach the age of majority, that the amount of the child support for the remaining child shall decrease to the sum of \$167.83 per month.

5. That the Defendant shall be required to maintain the minor children on any health or medical insurance available through the Defendant's employer.

6. That Defendant be ordered to pay one-half (1/2) of the medical, dental, orthodontic, ophthalmological, hospital, pharmaceutical, and other dental or medically related expenses

incurred for the benefit of said minor children not covered by the Defendant's insurance.

7. That when the Plaintiff becomes employed, the Defendant shall pay to the Plaintiff a sum equal to one-half (1/2) of the total child care costs for the minor children not to exceed \$130.00 per month. PROVIDED that the costs to be paid by the Defendant shall be only those costs of day care incurred when the Plaintiff is employed.

8. That the following order is entered pursuant to §32-1205 as follows, to-wit:

"NOTICE OF INCOME WITHHOLDING"

This support order is enforceable by income withholding under Chapter 12, Title 32, Idaho Code. Whenever there are arrearages at least equal to the support payment for one (1) month, a mandatory income withholding order may be issued by the court to your employer or other person who pays you income, without prior notice to you.

It is not necessary for the obligee to apply for support enforcement services under Title IV-D of the Social Security Act (42 U.S.C. 651 et seq.) to obtain enforcement of this support order by means of income withholding.

9. That if classes or a program are available without cost to the Plaintiff, the Plaintiff shall enter into anger control and parenting classes.

10. That the Defendant shall enter into anger control

COPY

NO. _____

FILED

A.M. _____ P.M. _____

JUN 1 5 1988

JOHN BASTIDA, Clerk
By DELLA PHILLIPS
DEPUTY

JIM JONES
Attorney General
State of Idaho

Dean W. Kaplan
Deputy Attorney General
Department of Health and Welfare
450 West State Street
Boise, Idaho 83720
Telephone (208) 334-5718

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO, Department of)	
Health and Welfare, ex rel,)	
LENORA FREELAND)	
)	
Plaintiff,)	Case No. <u>7486-D</u>
)	
vs.)	JUDGMENT AND ORDER
)	
THOMAS FREELAND,)	
)	
<u>Defendant</u>)	

This cause having come before the Court upon the application of the State of Idaho, Department of Health and Welfare, Plaintiff, for a Default, and Judgment and Order, and it appearing from the record that the Complaint was filed on April 1, 1988, the Defendant was served the Summons and Complaint on May 11, 1988, no answer or other defense has been filed by the Defendant and Default has been entered by the Clerk of the Court.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED That:

1. Plaintiff receive from Defendant, THOMAS FREELAND, SSN 518-92-9898, the sum of \$4,999.00 for the period of January 1987

through March 1988.

2. Defendant is capable of supporting said children; that \$125.00 per child for a total of \$375.00 per month shall be payable monthly beginning April 1, 1988, and shall continue until said children reach(es) majority.

This support order is enforceable by income withholding under chapter 12, title 32, Idaho Code. Whenever there are arrearages at least equal to the support payment for one (1) month, a mandatory income withholding order may be issued by the court to your employer or other person who pays you income, without prior notice to you.

It is not necessary for the obligee to apply for support enforcement services under title IV-D of the social security act (42 U.S.C. 651 et seq.) to obtain enforcement of this support order by means of income withholding.

3. The Defendant shall carry major medical insurance on the children until said children reach(es) majority.

4. That the State shall recover attorney fees in the amount of \$200.00 pursuant to Section 12-120, Idaho Code.

5. All money paid under this judgment shall be paid to the Plaintiff, State of Idaho, Department of Health and Welfare, Central Support Enforcement, 450 West State Street, Statehouse Mail, Boise, Idaho 83720.

DATED This 8 day of June, 1988.

JUDGMENT AND ORDER--P. 2 and FINAL

JOHN F. VARIN
J U D G E

STATE OF IDAHO
COUNTY OF ADA
SS.

I, John Bastida, Clerk of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Ada, do hereby certify that the foregoing is a true and correct copy of the original on file in this office. In witness whereof I have hereunto set my hand and affixed my official seal this 15th day of

June 1988
JOHN BASTIDA, CLERK

BY Della Phillips DEPUTY.

34857

1730001394

EDWIN G. SCHILLER
SCHILLER & SCHILLER, CHARTERED
P.O. Box 21
Nampa, ID 83653-0021
Telephone: (208)466-7809\888-2113
FAX: (208) 466-7910

FILED
9:15 A.M. P.M.
JUL 19 1993
NED [Signature] CLERK
DEPUTY CLERK

Attorneys for Defendant

IN THE DISTRICT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

LENORA MARIE WILHITE fka LENORA)
MARIE FREELAND,)
) Case No. D-10424
Plaintiff,)
) ORDER
vs.)
)
THOMAS RAY FREELAND,)
)
Defendant.)
_____)

This matter coming regularly on for trial on Defendant's Motion to Modify on July 6, 1993, the Defendant appearing in person and by and through his attorney of record, EDWIN G. SCHILLER, the Plaintiff appearing in person and with her attorney, JACK D. SWAFFORD, both parties having presented testimony, the Court having read into the record, findings of fact, and conclusions of law, and good cause appearing therefor;

IT IS HEREBY ORDERED AS FOLLOWS:

1. That the physical custody of the minor children of the parties, TAWNA MARIE FREELAND, born September 3, 1983, AMANDA RAE FREELAND, born June 15, 1985, and DANA ROY FREELAND, born September 29, 1986, is awarded to the Defendant reserving unto the Plaintiff reasonable rights of visitation, and this order

concerning physical custody shall continue until said children reach their respective ages of majority or until a further or contrary or modifying Order of this Court or other Court of competent jurisdiction.

2. That the Plaintiff, LENORA MARIE FREELAND, is Ordered to pay to the Defendant, THOMAS RAY FREELAND, the sum of \$205.00 per month for the support of the minor children of the parties with the first payment due on the first day of August, 1993, and a like payment on the like day of each and every month thereafter until said children reach their respective ages of majority, unless the children are continuing their education, in which support shall continue until the child completes his or her formal education or reaches the age of nineteen (19), whichever occurs first. Said child support is payable through the Clerk of the above entitled Court and shall be payable in the form of cash, cashier's check, certified check or money order payable to the Clerk of the District Court.

3. That the support Order is enforceable by a Notice of Income Withholding as follows:

NOTICE OF INCOME WITHHOLDING

This support order is enforceable by income withholding under Chapter 12, Title 32, Idaho Code. Whenever there are arrearages at least equal to the support payment for one (1) month, a mandatory income withholding order may be issued by the Court to your employer or other person who pays you income, without prior notice to you.

It is not necessary for the obligee to apply for support enforcement services under title IV-D of the social security act (42 U.C.S. 651 et seq.) to obtain enforcement of this support order by means of income withholding.

4. That any provisions for the Defendant to pay child support to the Plaintiff and child care expenses shall be of no further force or effect.

5. That all other terms and conditions of the Decree of Divorce, dated May 12, 1989, not inconsistent herewith shall remain in full force and effect.

DATED the 16 day of July, 1993.

[Signature]
MAGISTRATE

State of Idaho }
County of Canyon } ss.
I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears in this office.
DATED 8-19-93
NED J. KERR, Clerk of the District Court and Ex-Officio Registrar
By [Signature] Deputy

State of Idaho }
County of Canyon } ss. attys
Certificate of Service Baslet
I, the undersigned, do hereby certify that I served a copy of the above on Pltf. D Def. S by mailing this date, same by U.S. Mail, with proper address and sufficient postage affixed.
Dated this 19 day of July, 19 93
Ned J. Kerr, Clerk
By [Signature] Deputy