

APR 14 2025

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS (HOUSTON)

Nathan Ochsner, Clerk of Court

Veronica Mckelvin Smith,
Plaintiff

Case No.:

v

4:24-cv-02757

Texas Capital Loans, LLC
A Delaware Limited Liability Texas Capitol Loans LLC,
Defendant

NOTICE OF FILING
BANKRUPTCY DISCHARGE ORDER

TO THE HONORABLE JUDGE OF THE COURT:

Plaintiff Veronica Mckelvin Smith hereby submits this Notice of Filing to inform the Court and all parties of record of a federal bankruptcy discharge order entered in her Chapter 7 case, which is material to the claims in the above-captioned action.

BACKGROUND

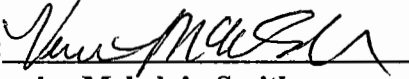
1. On June 11, 2024, the United States Bankruptcy Court entered a **Judgment of Discharge** in Plaintiff's Chapter 7 bankruptcy case.
2. Among the discharged parties was **Texas Capital Loans, LLC, a Delaware limited liability company**, who was listed as a creditor in the bankruptcy petition.
3. The discharge operates as a permanent injunction under **11 U.S.C. § 524(a)**, prohibiting any post-discharge collection actions or enforcement attempts related to the discharged debt.
4. Despite this discharge, Defendant(s) have continued to pursue enforcement actions, including seeking an **"In Rem" Order** and participating in post-discharge proceedings against the Plaintiff, which form the basis of the present FDCPA claims.

FILING OF BANKRUPTCY DISCHARGE ORDER

Plaintiff respectfully submits the attached **Exhibit A**, a true and correct copy of the **Bankruptcy Discharge Order** entered on **June 11, 2024**, in support of her claims and motions filed in this matter.

Plaintiff reserves all rights to further amend or supplement her filings in accordance with this evidence.

Respectfully submitted,

By: 

Veronica Mckelvin Smith

Sui juris

10723 Cypresswood Dr.

Houston, TX 77070

346-668-8191

Vmckelvin10@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that on **April 11, 2025**, a true and correct copy of the foregoing Notice of Filing Bankruptcy Discharge Order and Exhibit A was served via email upon:

- **Texas Capital Loans Trust**, by and through its trustee
- **R. Gary Laws**, Trustee and sole member of Texas Capital Loans, LLC

Note: Because no separate mailing address is listed for Texas Capital Loans Trust or R. Gary Laws, Trustee, service is being made through affiliated counsel of record, Mr. Preston T. Towber, who is also identified as representing Texas Capital Loans, LLC and related entities.

Preston T. Towber

The Towber Law Firm PLLC

1111 Heights Blvd.

Houston, Texas 77008

Tel: (832) 485-3555

preston@towberlaw.com

ATTORNEY FOR Texas Capital Loans, LLC,
a Delaware Limited Liability Company

By: 
Veronica Mckelvin Smith

Sui juris

10723 Cypresswood Dr.

Houston, TX 77070

346-668-8191

Vmckelvin10@gmail.com

EXHIBIT A

ORDER OF DISCHARGE

IT IS ORDERED:

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

Veronica Mckelvin Smith
Debtor

The court has found that the debtor is entitled to a discharge. The discharge prohibits any attempt to collect from the debtor a debt that has been discharged. For more information, creditors may refer to 11 U.S.C. § 524(a).

DISCHARGED CREDITOR

The following creditor(s) were listed in the bankruptcy petition and are subject to this discharge:

- Texas Capital Loans, LLC, a Delaware limited liability company

This discharge includes all debts owed to the above-named creditor, unless specifically excluded by the Bankruptcy Code.

Date of Discharge Entry: June 11, 2024

Entered By: United States Bankruptcy Court Clerk

This Exhibit is submitted in support of Plaintiff's filings in the U.S. District Court case no. 4:24-cv-2757, asserting violations of the discharge injunction under 11 U.S.C. § 524 and the Fair Debt Collection Practices Act.

Information to identify the case:Debtor 1 Veronica McKelvin

First Name Middle Name Last Name

Social Security number or ITIN xxx-xx-6155

EIN -----

ENTERED

June 11, 2024

Nathan Ochsner, Clerk

Debtor 2

(Spouse, if filing)

First Name Middle Name Last Name

Social Security number or ITIN -----

EIN -----

United States Bankruptcy Court Southern District of Texas

Case number: **24-30523****Order of Discharge**

12/15

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

Veronica McKelvin

6/11/24By the court: Eduardo V Rodriguez
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 >

TRUE COPY / CERTIFY ATTEST:

NATHAN OCHSNER, Clerk of Court

By

Deputy Clerk

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.

United States Bankruptcy Court
Southern District of Texas

In re:
Veronica McKelvin
Debtor

Case No. 24-30523-evr
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0541-4
Date Rcvd: Jun 11, 2024

User: ADIuser
Form ID: 318

Page 1 of 2
Total Noticed: 12

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 13, 2024:

Recip ID	Recipient Name and Address
cr	+ Texas Capital Loans, LLC, c/o Towber Law Firm PLLC, 1111 Heights Blvd, Houston, TX 77008-6915
12633817	+ Affinity Credit Union, 73 Mountainview, Basking Ridge, NJ 07920-2332
12633827	+ Flagship Power, PO BOX 13326, Austin, TX 78711-3326
12633820	+ Nordstrom Rack, 1617 6th Ave, Seattle, WA 98101-1707
12633824	+ Texas Capital Loans, LLC A Delaware Limited Libili, 6101 Southwest Fwy, Ste 400, Houston, TX 77057-7317
12633825	United States Dept of Education NellNet, P.O. Box 2837, Portland, OR 97208-2837
12633823	+ Xfinity Cable, P.O. Box 2399, Warminster, PA 18974-0040

TOTAL: 7

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ EDI: ALSACG.COM	Jun 12 2024 00:01:00	Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
12633821	+ EDI: ATTWIREBK.COM	Jun 12 2024 00:01:00	AT&T Bankruptcy Center, 2270 Lakeside Blvd., 7th Floor, Richardson, TX 75082-4304
12633816	+ EDI: CAPITALONE.COM	Jun 12 2024 00:01:00	Capital One Credit Card, P.O. Box 30285, Salt Lake, UT 84130-0285
12633818	^ MEBN	Jun 11 2024 20:48:43	Macy, 151 West 34 Street, New York, NY 10001-9991
12633822	+ EDI: VERIZONCOMB.COM	Jun 12 2024 00:01:00	Verizon, 500 Technology Drive, Suite 550, Weldon Spring, MO 63304-2225

TOTAL: 5

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

District/off: 0541-4
Date Rcvd: Jun 11, 2024

User: ADIuser
Form ID: 318

Page 2 of 2
Total Noticed: 12

Date: Jun 13, 2024 Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 11, 2024 at the address(es) listed below:

Name	Email Address
Christopher R Murray	chris@jonesmurray.com crm@trustesolutions.net
Christopher Ross Travis	on behalf of U.S. Trustee US Trustee C.Ross.Travis@usdoj.gov
Preston T Towber	on behalf of Creditor Texas Capital Loans LLC preston@towberlaw.com, prestontowber@gmail.com
US Trustee	USTPRegion07.HU.ECF@USDOJ.GOV
Veronica McKelvin	vmckelvin10@gmail.com

TOTAL: 5

UNITED STATES BANKRUPTCY COURT OF SOUTHERN TEXAS

HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

Debtor: Veronica McKelvin Smith

FEB 06 2024

CHAPTER: 7

MATRIX List Creditors:

Nathan Ochsner, Clerk of Court

Capital One Credit Card

P.O. Box 30285
Salt Lake, UT 84130

United States Dept of Education

NellNet
P.O. Box 2837
Portland, OR 97208-2837

Affinity Credit Union

73 Mountainview

Flagship Power

Basking Ridge, NJ 07920

PO BOX 13326, Austin, TX 78711

Macy

151 West 34 Street
New York, NY 10001

Nordstrom Rack

1617 6th Ave
Seattle, WA 98101

TRUE COPY I CERTIFY ATTEST:
NATHAN OCHSNER, Clerk of Court
By *Brandon Olsen*
Deputy Clerk

AT&T Bankruptcy Center

2270 Lakeside Blvd. 7th Floor
Richardson, TX 75082

Verizon

500 Technology Drive
Suite 550
Weldon Spring, MO 63304

Xfinity Cable

P.O. Box 2399
Warminster, PA 1874-0040

Texas Capital Loans, LLC A Delaware Limited Liability Company

6101 Southwest Fwy, Suit 400
Houston, TX 77057