

SO ORDERED



Michelle M. Harner
MICHELLE M. HARNER
U.S. BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at Baltimore**

In re:

Tierra Marcia McCray,

Debtor.

Case No. 24-15520 MMH
Chapter 7

* * * * *

**AMENDED ORDER ENJOINING TAMEIKA POLLARD FROM ACTING
AS BANKRUPTCY PETITION PREPARER**

On July 12, 2024, the Court entered an Order That Bankruptcy Petition Preparer Show Cause Why Fees Should Not Be Refunded (the “Show Cause Order”) in the above-captioned case. ECF 13. By the Show Cause Order, Tameika Pollard, (“Ms. Pollard”), the Bankruptcy Petition Preparer in this matter, had up to and including July 25, 2024, to show cause why the bankruptcy petition preparer should not be ordered pursuant to 11 U.S.C. § 110 to refund all fees for failure to file a completed and signed Form 2800 Disclosure of Compensation of Bankruptcy Petition Preparer and for failure to file a completed, and/or signed Official Form 119 Bankruptcy Petition Preparer’s Notice, Declaration, and Signature. Ms. Pollard did not respond to the Show Cause Order.¹

¹ Pursuant to section 110(h)(1) of the U.S. Bankruptcy Code and Federal Rules of Bankruptcy Procedure 2016(c) and 9029, Local Rule 2016-2(b) of this Court provides that “a fee not exceeding \$125.00 shall be presumed reasonable for bankruptcy petition preparation services.” The Local Rule also provides that a bankruptcy petition preparer who charges a fee in excess of \$125 must disclose to the Court, among other things, the fee paid by the debtor, the tasks performed by the bankruptcy petition preparer, and the justifications for the higher fee. *See* Local Rule 2016-2(a). Ms. Pollard did not file this disclosure with the Court or otherwise explain her fees or actions in connection with this case. Specifically, Ms. Pollard did not file Official Forms 118 and 2800. The Court entered the Refund Order in response to these deficiencies

In light of the foregoing, on August 6, 2024, the Court entered an Order Directing Bankruptcy Petition Preparer to Refund All Fees (the “Refund Order”). ECF 18. By the Refund Order, Ms. Pollard was Ordered to (i) refund to the Debtor all fees collected in this matter; and (ii) file a certification stating the amount of such refund, the date of the refund, and the person to whom it was paid on or before August 19, 2024, said date being within 14 days from the entry of the Refund Order. No such certification was filed, and Ms. Pollard did not respond in any manner to the Refund Order.

As a result, on September 11, 2024, the Court entered an Order for Tameika Pollard to appear before the Court at a hearing on October 3, 2024 (the “First Hearing”) and show cause why she should not be held in contempt of this court for her failure to comply with the Orders of the Court. ECF 21. Ms. Pollard did not appear at the Hearing. The court entered another Amended Order on December 2, 2024, to Appear Before the Court on January 6, 2025, and Show Cause Why Bankruptcy Petition Preparer Should not be Sanctioned and Enjoined from Acting as a Bankruptcy Petition Preparer Regarding Failure to Comply with Court Orders (the “Second Hearing”). ECF 26. The Second Hearing was rescheduled to February 24, 2025. Ms. Pollard failed to appear at the Second Hearing,² and, to date, has still not filed any certification confirming that she made any refund to the Debtor in this case. Ms. Pollard’s continued failure to comply with the Refund Order in this case and her failure to appear as directed by the Court constitute cause for the entry of an injunction prohibiting her from acting as a bankruptcy petition preparer.

Accordingly, based on the foregoing and the underlying facts of this matter as evidence by the docket in this case, it is, by the United States Bankruptcy Court for the District of Maryland,

² The United States Trustee, through counsel, did appear and make statements on the record at the Second Hearing. The United States Trustee informed the Court of an Order issued against Ms. Pollard in another case pending in this District and noted some question concerning Ms. Pollard’s mailing address. This Court confirmed that all papers have been mailed to the address listed for Ms. Pollard in this case and that no papers have been returned as undeliverable.

ORDERED, that pursuant to the provisions of 11 U.S.C. § 110(j)(2)(B) and (3), for her failure to disgorge fees as ordered by this Court and to otherwise comply with orders of this Court, Tameika Pollard is, for a period of 2 years from the date of entry of this order, ENJOINED from acting in any jurisdiction of the United States as a bankruptcy petition preparer, as defined in 11 U.S.C. § 110; and it is further

ORDERED, that this Injunction prohibits Tameika Pollard from, inter alia, engaging in any of the following activity:

- 1) Acting as a bankruptcy petition preparer as defined in 11 U.S.C. § 110;
- 2) Using or directing any agent, representative, entity, corporation, partnership, association or structure of any kind or any name, fictitious or otherwise, to act as a bankruptcy petition preparer, as defined in 11 U.S.C. § 110;
- 3) Accepting any fees, in any jurisdiction of the United States, for acting as a Bankruptcy Petition Preparer;
- 4) Assisting any person or entity in drafting or preparing any petition, schedule, motion, pleading or other document to be submitted to any court on a debtor's behalf, or under a debtor's signature. For purposes of this paragraph, the term "assist" includes, in addition to any other action that would constitute assistance under the ordinary usage of the term: (i) the gathering of information for the purpose of drafting or preparing any petition, schedule, motion, pleading or document to be filed in any court; (ii) the provision to a debtor of a completed petition, schedule, motion, pleading or document for the purpose filing the petition, schedule, motion, pleading or document in any court; and/or (iii) the provision to any person of a form petition, schedule, motion, pleading of document, obtained via the internet, form book, data bank, or other similar source; and
- 5) Otherwise participating in any form or fashion in any jurisdiction of the United States in the rendering of legal advice, consultation, consideration and/or preparation of any petition or document which is contemplated to be filed as or in a case under Title 11 of the United States Code; and it is further

ORDERED, that nothing in this order shall be deemed or interpreted to prohibit, limit, or otherwise abridge Tameika Pollard rights to proceed pro se in any legal proceeding and that the

restrictions above shall not apply to any petition, pleading, motion, or document that Tameika Pollard prepares or files in any court on her own behalf; and it is further

ORDERED, that any and all prior orders of this Court directing Tameika Pollard to take any action, pay any fine, and/or refund any fees remain in full force and effect.

cc: Debtor
Bankruptcy Petition Preparer – Tameika Pollard
Chapter 7 Trustee
U.S. Trustee

END OF ORDER

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