SO ORDERED.

SIGNED this 14th day of August, 2026.

Mitchell L. Herren
Chief United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF KANSAS

IN RE:

Joe N. Edwards, Jr.
Geraldine Edwards,
Debtors.

Case No. 25-10704
Chapter 7

Order Imposing Incarceration as a Coercive Sanction on Debtor Geraldine Edwards for Debtors' Failure to Comply with the Court's Orders (Docs. 40, 83, 129), and Addressing Plan for Compliance

Debtors Joe and Geraldine Edwards are proceeding pro se in their Chapter 7 case. Eight months ago, Debtors were ordered to turn over to the appointed Chapter 7 Trustee multiple items of information and documents. Despite many continuances for Debtors to obtain counsel, status conferences, an evidentiary hearing, orders of contempt, and the imposition of financial sanctions accruing at $25 per day for more than six weeks, Debtors have not fully complied with this Court's orders to turn over all the requested information and documents. For the purpose of ensuring compliance with the Court's orders, the Court issued a bench warrant for Debtor Geraldine Edwards' arrest. At a retention hearing, Ms. Edwards expressed the desire to purge her contempt and provide the needed information and documents to the Trustee. The Court therefore released Ms. Edwards from the coercive incarceration and Ms. Edwards is required to meet with the Trustee to ensure full compliance, as further detailed herein. The Court enters this Order to support the issuance of its Bench Warrant, the incarceration of Ms. Edwards, and detail Debtors' steps for full compliance to purge their contempt and avoid future incarceration.

I. Findings of Fact

Debtors filed a Chapter 7 petition over a year ago, on July 14, 2025. Shortly after Debtors filed their Chapter 7 petition, they experienced two close family members' deaths, as Joe Edwards' aunt passed away and Geraldine Edwards' father passed away. Those deaths at least in part caused state court litigation that is discussed herein. After an order was entered granting Debtors' counsel's motion for permission to withdraw in September 2025,[1] the Chapter 7 Trustee filed in November 2025 a motion to compel which was granted in December 2025.[2]

The order granting the Chapter 7 Trustee's motion to compel ("Order Compelling Turnover") required Debtors to provide the following to the Trustee within seven days of the date of the entry of the order on December 17, 2025:

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[1] Doc. 25.

[2] Doc. 40.

a. Complete bank statements for all accounts covering the period January 1, 2025, through [] October 31, 2025;

b. The Vehicle Identification Number (VIN) for the 2019 Nissan Altima surrendered prior to the Filing Date;

c. A copy of the most recent account statement for Mr. Edwards' 401(k) account[;]

d. A copy of any documentation regarding inheritance that either Debtor is entitled to receive on the Filing Date or at any time since the Filing Date.[3]

The Court continued hearings in February and March 2026, based on Debtors' assurance they were attempting to hire an attorney to represent them in their bankruptcy matter. Debtors have asked for more time to hire an attorney multiple times since, but no attorney has entered an appearance for Debtors in this case.

After Debtors failed to comply with the Order Compelling Turnover, the Trustee filed a Motion for Order to Show Cause and the Court entered an Order to Appear and Show Cause, ordering Debtors to appear and explain why they should not be held in contempt for their failure to comply with the Order Compelling Turnover.[4] At the show cause hearing on May 20, 2026, Debtors appeared and admitted they had done nothing to comply with the Order Compelling Turnover, and still had not appeared for their 11 U.S.C. § 341 meeting of creditors (ten months after the filing of their bankruptcy) to answer questions about their bankruptcy estate. The Court found Debtors in contempt for Debtors failure to comply with the

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[3] *Id.* p. 1.

[4] Docs. 82, 83.

Order Compelling Turnover and asked the Trustee to file her requested sanctions for consideration before the continued hearing on the matter, which the Court scheduled for June 26, 2026, to be heard alongside other motions ready for evidentiary hearings. The Court noted that it would consider sanctions up to and including incarceration if necessary to compel compliance.[5]

On May 26, 2026, the Chapter 7 Trustee filed a Statement of Requested Sanctions,[6] which was mailed to Debtors at their address of record. In her Statement, the Trustee sought daily sanctions and an award of the fees she had incurred pursuing the documents requested by the motion to compel. The Trustee also requested that the Court consider incarceration of Debtors if they continued to ignore the Court's Order Compelling Turnover.

On June 26, 2026, the Court held an evidentiary hearing on multiple matters, including this issue.[7] At that hearing, Debtors declined to offer any testimony or other evidence. After the evidentiary hearing, the Court concluded Debtors had violated the Court's Order Compelling Turnover and orally granted the Trustee's Request for Sanctions.[8] The Court then issued a written Order Granting Trustee's Request for Sanctions[9] that imposed a sanction of $25 per day, beginning

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[5] Doc. 103 (Amended May 20, 2026, Courtroom Minute Sheet).

[6] Doc. 108.

[7] Doc. 105 (Hearing Scheduling Order); Doc. 107 (service of Hearing Scheduling Order to Debtors at address of record).

[8] Doc. 120 (June 26, 2026, Courtroom Minute Sheet).

[9] Doc. 129.

June 26, 2026, until Debtors fully complied with the Order Compelling Turnover. Debtors were again warned of potential incarceration for failure to comply.

At a July 8, 2026, status hearing, the Chapter 7 Trustee informed the Court that Debtors had not complied and had not appeared for their continued § 341 hearing on June 30, 2026.[10] The Court reiterated its $25 per day financial sanction and after receiving more assurance from Debtors of their planned compliance, again required Debtors to comply with the Order Compelling Turnover. Regarding the state court documents, the Court noted all nonprivileged documents should be turned over to the Chapter 7 Trustee.

At a July 14, 2026, status hearing, Debtors remained noncompliant with the Court's Order Compelling Turnover.[11] Debtors did provide the latest quarterly statement from Mr. Edwards' retirement account and therefore were no longer in contempt of that portion of the Order Compelling Turnover. In addition, Debtors asserted the Chapter 7 Trustee possessed all of Mr. Edwards' bank account statements for the time period covered by the Order Compelling Turnover, and that Ms. Edwards is not listed on any business, personal, or other bank account from that time period. The Court noted the Trustee could explore this topic further with Debtors at their rescheduled § 341 hearing on August 27, 2026.

Regarding the VIN for the 2019 Nissan Altima, Debtors had said at the July 8, 2026, hearing they did not possess the VIN for the 2019 Nissan Altima, but their

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[10] Doc. 138 (July 8, 2026, Courtroom Minute Sheet).

[11] Doc. 145 (July 14, 2026, Courtroom Minute Sheet.

daughter might since they transferred the vehicle to her. The Court then ordered Debtors to provide the Trustee with contact information for their daughter or the insurance information from when Debtors insured the vehicle. At the July 14, 2026, hearing that still had not been done, but Debtors said they would comply before the end of that day. And finally, Debtors had not provided information related to any supposed inheritance they may or may not receive or any information related to the state court litigation regarding that potential inheritance.

Because Debtors remained non-compliant with portions of the Court's Order Compelling Turnover, the Court held that its Order Granting Trustee's Request for Sanctions,[12] which imposed a $25 per day sanction on Debtors until all four categories of the Order Compelling Turnover are produced to Trustee, remained in effect and continued to accrue sanctions at the rate of $25 per day until Debtors have fully complied. The Court also ordered production of any and all documents related to the probate case, the state court fraud case, and the state court foreclosure case by July 24, 2026.[13] At the end of the July 14, 2026, hearing, after ordering the above, the Court asked Debtors if they understood their obligation to comply. Debtors replied, "absolutely."

On July 27, 2026, the Trustee filed a Notice of NON-Compliance and Contempt[14] alerting the Court to Debtors' continued non-compliance. The Chapter 7

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[12] Doc. 129.

[13] These items are defined in full in the Court's Order memorializing the rulings from the July 14, 2026, hearing, Doc. 161.

[14] Doc. 151.

Trustee was no longer pursuing additional information related to the 2019 Nissan Altima but had not received the information and documents concerning the three state court cases. In response, the Court re-set a contempt hearing for August 13, 2026.[15]

At the August 13, 2026, hearing, Ms. Edwards appeared in the courtroom and Mr. Edwards appeared remotely via WebEx after his in-person attendance was excused.[16] The Court asked the Trustee whether Debtors had complied with the Court's Order Compelling Turnover and the Trustee said she had not received the evidence and documents from the state court cases. The Trustee had received a pleading filed in Debtors' state court fraud case on August 4, 2026, when it was filed with this Court, titled "Motion for Preservation of Evidence, and to require Trustee to Show Cause for Request for Evidence in Probate and Civil Cases."[17] The document contains some exhibits which include pleadings, a notice to cease and desist, the Trustee's application to employ attorney, copies of several internet search results and articles, and a notice of appearance by the mortgage company's attorney. One motion filed in state court states: "Plaintiff has identified evidence that supports claims of fraud in an unrelated civil case brought by Plaintiff against three defendants' [sic] . . . , this includes alleged fraudulent transactions and other

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[15] Doc. 152.

[16] *See* Doc. 166.

[17] *See* Doc. 159.

acts against the home before and after the death of Jerome B. Morton, the decedent, parties to the foreclosure proceedings."[18]

The Court asked Ms. Edwards if she had evidence to support her claims in the Sedgwick County cases, and she responded "[y]es, sir." The Court then inquired whether Ms. Edwards had produced the information or documents to the Trustee. Ultimately, after an attempt to deflect the question, Ms. Edwards replied "[n]o, sir." Ms. Edwards then elaborated that she had given the Trustee some evidence and Ms. Edwards "cannot help if it is not what [the Trustee] wants." The Court then inquired whether Debtors had "given the [Trustee] all of the evidence [they] claim [they] have." Ms. Edwards replied "[n]o" and insisted she needed to go before the state court on a "motion to preserve" before she could do so. The Court then asked Ms. Edwards why she was withholding information. Ms. Edwards replied that "it was a violation of due process" to require compliance. Ms. Edwards asserted that the U.S. Constitution "protects her due process rights and [right to] preserve her evidence."[19]

After a short recess, the Court issued a bench warrant[20] for the arrest of Ms. Edwards, and she was taken into custody.[21] A retention hearing was scheduled for later the same day. At the retention hearing, the Court notified Ms. Edwards of her right to counsel, and the Federal Public Defender's Office was appointed to

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[18] *Id.* p. 3.

[19] Ms. Edwards did not claim privilege or work product protection over the purported evidence. That topic was explored at length at a previous hearing.

[20] Doc. 168.

[21] Doc. 169.

represent Ms. Edwards related to the Court's issuance of the coercive incarceration.[22]

After discussion with her appointed counsel Ms. Edwards committed to providing all information and documents within her custody and control regarding the three state court cases to the Chapter 7 Trustee. The Court released Ms. Edwards from its incarceration order,[23] and required Ms. Edwards to provide the information to, and meet with, the Chapter 7 Trustee on August 14, 2026. The Court released Ms. Edwards from incarceration subject to this compliance. The Trustee shall file a Notice by the close of business on August 17, 2026, informing the Court of the status of Debtors' compliance. A further hearing is scheduled for August 20, 2026, at 2:00 p.m., to ensure Debtors' compliance.

II. Conclusions of Law

Civil contempt proceedings arising out of core matters are themselves core matters over which the bankruptcy courts have jurisdiction.[24]

Bankruptcy courts have the inherent authority under § 105(a) to issue sanctions.[25] To be held in contempt, a court must find (1) the party violated a specific and definite court order; (2) the party had notice of the order; and (3) the

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[22] The Court concludes Ms. Edwards qualifies for representation by the Federal Public Defender's Office and that the Federal Public Defender's Office should be appointed to represent Ms. Edwards for the purpose of this Court's civil contempt issue only, until her release from the threat of incarceration.

[23] Doc. 171.

[24] *In re Skinner*, 917 F.2d 444, 448 (10th Cir. 1990). The Court has jurisdiction pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding pursuant to 28 U.S.C. §§ 157(b)(2)(A), (O). Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

[25] *Jones v. Bank of Santa Fe (In re Courtesy Inns)*, 40 F.3d 1084, 1089 (10th Cir. 1994).

party did in fact violate the order.[26] Civil contempt sanctions are "penalties designed to compel future compliance with a court order"—they are "avoidable through obedience."[27]

Bankruptcy courts have the authority to incarcerate to coerce compliance with court orders.[28] Incarceration is not intended to be punitive; a civil contempt sanction of incarceration is entirely avoidable through compliance with this Court's orders.[29]

As the foregoing detailed factual findings and the totality of the record in this case establish by clear and convincing evidence, Debtors have knowingly and purposefully violated this Court's orders, which clearly and unambiguously directed them to turnover information to the Trustee as detailed above. Debtors have consistently failed to comply, and the financial sanctions previously established by

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[26] *Acosta v. Paragon Contractors Corp.*, 884 F.3d 1225, 1230 (10th Cir. 2018) ("To prevail, the Department of Labor needed to prove by clear and convincing evidence [1] that a valid court order existed, [2] that the defendant had knowledge of the order, and [3] that the defendant disobeyed the order." (internal quotations omitted)); *In re Van Vleet*, 461 B.R. 62, 69 (D. Colo. 2010) ("To be held in contempt, a court must find (1) the party violated a specific and definite court order; (2) the party had notice of the order; and (3) the party did in fact violate the order."). *See also Taggart v. Lorenzen*, 587 U.S. 554, 561 (2019) ("civil contempt is a severe remedy, and . . . principles of basic fairness require that those enjoined receive explicit notice of what conduct is outlawed before being held in civil contempt" (internal quotations and alteration omitted)).

[27] *Int'l Union, United Mine Workers of Am. v. Bagwell*, 512 U.S. 821, 827 (1994). *See also In re Skinner*, 917 F.2d 444, 447 (10th Cir. 1990) ("Civil contempt orders serve either or both of two purposes: (1) to compel or coerce obedience of a court order; and (2) to compensate parties for losses resulting from the contemptor's non-compliance with a court order." (internal quotations omitted)).

[28] *Lucas v. Dadson Mfg. Corp.*, No. CV 22-2107-KHV, 2025 WL 987025, at *1 (D. Kan. Apr. 2, 2025), *aff'd*, No. 25-3074, 2025 WL 3641590 (10th Cir. Dec. 16, 2025) ("[T]he Court may incarcerate non-compliant parties if doing so would serve the purpose of coercing compliance.").

[29] *See Bagwell*, 512 U.S. at 828 (contrasting civil contempt, which "involves confining a contemnor indefinitely until he complies with an affirmative command" or "for a fixed term . . . when the contemnor is given the option of earlier release" with criminal contempt, which "is imposed retrospectively for a completed act of disobedience" and "the contemnor cannot avoid or abbreviate the confinement through later compliance").

this Court have proven insufficient to coerce Debtors to comply. The Court's Order Compelling Turnover, issued on December 17, 2025, required the information to be provided by Debtors to the Chapter 7 Trustee within seven days. It is now August 2026, and Debtors have failed to provide all of the information and documents, despite numerous motions, briefs, and hearings on the issue. Debtors have been repeatedly advised of the imposition of the $25 per day financial sanction, and the potential incarceration for the Court to coerce compliance with its prior orders. The Court concludes Debtors are willfully choosing noncompliance.

In addition, there is no objectively reasonable basis on the record for concluding that the Debtors' conduct might be lawful under the orders previously entered by this Court.[30] Debtors have been warned on multiple occasions over a period covering the last three months that incarceration was possible if they failed to comply with the Court's orders. Although Debtors argue that in their subjective belief they should not comply with the orders, based on the record before this Court, that belief is objectively unreasonable. Debtors argue they cannot produce the state court documents until they are assessed in the state court cases, but there is no basis in law for that proposition.

Finally, over the past months Debtors have alternated promising compliance and asking for a continuance to obtain an attorney. Yet they have not complied, not retained counsel, but have been granted continuances for the purpose of obtaining an attorney. Debtors have had over eight months, more than enough time to retain

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[30] Docs. 40, 83, and 129.

counsel, since the Court's Order Compelling Turnover was issued. Debtors have been in contempt of this Court for their failure to comply with the Court's December 2025 Order Compelling Turnover since May 20, 2026.

Debtors have engaged in persistent contumacy, which justifies the Court's action. The chief purpose of bankruptcy law is to secure a prompt and effectual resolution of bankruptcy cases within a limited period. The Chapter 7 Trustee's attempts to determine what may or may not be property of the bankruptcy estate has been completely frustrated for over a year by Debtors' failure to follow court orders and rules. There is no fair ground of doubt under the record before this Court that Debtors' conduct is unlawful.

The Court concludes that no sanction less onerous than incarceration is likely to persuade Debtors to belatedly perform their Court-ordered obligations. Debtors for many months have engaged in purposeful and willful disregard of the Court's orders. This Court has repeatedly urged Debtors to comply with their obligations and warned Debtors of the possible consequences of continued noncompliance, while affording Debtors ample opportunity to purge their ongoing contempt by coming into belated compliance with the Court's orders and their legal obligations. Given this, an additional verbal censure or contempt finding, or any amount of financial sanctions alone, would not induce Debtors' compliance.

As stated above, civil contempt sanctions are "penalties designed to compel future compliance with a court order" and are "avoidable through obedience."[31] To comply with this Court's orders and purge their contempt, Debtors should turnover the items remaining due to the Trustee:

> 1. Any and all documents produced in or related to Debtor's probate case in Sedgwick County, Case No. SG-2025-PR-001299 (the probate case, *In re Jerome B. Morton*);
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> 2. Any and all documents produced in or related to Debtor's civil case in Sedgwick County, Case No. SG-26-CV-000007 (the fraud case, *Geraldine Edwards v. Yanti Suantoro, et al.*); and
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> 3. Any and all documents produced in or related to Debtor's civil case in Sedgwick County, Case No. SG-26-CV-002027 (the foreclosure case, *Lakeview Loan Servicing, LLC v. Geraldine Edwards, et al.*).
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> 4. Any and all documents produced in or related to any other state court litigation that Debtors are involved in related to Ms. Edwards' late father's estate.

Based on Ms. Edwards' assurance she would fully comply with the Court's Order and purge Debtors' contempt by providing all the state court documents to the Chapter 7 Trustee, and meet with, the Chapter 7 Trustee on August 14, 2026, the Court released Ms. Edwards from incarceration. The Court's release of Ms. Edwards from incarceration is subject to this compliance. A further hearing is scheduled for August 20, 2026, at 2:00 p.m. to ensure Debtors' compliance.

After meeting with the Chapter 7 Trustee on August 14, 2026, the Trustee should file a Notice with the Court, informing the Court of the status of Debtors'

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[31] *Bagwell*, 512 U.S. at 827. *See also In re Skinner*, 917 F.2d at 447 ("Civil contempt orders serve either or both of two purposes: (1) to compel or coerce obedience of a court order; and (2) to compensate parties for losses resulting from the contemptor's non-compliance with a court order." (internal quotations omitted)).

compliance. The Notice should be filed no later than the close of business on August 17, 2026.

If Debtors fully comply, the Court will issue an order purging Debtors' contempt, assessing the final financial sanction, and setting the Chapter 7 Trustee's request for the assessment of attorney's fees for hearing.

If Debtors do not comply, in full, the Court will issue a Bench Warrant for one or both of Debtors' arrests. Debtor(s) will be incarcerated until full compliance is achieved. Such coercive incarceration will be ordered to ensure compliance with this Court's orders.

III. Conclusion

Debtors have knowingly and purposefully violated this Court's orders. Debtors have been found in contempt and a financial sanction has not proven effective at ensuring Debtors' compliance. The incarceration of Debtor Geraldine Edwards was therefore necessary to coerce compliance with this Court's orders.

Debtors may purge their contempt by turning over the information and documents listed herein. Further incarceration is entirely avoidable through compliance with the Court's orders. Specifically, Debtors should meet with the Chapter 7 Trustee on August 14, 2026, and provide:

> 1. Any and all documents produced in or related to Debtor's probate case in Sedgwick County, Case No. SG-2025-PR-001299 (the probate case, *In re Jerome B. Morton*);
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> 2. Any and all documents produced in or related to Debtor's civil case in Sedgwick County, Case No. SG-26-CV-000007 (the fraud case, *Geraldine Edwards v. Yanti Suantoro, et al.*);

3. Any and all documents produced in or related to Debtor's civil case in Sedgwick County, Case No. SG-26-CV-002027 (the foreclosure case, *Lakeview Loan Servicing, LLC v. Geraldine Edwards, et al.*); and

4. Any and all documents produced in or related to any other state court litigation that Debtors are involved in related to Ms. Edwards' late father's estate.

The above should be provided directly to the Chapter 7 Trustee (and not filed with the Court).

Debtors are not released from their obligations under this Court's orders and remain in contempt. The Court cautions Debtors that if they do not fully comply, both Debtors are subject to coercive incarceration to obtain compliance with the Court's orders. The civil contempt hearing is continued to August 20, 2026, at 2:00 p.m.

It is so ordered.

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