IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

FILED
2002 NOV 14 PM 3:51
DISTRICT OF SOUTH CAROLINA

IN THE MATTER OF:	)	Case No. 02-07491-B
	)	Chapter 7
Charles Michael and Cammie Huffstetler	)	Asset Case
	)	
Debtors.	)	
	)	

NOTICE OF OPPORTUNITY FOR HEARING AND APPLICATION FOR SALE OF ASSETS FREE AND CLEAR OF LIENS

TO: ALL CREDITORS AND PARTIES IN INTEREST:

YOU ARE HEREBY NOTIFIED on November 13, 2002, Ralph C. McCullough, II, as Trustee in the above-referenced bankruptcy filed this Application for Sale of Assets Free and Clear of Liens in which he proposes to sell the property herein described free and clear of all liens and encumbrances according to the terms and conditions stated below. A copy of the proposed Order Authorizing Sale of Assets Free and Clear of Liens accompanies this Notice and Application.

TAKE FURTHER NOTICE that any response, return and/or objection to the Application should be filed with the Clerk of the Bankruptcy Court and served on all parties in interest within twenty (20) days from the date of this notice.

TAKE FURTHER NOTICE that no hearing will be held on this Application unless a response, return and/or objection is timely filed and served, in which case, the Court will conduct a hearing on **December 23, 2002 at 9:00 A.M.** at the United States Bankruptcy Court. District of South Carolina, 201 Magnolia Street, Spartanburg, South Carolina. No further notice of this hearing will be given.

TYPE OF SALE: Private Sale with reserve

PROPERTY TO BE SOLD: 1995 Mustang, with 120,000 miles and a 1997 Acura CL with 115,000 miles

PROPERTY IS SOLD "AS IS, WHERE IS"

PRICE: $3,000.00 (Mustang) and $3,500.00 (Acura)

APPRAISAL VALUE: $3,890.00 (Mustang) and $4,325.00 (Acura) as per NADA values

BUYER: Scott Masters

46/47

M:\TRUSTEE\Client\7491\must&acura-nos.wpd

BUYER HAS NO RELATIONSHIP WITH THE DEBTOR, UPON INFORMATION AND BELIEF, BY THE TRUSTEE

PLACE AND TIME OF SALE: Upon entry of an Order of this Court

SALES AGENT/AUCTIONEER/BROKER: WM Hales, Inc., 100 Ladykirk Lane, Greer, South Carolina, (864)244-8253.

COMPENSATION TO SALES AGENT/AUCTIONEER/BROKER, ETC.: $300.00 as to the Mustang and $350.00 as to the Acura
Commission on a private sale is ten (10%) percent of gross sale proceeds.

ESTIMATED TRUSTEE'S COMPENSATION ON SALE: Approximately $1,400.00, however Trustee's compensation will not exceed the limits set forth in 11 U.S.C. §326(a).

LIENS/MORTGAGES/SECURITY INTERESTS ENCUMBERING PROPERTY: None

All tax liens as defined in 11 U.S.C. §724(b) of the United States Bankruptcy Code, including real and personal property taxes, if allowed, which may be due now or after the closing on the sale will be treated as secured tax claims pursuant to 11 U.S.C. §724(b) and will be subordinate to all administrative claims. The property subject to this sale will be sold free and clear of said tax liens with the liens to attach to the sale proceeds.

EXPENSES OF SALE: Expenses of sale will not exceed $750.00

DEBTOR'S EXEMPTION: $1,200.00 per each vehicle, totaling $2,400.00

PROCEEDS ESTIMATED TO BE RETAINED BY ESTATE: $2,700.00

Applicant is informed and believes that it would be in the best interest of the estate to sell said property by Private Sale. Applicant also believes that the funds to be recovered for the estate from the sale of said property justify its sale and the filing of this Application.

Any party objecting to the trustee's sale must do so in writing, and in accordance with SC LBR 9014-1. All objections should be filed with the Clerk of Court, United States Bankruptcy Court, 1100 Laurel Street, Post Office Box 1448, Columbia, South Carolina 29202, with a copy served on the Trustee, trustee or debtor in possession, as applicable, at the address shown below. A copy of the objection should also be served on the United States Trustee, Strom Thurmond Federal Building, 1835 Assembly Street, Suite 953, Columbia, South Carolina 29201. **All objections must be filed and served within twenty (20) days from the date of this notice in accordance with the terms recited herein**. If an objection is filed and served, a hearing will be held on the objection at the date and time noted on the Notice of Application and Opportunity for Hearing.

The Court may consider additional offers at the hearing held on an objection to the sale. The Court may order at this hearing that the property be sold to another party on equivalent or more favorable terms.

The trustee or debtor in possession, as applicable, may seek sanctions or other similar relief against any party filing a spurious objection to this notice.

Applicant requests that F.R.B.P. 6004(g) not be applicable in this matter and that Trustee be able to immediately enforce and implement any Order Authorizing Sale of Assets Free and Clear of Liens associated with this Notice.

WHEREFORE, Applicant requests the Court to issue an Order Authorizing Sale of Assets Free and Clear of Liens, waiving F.R.B.P. 6004(g) as relates to the Order Authorizing Sale of Assets free and clear of liens as associated with this Notice thereby allowing Applicant/Trustee the right to immediately enforce and implement the Order Authorizing Sale of Assets Free and Clear of Liens and for such other and further relief as may be proper.

Ralph C. McCullough, II, Trustee
Post Office Box 1799
Columbia, South Carolina 29202
(803) 765-2935
District Court I.D. No.: 2786

Columbia, South Carolina
11\13, 2002.
M:\TRUSTEE\Client\7491\must&acura-nos.wpd