

Dated: January 16, 2024
The following is ORDERED:



Denise E. Barnett
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

In re:

Rickey L. Alexander,
Debtor.

Case No. 19-21962
Chapter 13

ORDER DISAPPROVING APPLICATION
FOR PAYMENT OF UNCLAIMED FUNDS

This case came before the Court on January 9, 2024, at 10:00 a.m., on Dynasty Asset Recovery Services, LLC's ("Dynasty's") *Application for Payment of Unclaimed Funds*. (ECF No. 59). Upon review of the record and for the reasons outlined in this order, the Court disapproves the application for unclaimed funds.

On March 7, 2019, Rickey L. Alexander filed a voluntary petition commencing a case under Chapter 13 of the Bankruptcy Code. On December 14, 2022, an Order on Completed Chapter 13 Case Without Discharge was filed. On September 6, 2023, "unclaimed dividend" was turned over to the Clerk of Court in the amount of \$6,641.33 for Rickey L. Alexander. On

December 12, 2023, Dynasty filed an *Application for Payment of Unclaimed Funds*, along with personal supporting documentation. (ECF Nos. 59, 60, and 61). A review of Dynasty's application and supporting documents indicates that Dynasty is seeking to recovery the surplus funds on behalf of the Debtor for a fee. (ECF Nos. 59, 60, and 61).

On January 9, 2024, a hearing was held on the application for unclaimed funds. At the hearing, counsel for the Debtor, Rickey L. Alexander did not appear. Additionally, Dynasty's representative appeared, but Dynasty was without counsel. The Court explained to the person appearing on behalf of Dynasty that Dynasty must have counsel to appear before the Court, and the funds it is seeking are surplus funds (not unclaimed funds). The surplus funds go back to the Debtor.¹ The Debtor may file an application to obtain the surplus funds without the necessity of paying a fee to Dynasty. Accordingly, it is **ORDERED**:

Application for Payment of Unclaimed Funds is **DISAPPROVED** without prejudice to Debtor to filing an application for the surplus funds.

cc: Rickey L. Alexander, Debtor
Attorney for Debtor
Dynasty Asset Recovery Services, LLC
Chapter 13 Trustee
United States Trustee
All Creditors on the Matrix

¹ The Debtor may seek application for surplus funds, while Creditors may seek application for unclaimed funds.