**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF MARYLAND**
**Northern Division**

| | | |
|---|---|---|
| **SGT. AMANDA J. ENSOR** | : | |
| **Plaintiff,** | : | |
| **v.** | : | **Civil Action No. 1:20-CV-01266-JRR** |
| **FREDERICK COUNTY SHERIFF CHARLES A. JENKINS, ET AL.** | : | |
| | : | |
| **Defendants.** | : | |

**PLAINTIFF'S OPPOSITION TO DEFENDANT**
**CHARLES JENKINS' MOTION TO**
**DISMISS PLAINITFF'S SECOND AMENDED COMPLAINT**

Plaintiff, Sgt. Amanda J. Ensor by her attorney, Janice B. Rockwell, opposes Sheriff Charles Jenkins' Motion to Dismiss Plaintiff's Second Amended Complaint, ("Motion") filed on April 26, 2022. (ECF No. 52.) For the reasons more fully explained below, the Motion should be denied.

## INTRODUCTION

Defendant, Sheriff Charles Jenkins seeks dismissal of Plaintiff, Sgt. Ensor's Second Amended Complaint on the asserted grounds that Plaintiff does not have standing to pursue this case. (ECF No. 52-1 at p. 3-4). Sheriff Jenkins argues that because all legal or equitable interests of the debtor in property acquired before a bankruptcy case is closed belong to the bankruptcy estate, the bankruptcy trustee alone has standing to bring claims, such as a discrimination lawsuit. (ECF No. 52-1 at p. 4). His argument continues that because the bankruptcy trustee did not bring Sgt. Ensor's discrimination claim, Sgt. Ensor lacks standing, and the case must be dismissed. *Id.*

## ARGUMENT

Sheriff Jenkins correctly asserts that Sgt. Ensor filed a Chapter 13 bankruptcy petition in April 2017 and did not list her discrimination claims against Sheriff Jenkins at that time. The factual circumstances from which the discrimination claims arose did not occur until more than a year later. Consequently, Sgt. Ensor had nothing to list at the time her petition was filed. Her Chapter 13 plan was approved, and she faithfully made her payments to the Chapter 13 Trustee in accordance with the plan. She did not later advise her bankruptcy attorney, Stephen A. Glessner of her decision to pursue a discrimination claim simply because she did not know that was appropriate. Affidavit of Amanda Ensor, Exhibit 1, ¶ 3, ECF No. 55-1. Similarly, not realizing it was relevant, she did not advise undersigned counsel that she had filed for bankruptcy when she engaged undersigned counsel to pursue her discrimination claim. Affidavit of Amanda Ensor, Exhibit 1, ¶ 4, ECF No. 55-1. Simply put, neither attorney knew of the other, or of the legal action being handled by the other, until they were recently contacted by counsel for Sheriff Jenkins. Affidavit of Amanda Ensor, Exhibit 1, ¶ 5, ECF No. 55-1. Sgt. Ensor's bankruptcy case, *In re Amanda J. Ensor,* No. 17-15783 (Bankr. D. Md. Apr. 26, 2017), has not been closed.[1] Through her bankruptcy attorney, Sgt. Ensor has filed amended schedules clearly listing her discrimination claim. Exhibit 2, ECF No. 55-2. Sheriff Jenkins and Defendant, Frederick County have suffered no prejudice by this action.

Sheriff Jenkins' reliance on certain cited cases is misplaced because the courts have distinguished standing for Chapter 13 debtors from standing for Chapter 7 debtors. *Jones v.*

[1] The Court may take judicial notice of the records of the Bankruptcy Court. *Anderson v. Fed. Deposit Ins. Corp.,* 918 F.2d 1139, 1141 n.1 (4th Cir. 1990).

*Safeway, Inc.,* No. ELH-12-03547, 2014 WL 6871586 (D. Md. Dec. 3, 2014), *Nat'l American Ins. Co. v. Ruppert Landscaping Co., Inc.*, 187 F.3d 439 (4th Cir. 1999), and *Vanderheyden v. Peninsula Airport Comm'n,* No. 12-cv-46, 2013 WL 30065 (E.D. Va. Jan. 2, 2013), all cited by Sheriff Jenkins (ECF No. 52-1 at p. 4) involved Chapter 7 bankruptcy petitions. Although the U.S. Court of Appeals for the Fourth Circuit has not taken a position on it, every federal appeals court to rule on it, as well as a large number of bankruptcy courts and more than one lower court within the Fourth Circuit, has held that "Chapter 13 debtors have standing to sue on their own, even though their pre-petition causes of action belong to the bankruptcy estate." *Royal v. R&L Carriers Shared Services, L.L.C.,* 3:12-CV-00714, 2013 WL 1736658, at *3 and *4. The court explained that "In a Chapter 13 case, unlike a Chapter 7 case, the debtor remains in possession of the property of the estate" and can use the property of the estate, meaning the debtor may bring suit on a cause of action or may settle it. *Id.* at *3. "In short, as a Chapter 13 debtor, Royal maintains standing to sue R & L for employment discrimination, even without the bankruptcy trustee's direct involvement in the civil suit." *Id.* at *4. The court further determined that "Royal's status as a debtor in possession does not hinge on the accuracy of his prior disclosures on his personal property schedule." *Id.* This Court, in *Jones v. Safeway, Inc.,* No. ELH-12-03547, 2014 WL 6871586 at *5, n.3 (D. Md. Dec. 3, 2014) acknowledged this distinction made in *Royal*.

As in the present case, Royal had filed a discrimination charge with the EEOC and later a lawsuit which he had not disclosed on his bankruptcy court petition. His discrimination claim arose pre-petition, and even with that factual difference, the court determined that Royal had standing to sue and further rejected the defendant's argument that judicial estoppel should have precluded Royal's claim. The court reasoned that because the bankruptcy court had not granted the debtor any relief, such as a discharge, based upon representations made in the debtor's schedules, there was no basis for judicial estoppel. Here, Sheriff Jenkins does not argue judicial estoppel; only standing.

As is appropriate under these circumstances, Sgt. Ensor has amended her bankruptcy schedules, fully advising the Bankruptcy Court of her claims. She is a Chapter 13 debtor and as such, she retains her standing to file suit on her claims. She has now corrected her oversight. No one has been harmed or prejudiced. Consequently, Sheriff Jenkins has established no basis for this Court to dismiss Sgt. Ensor's lawsuit.

## CONCLUSION

Accordingly, for all the foregoing reasons, this Court should deny Defendant, Sheriff Charles Jenkins' Motion to Dismiss.

Respectfully submitted.

/s/ Janice B. Rockwell
Janice B. Rockwell, Esquire
Federal Bar No. 04841
Janice B. Rockwell, LLC
121-A North Court Street
Frederick, MD 21701
Phone: (301) 631-0900
Fax: (301) 631-0997
Email: jan@rockwelllaw.com

Attorney for Plaintiff,
Sgt. Amanda J. Ensor

## CERTIFICATE OF SERVICE

I hereby certify that, on this 10th day of May 2022, the foregoing was electronically filed with notice to all Defendants or their counsel by CM/ECF.

/s/ Janice B. Rockwell

# Exhibit 1

*Amanda J. Ensor v. Charles Jenkins, et al.*
United States District Court for the District of Maryland
Case No.: 1-20-CV-001266-JRR

**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF MARYLAND**
**Northern Division**

| | |
|---|---|
| **SGT. AMANDA J. ENSOR** | : |
| **Plaintiff,** | : |
| **v.** | **: Civil Action No. 1:20-cv-01266-JRR:** |
| **FREDERICK COUNTY SHERIFF CHARLES A. JENKINS, ET AL.** | : |
| **Defendants.** | |
| | : |

**AFFIDAVIT OF SGT. AMANDA J. ENSOR**

I, Sgt. Amanda J. Ensor, solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of this Affidavit are true.

1. I am over the age of eighteen years and am competent to testify to the matters and facts set forth in this Affidavit.

2. Through counsel, Stephen A. Glessner, I filed a Chapter 13 bankruptcy petition in April 2017. The incident that later led to the basis for my discrimination claims occurred in September 2018. Thus, I listed no discrimination claims on my Chapter 13 bankruptcy petition.

3. When my discrimination claims arose, I had not been dealing with my bankruptcy attorney on a regular basis because my bankruptcy plan had already been approved, and I did not realize I had to advise him of such claims. I was simply making payments on my plan, which I did according to the plan terms.

4. When I engaged attorney, Janice B. Rockwell to pursue my discrimination claim, I did not tell her about my bankruptcy filing, not believing it to be relevant.

5. Neither my bankruptcy attorney nor my attorney for my discrimination claim knew about the other, to the best of my knowledge, until they were recently contacted by counsel for Sheriff Jenkins.

6. My bankruptcy case has not been closed. On May 4, 2022, with my approval, my bankruptcy attorney filed amended petitions, attached here as Exhibit 2, listing the discrimination claim that I am pursuing in this action.

I SOLEMNLY AFFIRM under the penalties of perjury and upon personal knowledge that the contents of the foregoing Affidavit are true.

Date: May 10, 2022

Sgt. Amanda J. Ensor

C:\Users\FRONT DESK\Dropbox\Office Documents\CLIENTS\ENSOR\Pleadings\Affidavit of Amanda J. Ensor 5-10-22.docx

# Exhibit 2

*Amanda J. Ensor v. Charles Jenkins, et al.*
United States District Court for the District of Maryland
Case No.: 1-20-CV-001266-JRR

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

| | | |
|---|---|---|
| AMANDA JENNIFER ENSOR | * | |
| | | Case No: 17-15783 |
| Debtor | * | Chapter 13 |

* * * * * *

DEBTOR'S AMENDED SCHEDULE A, B AND C

TO THE CLERK OF THE COURT:

Please find attached, Debtor's Amended Schedules A, B and C for this matter.

/s/ STEPHEN GLESSNER
STEPHEN A. GLESSNER
226 East Patrick Street
Frederick, MD 21701
(301) 663-8200
glessnerlaw@comcast.net
Federal Bar No. 26631
Attorney for the Debtor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 4th day of May, 2022, a copy of this Line and the attached Debtor's Amended Schedules A, B and C were electronically transmitted by Pacer/CMECF to Timothy Branigan, Chapter 13 Trustee.

/s/ STEPHEN A. GLESSNER
STEPHEN A. GLESSNER

**Fill in this information to identify your case and this filing:**

Debtor 1: Amanda Jennifer Ensor
First Name / Middle Name / Last Name

Debtor 2 (Spouse, if filing):
First Name / Middle Name / Last Name

United States Bankruptcy Court for the: DISTRICT OF MARYLAND

Case number: 17-15783

☐ Check if this is an amended filing

# Official Form 106A/B

# Schedule A/B: Property

12/15

**In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.**

## Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. **Do you own or have any legal or equitable interest in any residence, building, land, or similar property?**

■ No. Go to Part 2.

☐ Yes. Where is the property?

## Part 2: Describe Your Vehicles

**Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not?** Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases.*

3. **Cars, vans, trucks, tractors, sport utility vehicles, motorcycles**

☐ No

■ Yes

3.1 Make: Subaru
Model: Legacy
Year: 2017
Approximate mileage: 1000
Other information:

**Who has an interest in the property?** Check one

☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
■ At least one of the debtors and another

☐ **Check if this is community property** (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property.*

| **Current value of the entire property?** | **Current value of the portion you own?** |
|---|---|
| $24,900.00 | $24,900.00 |

3.2 Make: BWM
Model: X5xDrive50i
Year: 2016
Approximate mileage:
Other information: LEASE

**Who has an interest in the property?** Check one

■ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ **Check if this is community property** (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property.*

| **Current value of the entire property?** | **Current value of the portion you own?** |
|---|---|
| Unknown | Unknown |

Debtor 1 Amanda Jennifer Ensor Case number *(if known)* 17-15783

3.3 Make: BMW
Model: 535i xDrive
Year: 2016
Approximate mileage:
Other information:
LEASE

**Who has an interest in the property?** Check one
■ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ **Check if this is community property** (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property.*

| **Current value of the entire property?** | **Current value of the portion you own?** |
|---|---|
| Unknown | Unknown |

4. **Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories**
*Examples:* Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

☐ No
■ Yes

4.1 Make: Polaris
Model: 570 EPS
Year: 2016
Other information:

**Who has an interest in the property?** Check one
☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
■ At least one of the debtors and another
☐ **Check if this is community property** (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property.*

| **Current value of the entire property?** | **Current value of the portion you own?** |
|---|---|
| $5,000.00 | $5,000.00 |

5 **Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....................................=>** **$29,900.00**

**Part 3:** Describe Your Personal and Household Items

**Do you own or have any legal or equitable interest in any of the following items?**

**Current value of the portion you own?**
Do not deduct secured claims or exemptions.

6. **Household goods and furnishings**
*Examples:* Major appliances, furniture, linens, china, kitchenware
☐ No
■ Yes. Describe.....

**Couch, $100.00; child's bed and dressers, $250.00; 3 dressers, $150.00; bed, $200.00; TV stand, $25.00; dining room table/chairs, $150.00; 2 recliners, $100.00; 2 end tables, $20.00** **$995.00**

7. **Electronics**
*Examples:* Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games
☐ No
■ Yes. Describe.....

**TV, $150.00; tablet, $100.00; Macbook, $600.00** **$850.00**

8. **Collectibles of value**
*Examples:* Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles
■ No
☐ Yes. Describe.....

9. **Equipment for sports and hobbies**
*Examples:* Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments
☐ No

Debtor 1 Amanda Jennifer Ensor    Case number *(if known)* 17-15783

■ Yes. Describe.....

| | |
|---|---|
| Treadmill | $200.00 |

10. **Firearms**
*Examples:* Pistols, rifles, shotguns, ammunition, and related equipment
☐ No
■ Yes. Describe.....

| | |
|---|---|
| Glock 43 | $300.00 |

11. **Clothes**
*Examples:* Everyday clothes, furs, leather coats, designer wear, shoes, accessories
☐ No
■ Yes. Describe.....

| | |
|---|---|
| Womens clothing | $200.00 |

12. **Jewelry**
*Examples:* Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver
☐ No
■ Yes. Describe.....

| | |
|---|---|
| Wedding rings | $1,500.00 |

13. **Non-farm animals**
*Examples:* Dogs, cats, birds, horses
☐ No
■ Yes. Describe.....

| | |
|---|---|
| Yellow lab | Unknown |

14. **Any other personal and household items you did not already list, including any health aids you did not list**
■ No
☐ Yes. Give specific information.....

15. **Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here** .................... **$4,045.00**

**Part 4:** **Describe Your Financial Assets**

**Do you own or have any legal or equitable interest in any of the following?**    **Current value of the portion you own?** Do not deduct secured claims or exemptions.

16. **Cash**
*Examples:* Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition
■ No
☐ Yes.....................

17. **Deposits of money**
*Examples:* Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.
☐ No
■ Yes.......................    Institution name:

Debtor 1 Amanda Jennifer Ensor Case number *(if known)* 17-15783

| | | | |
|---|---|---|---|
| 17.1. | Checking | SECU of Maryland | $68.88 |
| 17.2. | Savings | SECU of Maryland | $0.00 |
| 17.3. | Checking/Savings | First United | $968.46 |
| 17.4. | Checking/Savings | Wells Fargo | $450.00 |

18. **Bonds, mutual funds, or publicly traded stocks**
*Examples:* Bond funds, investment accounts with brokerage firms, money market accounts
■ No
☐ Yes.................. Institution or issuer name:

19. **Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture**
■ No
☐ Yes. Give specific information about them..................
Name of entity: % of ownership:

20. **Government and corporate bonds and other negotiable and non-negotiable instruments**
*Negotiable instruments* include personal checks, cashiers' checks, promissory notes, and money orders.
*Non-negotiable instruments* are those you cannot transfer to someone by signing or delivering them.
■ No
☐ Yes. Give specific information about them
Issuer name:

21. **Retirement or pension accounts**
*Examples:* Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans
■ No
☐ Yes. List each account separately.
Type of account: Institution name:

22. **Security deposits and prepayments**
Your share of all unused deposits you have made so that you may continue service or use from a company
*Examples:* Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others
■ No
☐ Yes. ..................... Institution name or individual:

23. **Annuities** (A contract for a periodic payment of money to you, either for life or for a number of years)
■ No
☐ Yes............ Issuer name and description.

24. **Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.**
26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).
■ No
☐ Yes............ Institution name and description. Separately file the records of any interests.11 U.S.C. § 521(c):

25. **Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit**
■ No
☐ Yes. Give specific information about them...

26. **Patents, copyrights, trademarks, trade secrets, and other intellectual property**
*Examples:* Internet domain names, websites, proceeds from royalties and licensing agreements
■ No
☐ Yes. Give specific information about them...

Debtor 1 Amanda Jennifer Ensor    Case number (if known) 17-15783

27. **Licenses, franchises, and other general intangibles**
*Examples:* Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses

■ No
☐ Yes. Give specific information about them...

**Money or property owed to you?**    **Current value of the portion you own?** Do not deduct secured claims or exemptions.

28. **Tax refunds owed to you**
☐ No
■ Yes. Give specific information about them, including whether you already filed the returns and the tax years.......

| | | |
|---|---|---|
| **2016 (joint with husband). Total received = $10,004.00** | **Federal/State** | **$5,002.00** |

29. **Family support**
*Examples:* Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

■ No
☐ Yes. Give specific information......

30. **Other amounts someone owes you**
*Examples:* Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

■ No
☐ Yes. Give specific information..

31. **Interests in insurance policies**
*Examples:* Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

■ No
☐ Yes. Name the insurance company of each policy and list its value.
Company name:    Beneficiary:    Surrender or refund value:

32. **Any interest in property that is due you from someone who has died**
If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

■ No
☐ Yes. Give specific information..

33. **Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment**
*Examples:* Accidents, employment disputes, insurance claims, or rights to sue

☐ No
■ Yes. Describe each claim.........

| | |
|---|---|
| **Lawsuit- Employment Discrimination Claim against Sheriff Chuck Jenkins/Frederick County Maryland Sheriffs Office** | **Unknown** |

34. **Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims**

■ No
☐ Yes. Describe each claim.........

35. **Any financial assets you did not already list**

■ No
☐ Yes. Give specific information..

36. **Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here**.......... **$6,489.34**

Debtor 1 Amanda Jennifer Ensor Case number *(if known)* 17-15783

**Part 5:** Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.

37. **Do you own or have any legal or equitable interest in any business-related property?**

■ No. Go to Part 6.

☐ Yes. Go to line 38.

**Part 6:** Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.
If you own or have an interest in farmland, list it in Part 1.

46. **Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?**

■ No. Go to Part 7.

☐ Yes. Go to line 47.

**Part 7:** Describe All Property You Own or Have an Interest in That You Did Not List Above

53. **Do you have other property of any kind you did not already list?**
*Examples:* Season tickets, country club membership

■ No

☐ Yes. Give specific information.........

54. **Add the dollar value of all of your entries from Part 7. Write that number here** .................................... **$0.00**

**Part 8:** List the Totals of Each Part of this Form

| | | | | |
|---|---|---|---|---|
| 55. | **Part 1: Total real estate, line 2** ........ | | | **$0.00** |
| 56. | **Part 2: Total vehicles, line 5** | **$29,900.00** | | |
| 57. | **Part 3: Total personal and household items, line 15** | **$4,045.00** | | |
| 58. | **Part 4: Total financial assets, line 36** | **$6,489.34** | | |
| 59. | **Part 5: Total business-related property, line 45** | **$0.00** | | |
| 60. | **Part 6: Total farm- and fishing-related property, line 52** | **$0.00** | | |
| 61. | **Part 7: Total other property not listed, line 54** | + **$0.00** | | |
| 62. | **Total personal property.** Add lines 56 through 61... | **$40,434.34** | Copy personal property total | **$40,434.34** |
| 63. | **Total of all property on Schedule A/B.** Add line 55 + line 62 | | | **$40,434.34** |

**Fill in this information to identify your case:**

| | |
|---|---|
| Debtor 1 | Amanda Jennifer Ensor (First Name / Middle Name / Last Name) |
| Debtor 2 (Spouse if, filing) | (First Name / Middle Name / Last Name) |
| United States Bankruptcy Court for the: | DISTRICT OF MARYLAND |
| Case number (if known) | 17-15783 |

☐ Check if this is an amended filing

# Official Form 106C
## Schedule C: The Property You Claim as Exempt

4/16

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

**For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.**

**Part 1:** Identify the Property You Claim as Exempt

1. **Which set of exemptions are you claiming?** *Check one only, even if your spouse is filing with you.*

■ You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)

☐ You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. **For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.**

| Brief description of the property and line on *Schedule A/B* that lists this property | Current value of the portion you own<br>*Copy the value from Schedule A/B* | Amount of the exemption you claim<br>*Check only one box for each exemption.* | Specific laws that allow exemption |
|---|---|---|---|
| **Couch, $100.00; child's bed and dressers, $250.00; 3 dressers, $150.00; bed, $200.00; TV stand, $25.00; dining room table/chairs, $150.00; 2 recliners, $100.00; 2 end tables, $20.00**<br>Line from *Schedule A/B*: **6.1** | **$995.00** | ■ **$995.00**<br>☐ 100% of fair market value, up to any applicable statutory limit | **Md. Code Ann., Cts. & Jud. Proc. § 11-504(b)(4)** |
| **TV, $150.00; tablet, $100.00; Macbook, $600.00**<br>Line from *Schedule A/B*: **7.1** | **$850.00** | ■ **$850.00**<br>☐ 100% of fair market value, up to any applicable statutory limit | **Md. Code Ann., Cts. & Jud. Proc. § 11-504(b)(5)** |
| **Treadmill**<br>Line from *Schedule A/B*: **9.1** | **$200.00** | ■ **$200.00**<br>☐ 100% of fair market value, up to any applicable statutory limit | **Md. Code Ann., Cts. & Jud. Proc. § 11-504(b)(5)** |
| **Glock 43**<br>Line from *Schedule A/B*: **10.1** | **$300.00** | ■ **$300.00**<br>☐ 100% of fair market value, up to any applicable statutory limit | **Md. Code Ann., Cts. & Jud. Proc. § 11-504(b)(5)** |

Debtor 1 Amanda Jennifer Ensor    Case number (if known) 17-15783

| Brief description of the property and line on *Schedule A/B* that lists this property | Current value of the portion you own<br>Copy the value from *Schedule A/B* | Amount of the exemption you claim<br>*Check only one box for each exemption.* | Specific laws that allow exemption |
|---|---|---|---|
| **Womens clothing**<br>Line from *Schedule A/B*: **11.1** | **$200.00** | ■ **$200.00**<br>☐ 100% of fair market value, up to any applicable statutory limit | **Md. Code Ann., Cts. & Jud. Proc. § 11-504(b)(5)** |
| **Wedding rings**<br>Line from *Schedule A/B*: **12.1** | **$1,500.00** | ■ **$1,500.00**<br>☐ 100% of fair market value, up to any applicable statutory limit | **Md. Code Ann., Cts. & Jud. Proc. § 11-504(b)(5)** |
| **Checking: SECU of Maryland**<br>Line from *Schedule A/B*: **17.1** | **$68.88** | ■ **$68.88**<br>☐ 100% of fair market value, up to any applicable statutory limit | **Md. Code Ann., Cts. & Jud. Proc. § 11-504(b)(5)** |
| **Checking/Savings: First United**<br>Line from *Schedule A/B*: **17.3** | **$968.46** | ■ **$968.46**<br>☐ 100% of fair market value, up to any applicable statutory limit | **Md. Code Ann., Cts. & Jud. Proc. § 11-504(b)(5)** |
| **Checking/Savings: Wells Fargo**<br>Line from *Schedule A/B*: **17.4** | **$450.00** | ■ **$450.00**<br>☐ 100% of fair market value, up to any applicable statutory limit | **Md. Code Ann., Cts. & Jud. Proc. § 11-504(b)(5)** |
| **Federal/State: 2016 (joint with husband). Total received = $10,004.00**<br>Line from *Schedule A/B*: **28.1** | **$5,002.00** | ■ **$5,000.00**<br>☐ 100% of fair market value, up to any applicable statutory limit | **Md. Code Ann., Cts. & Jud. Proc. § 11-504(f)(1)(i)(1)** |
| **Lawsuit- Employment Discrimination Claim against Sheriff Chuck Jenkins/Frederick County Maryland Sheriffs Office**<br>Line from *Schedule A/B*: **33.1** | **Unknown** | ■ **$0.00**<br>☐ 100% of fair market value, up to any applicable statutory limit | **Md. Code Ann., Cts. & Jud. Proc. § 11-504(b)(2)** |

3. **Are you claiming a homestead exemption of more than $160,375?**
(Subject to adjustment on 4/01/19 and every 3 years after that for cases filed on or after the date of adjustment.)

■ No

☐ Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?

☐ No

☐ Yes

**Fill in this information to identify your case:**

Debtor 1 Amanda Jennifer Ensor
First Name Middle Name Last Name

Debtor 2
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: DISTRICT OF MARYLAND

Case number 17-15783
(if known)

☐ Check if this is an amended filing

Official Form 106Dec

# Declaration About an Individual Debtor's Schedules

12/15

**If two married people are filing together, both are equally responsible for supplying correct information.**

**You must file this form whenever you file bankruptcy schedules or amended schedules. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to $250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**Sign Below**

**Did you pay or agree to pay someone who is NOT an attorney to help you fill out bankruptcy forms?**

■ No

☐ Yes. Name of person ______ Attach *Bankruptcy Petition Preparer's Notice, Declaration, and Signature* (Official Form 119)

**Under penalty of perjury, I declare that I have read the summary and schedules filed with this declaration and that they are true and correct.**

X /s/ Amanda Jennifer Ensor
Amanda Jennifer Ensor
Signature of Debtor 1

Date May 3, 2022

X ______
Signature of Debtor 2

Date ______

**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF MARYLAND**
**Northern Division**

| | |
|---|---|
| **SGT. AMANDA J. ENSOR** | : |
| **Plaintiff,** | : |
| **v.** | : **Civil Action No. 1:20-CV-01266-JRR** |
| **CHARLES A. JENKINS, et al.** | : |
| **Defendants.** | : |

**ORDER**

Upon consideration of Defendant Sheriff Charles Jenkins' Motion to Dismiss and Plaintiff's Opposition thereto, it is this _____ day of__________, 2022 hereby

ORDERED, that Defendant's Motion to Dismiss is hereby Denied.

____________________________________
Honorable Julie Rebecca Rubin

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