Docket #2683 Date Filed: 06/05/2026

United States Bankruptcy Court
Southern District of Texas
Houston Division.

United States Courts
Southern District of Texas
FILED

JUN 05 2026

Nathan Ochsner, Clerk of Court

In RE: Tehum Care Services, Inc.
Case No: 23-90086 (CML)
Chapter 11

Motion for relief from stay and to convert or Dismiss case for Bad faith filing.

To the honorable Court:

Creditor MARK MANCELLA respectfully moves this Court pursuant to 11 U.S.C. §§ 362(d), 1112(b), and 1127(e) for relief from the automatic stay and to convert or dismiss this Chapter 11 case based on debtor's bad faith filing and material plan defaults.

I Background

1. Tehum Care Services, Inc. is the successor entity to Corizon Health Services, Inc., created through a Texas divisive merger nine months before filing Bankruptcy.

2. This case represents a classic "Texas Two-Step bankruptcy" - where a solvent parent company spins off liabilities into a new company, which then declares bankruptcy.

3. Tehum's Chapter 11 plan was confirmed March 3, 2025, effective March 31, 2025.

4. Tehum has materially defaulted on settlement payment obligations.

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5. Creditor is listed as a personal injury / wrongful death trust creditor based on medical malpractice, and Constitutional violations.

II Grounds for Relief.

A. Bad Faith Filing

6. Tehum's bankruptcy filing lacks reorganizational purpose and constitutes abuse of the bankruptcy process to avoid legitimate tort liability.

7. The Texas two-step shields solvent companies' assets preventing litigants from pursuing claims against the parent.

B. Fraudulent Conveyance - Texas Two-Step.

8. The divisive merger constitutes fraudulent transfer when done in preparation for bankruptcy because it renders the spin-off insolvent.

9. Under 11 U.S.C. § 101(54), "transfer" means each mode of disposing of property. The divisive merger constitutes a transfer for bankruptcy purposes.

10. The divisive merger transfers massive liabilities to an undercapitalized subsidiary while shielding the parents' assets, with actual intent to hinder, delay, or defraud creditors.

C. Material Plan Defaults

11. Tehum has materially breached confirmed plan payment obligations.

12. Under 11 U.S.C § 1127(e), material plan defaults constitute grounds for plan modification or revocation.

III Requested Relief

Wherefore, Creditor respectfully request this Court:

1. Grant relief from the automatic stay to pursue claims against non-debtor entities;

2. Convert this case to Chapter 7 or dismiss pursuant to 11 U.S.C. § 1112(b);

3. Revoke plan confirmation due to material defaults;

4. Find that the divisive merger constitutes fraudulent conveyance;

5. Grant such other relief as the Court deems just and proper.

Adversary Complaint for Fraudulent Conveyance and avoidance of Texas Two-Step scheme.

13. The divisive merger constitutes fraudulent transfe dumping debts on a new company is paradigmatic fraudulent transfer executed with actual intent to hinder, delay, and defraud creditors by segregating ass from liabilities and creating an undercapitalized ent

Count II: Constructive Fraudulent Conveyance

14. The divisive merger rendered Tehum insolvent or left it with unreasonable small capital relative to assumed liabilities, receiving less than reasonably equivalent value.

Count III: Bad faith litigation conduct.

15. The Texas Two-Step allows profitable corporations to delay mass tort litigation and secure bankruptcy discounts, abusing the bankruptcy code.

Prayer for Relief.

Wherefore Creditor requests:
1. Declaration that the divisive merger constitutes fraudulent conveyance;
2. Avoidance and recovery of fraudulently transferred assets;
3. Denial of discharge or third-party releases;
4. Punitive damages for willful fraudulent conduct

Respectfully

Mark Mangello
creditor

Certificate of Service

The Undersigned hereby certifies that a true and correct copy of the foregoing was placed in the outgoing mailbox at ERDCC and served via First Class U.S. Mail postage prepaid on this 31st of May 2026 to the following:

Clerk of the Court
United States Bankruptcy Court
Southern District of Texas
Houston Division.
515 Rusk Ave
Houston Texas 77002

Respectfully
Mark Mueller
Creditor

Mark Manzella #921492 JC-104
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