

bk467p191-19p

Bk467p191

(Estate's First Court account at Book 467 pages 191 through 196)



**Exposing this account at bk467p191
would lead to most all you need to know.**

Not Reported

\$125,188

April 21, 1991

The April 21, 1991, payment of \$125,188 from the Lynch note to Jean O'Connell was not reported to the IRS. In my May 29, 1992, letter to Edward White I said it was taxable and should be reported, and he reported it on an amended return. Can we expose the accounting trail for the April 21, 1991, payment of \$125,188?

These accounting trails are covered by confusion and conflict (sometimes called "accounting entanglements" or "659's" here) created by the CPA Joanne L. Barnes.

77100
13-10-92
10-26-92
#12921
11-2-92
+ 60. debits to demands here

VIRGINIA: IN THE CIRCUIT COURT OF FAIRFAX COUNTY

IN RE: ESTATE OF JEAN M. O'CONNELL

FIDUCIARY NO. 49160

Date of Qualification: December 10, 1991

FIRST ACCOUNTING OF

EDWARD J. WHITE AND JEAN M. NADER

CO-EXECUTORS

September 15, 1991 - September 15, 1992

RECEIPTS

Inventory Items

ck Wash Gas Light Co. 8/1/91	105.00	✓
ck Signet 8/5/91	39.60	✓
ck A. G. Edwards 8/15/91	2,346.63	✓
ck Kemper Mun Bond Fund 4/30/91	162.86	✓
ck Kemper Mun Bond Fund 5/31/91	162.86	✓
ck Kemper Mun Bond Fund 7/31/91	162.86	✓
ck Kemper Mun Bond Fund 8/30/91	162.86	✓
Ck Nuveen Fund 3/1/91	63.00	✓
Ck Nuveen Fund 5/1/91	63.00	✓
ck Nuveen Fund 6/3/91	63.00	✓
ck Nuveen Fund 8/1/91	66.50	✓
ck Nuveen Fund 9/3/91	66.50	✓
ck American Funds 9/9/91	424.76	✓
Sovran Bank #4536-2785	3,310.46	✓
First Virginia Bank #4076-1509	22,812.52	✓
Fx Co. Ind Dev Bond	109,587.00	✓
Franklin Va. Fund 4556.001 sh	51,396.34	✓ AMD ✓
Investment Co. of America 3861.447 sh	65,663.91	✓
Kemper Mun Bond Fund 2961.152 sh	30,396.23	✓
Nuveen Premium Inc Mun Fund 700 sh	11,200.00	✓ AMD ✓
Washington Gas Light Co. 200 sh	6,375.00	✓
Signet Banking Corp 198 sh	4,331.25	✓
Lynch Properties note	518,903.26	✓
Travelers Check	20.00	✓
1988 Plymouth Van	8,000.00	✓
Am Funds ck 5/10/91	326.60	✓
USAA Subscriber sav acct	25.10	✓ AMD ✓
Sub Total Inventory Items	836,237.10	✓

BK0467 0191

SEP 25 1992

The cash payment of an estimated \$545,820 paid to the Estate on April 21, 1992, for the full payoff of the Lynch Note was not recorded except for the \$26,917.17 in interest. Why is the disappearance of this estimated \$545,820 payment not recognized? Why is the disappearance of the Lynch note between the First and Second Estate Accounts not recognized?

DKU467 0192

Receipts During Period

First Virginia Bank int	399.58
ck Nuveen 11/1/91	66.50
ck WGL 11/1/91	105.00
ck Kemper 10/31/91	162.86
ck Nuveen 10/1/91	66.50
ck Kemper 9/30/91	162.86
Va. 1990 refund	1,605.58
Nuveen 12/31/91	66.50
Kemper 12/31/91	384.95
Kemper 11/29/91	162.86
Signet 11/27/91	39.60
Nuveen 12/2/91	66.50
Blue Cross 10/10/91	88.78
Int B&H earned 2/11	111.22
Nuveen 2/3/92	66.50
WGL div 2/1/92	105.00
Sovran int DOD-3/2/92	71.52
ck Signet 2/26/92	39.60
ck A. G. Edwards (Fx bond) 2/18/92	3,520.00
ck Kemper 2/28/92	171.75
ck Nuveen 3/2/92	66.50
Int B&H 3/10	246.12
ck Kemper 1/31/92	171.75
Int B&H 4/10	210.76
Int Lynch Prop Note DOD-4/21/92	26,917.17
Int fm Harold 'Connell Trust	816.00
Debt fm Harold O'Connell Trust	659.97
Nuveen 4/1/92	66.50
USAA refund	34.37
Int B&H 5/11	1,144.70
A. G. Edwards 5/27-Signet \$107 div	
WGL div 39.60	146.60
Int earned B&H	1,037.93
Nuveen 6/1/92	66.50
Int earned B&H	666.39
Nuveen 7/1/92	66.50
Int earned B&H	451.50
Nuveen 8/3/92	66.50
Nuveen 9/1/92	67.90
Nuveen 9/1/92	24.50
Int earned B&H	406.86
Inc Invest Co. of America DOD-9/15/92	5,403.87
A. G. Edwards acct Fx bond int	3,520.00
A. G. Edwards acct Signet div	39.60
A. G. Edwards acct WGL div	107.00
Kemper Mun Bond Fund DOD-9/15/92	1,468.42
Franklin Va. Fund DOD-9/15/92	5,590.85
Sub Total Receipts during period	56,928.42 ✓
TOTAL RECEIPTS	893,165.52 ✓

This is the simplest example of planting confusion and conflict in the accounting to cover the accounting trails.
No authority, I mean no authority, recognizes: "Debt fm Harold O'Connell Trust ___ 659.97".



DISBURSEMENTS

Item	Ckno	
1 Colonial Emerg Phys (med bill)	1	10.40 ✓
VOID	2	
2 Fairfax Circ Ct. letters	3	14.00 ✓
3 Jean M. Nader probate tax reimb	4	1,269.00 ✓
4 NationsBank Car loan payoff	5	1,364.97 ✓
5 Checks		15.89 ✓
6 Jean Nader int on Hallmark acct while dep in estate acct	7	270.82 ¹ ✓
7 Commissioner of accounts Inventory	8	61.00 ✓
8 IRS 1991 1040 return	9	15,332.00 ✓
9 Va. Dept Tax 1991 return	10	2,856.00 ✓
10 Jean M. Nader, disb	11	75,000.00 ✓
11 Jean M. Nader, bills pd SHE IS OWED 30 ^{cents}	12	8,559.00 ✓
12 Sheila Ann O'Connell-Shevenell, disb	13	75,000.00 ✓
13 Sheila Ann O'Connell-Shevenell, cem bill	14	475.00 ✓
14 Anthony M. O'Connell, disb	15	75,000.00 ✓
15 Anthony M. O'Connell int/disp 4/22-5/20	16	230.14 ² ✓
16 A. G. Edwards legal charge (debit fm div)		40.00 ✓
17 IRS estimated Estate Tax	17	119,000.00 ³ ✓
18 Virginia estimated Estate Tax	18	31,000.00 ³ ✓
19 IRS 1991 income tax	19	28,334.00 ✓
20 Va Dept Tax 1991 amended return	21	5,712.00 ✓
21 National Fire Ins Co of Hartford Nuveen bond	22	169.26 ⁴ ✓
22 U. S. Trust processing fee	23	20.00 ⁴ ✓
23 Harold O'Connell Trust, appraisal	24	2,000.00 ⁵ ✓
24 Jean M. Nader, disbursement	101	33,000.00 ✓
25 Anthony M. O'Connell, disbursement	102	33,000.00 ✓
26 Sheila Ann O'Connell-Shevenell, dis	103	33,000.00 ✓
27 IRS est share of int due 91 amd tax	104	241.81 ⁶ ✓
28 1988 Plymouth Van to Anthony O'Connell		8,000.00 ✓
TOTAL DISBURSED		548,975.29 ✓

BK0467 0193
unclear etc.

Vouchers in support of these disbursements are submitted herewith.

NOTES:

1. Decedent had a POD account in Hallmark Bank with Jean Nader. The bank erroneously paid the amount to the estate. This figure is the interest earned on that sum while in the estate account.
2. This represents interest earned in the estate account on the amount of the disbursement while the disbursal was delayed. This is to equalize the disbursements among the legatees.
3. Estimated tax was paid with an extension request.
4. Expenses incurred due to lost Nuveen certificate of ownership.

5. Decedent owned a partial interest in 15 acres of land in Accotink. The Harold O'Connell Trust owned the other share. The estate agreed to pay for the appraisal which hopefully will reduce the value of the tract by 50%. The beneficiaries of the Trust are the same persons as the devisees under the will and in the same shares.

6. When the 1991 income tax was prepared by Edward J. White, Co-Executor, a large capital gain was omitted necessitating the filing of an amended return. \$526.55 was assessed in interest by the IRS. The figure is the amount of interest earned by the estate while the amount due the IRS was in the estate bank account. The balance of the interest assessment was paid by Edward J. White.

7. Jean M. Nader and Sheila O'Connell-Shevenell agreed that the vehicle should be disbursed to Anthony M. O'Connell in addition to his 1/3 share of the remainder of the estate.

RECONCILIATION

SUM RECEIPTS	893,165.52 ✓
SUM DISBURSED	548,975.29 ✓
RECEIPTS LESS DISBURSEMENTS	344,190.23 ✓

ON HAND

Burke and Herbert Bank & Trust Co.	49,110.76
Investment Co. of America (A. G. Edwards)	71,067.78
Franklin Virginia Fund (A. G. Edwards)	56,987.19
Kemper Municipal Bond Fund (A. G. Edwards)	31,864.65
Fx Co. Ind Dev Bond (A. G. Edwards) Inv value	109,587.00
A. G. Edwards MMA and cash	3,666.60
Nuveen Premium Inc Mun Fund (A. G. Edwards)(invval)	11,200.00
Washington Gas Light Co. 200 sh (Inv value)	6,375.00
Signet Banking Corp 198 sh (Inv value)	4,331.25

TOTAL ON HAND TO BE DISTRIBUTED	344,190.23 ✓
DIFFERENCE	0.00

DATE: October 16, 1992

Edward J. White
Co-Executor

Jean M. Nader
Co-Executor

BK0467 0194

IN THE OFFICE OF THE COMMISSIONER OF ACCOUNTS
CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

At the request of Edward J. White,
Co-Executor and Attorney and Agent _____ of the estate
of Jean M. O'Connell, deceased, I gave
the notice required by Section 64.1-171 of the Code of Virginia,
1950, as amended, setting the 30th day of December, 1992,
at 10:30 A.M. at my office in Fairfax, Virginia, as the time
and place for receiving proof of debts and demands against the
estate of Jean M. O'Connell.

At the said time and place, no one appeared to offer to
prove any debts or demands against said estate.

I hereby certify that I have stated the foregoing account
of Jean M. O'Connell, deceased, after
having given the notice required by law, and have approved the
same. Vouchers for the disbursements were submitted to me.

GIVEN under my hand this 20th day of March,
1993.



Jesse B. Wilson, III
Commissioner of Accounts
Fairfax County, Virginia



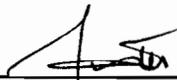
BK0467 0195

BK 0467 0196

STATE OF VIRGINIA
COUNTY OF FAIRFAX, to-wit:

I, JESSE B. WILSON, III, Commissioner of Accounts for Fairfax County, Virginia, do hereby certify that I have this day stated the foregoing account, after having given the notice required by law, and have approved the same. Vouchers for said disbursements were submitted therewith.

GIVEN under my hand this 10th day of March, 1993.



JESSE B. WILSON, III
Commissioner of Accounts
Fairfax County, Virginia

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA:

I, JOHN T. FREY, Clerk of the Circuit Court of Fairfax County, Virginia, do hereby certify that the foregoing Account or Report has been filed in my office for more than fifteen days, and that no exceptions have been filed thereto, and the same is now recorded pursuant to the provisions of §§ 26-33 and 26-35 of the Code of Virginia, as amended.

GIVEN under my hand this 7th day of April, 1993.

TESTE: JOHN T. FREY, CLERK

BY: 
Deputy Clerk

"Lynch properties note 518,903.26" at bk467p191.
"Int Lynch Prop Note DOD-4/21/92 26,917.17" at bk467p192

This is an example of making money disappear. A cash payment of approximately \$545,820.43 was made to the Estate on April 21, 1992, for the full payoff of the Lynch Note. But it was not reported. Only the interest of \$27,917.17 is reported. The note continues to be reported to the State and the IRS as late as April 10, 1995, as if it were still on schedule to mature on April 21, 1995. The Lynch Note disappears between the First and Second Estate Court Accounts without explanation.



Missing

\$545,820

April 21, 1992

The accountants do not mention the cash payment of \$545,820 to the Estate from the payoff of Lynch Note 1 on April 21, 1992, and the payment does not show in the accountings or tax returns.

When the accountants told the beneficiaries that the Lynch note would not produce any capital gain, I told them that it would and the taxes were paid. At that time I did not know that they were not reporting the \$545,820 payment. So strangely, the payment was not reported but the taxes on the payment were paid.

Can we expose the accounting trails of the \$545,820 payment?



Missing

\$70,051

June 11, 1992

There are two versions of the extension request (IRS Form 4768) and two version of the estate tax return (IRS Form 760) with the same dates but for different amounts. One version says \$175,000 was paid to the IRS on June 11, 1992, and one version says i\$119,000 was paid to the IRS on June 11, 1992. There should only be one version. The \$70,051 over payment reported on the \$175,000 version disappears from the accounting.

Can we expose the accounting trail of the \$70.051?

VIRGINIA: IN THE CIRCUIT COURT OF FAIRFAX COUNTY

FID.# 49160
QUAL 12-10-91
FILED 4-11-94
PAID 163.001
TAPED [initials]
POSTED 5-8-94

IN RE: ESTATE OF JEAN M. O'CONNELL

FIDUCIARY NO. 49160



Date of Qualification: December 10, 1991

SECOND AND FINAL ACCOUNTING OF
EDWARD J. WHITE AND JEAN M. NADER
CO-EXECUTORS

The Lynch Note disappears between the First and Second accounting without explanation. No authority recognizes this.

September 16, 1992 - January 19, 1994

No Lynch Note

CARRIED OVER FROM FIRST ACCOUNTING		
Burke and Herbert Bank & Trust Co.	49,110.76	
Investment Co. of America	71,067.78	
Franklin Virginia Fund	56,987.19	
Kemper Municipal Bond Fund	31,864.65	
Fx Co. Ind Dev Bond (A. G. Edwards) Inv value	109,587.00	
A. G. Edwards MMA and cash	3,666.60	
Nuveen Premium Inc Mun Fund (A. G. Edwards)	11,200.00	
Washington Gas Light Co. 200 sh (Inv value)	6,375.00	
Signet Banking Corp 198 sh (Inv value)	4,331.25	
TOTAL ON HAND AT BEGINNING OF PERIOD	344,190.23	✓
RECEIPTS DURING PERIOD		
Nuveen ck dated 5/1/92	66.50	
Int earned Burke and Herbert Bank	661.30	
Virginia Estate tax refund	1,596.01	

This is cover.

This is cover. These are examples of confusion and conflict (sometimes called "accounting entanglements" or "659's" here) planted in the accounting to cover the accounting trails and made to appear as the Trustee's fault.

EDWARD J. WHITE
ATTORNEY AT LAW
118 SOUTH ROYAL STREET
ALEXANDRIA, VIRGINIA 22314
TELEPHONE 836-5444

May 19, 1992

This is cover. Let the accounting entanglement $1,475.97 - 816.00 = 659.97$ represent all accounting entanglements because it is the simplest to recognize and the dynamics are the same. If you can recognize the dynamics in this simple example you can recognize the same dynamics in the far more complicated examples.

Mr. Anthony M. O'Connell
c/o Edgar A. Prichard, Esq.
8280 Greensboro Dr.
#900
McLean, Va. 22102

Re: Estate of Jean M. O'Connell 

Dear Mr. O'Connell,

In your letter of May 6 to Jean you asked that I communicate with you with regard to the Harold O'Connell Trust.

I am trying to prepare the estate tax, and as usual in these cases, there are problems trying to understand the flow of debts and income.

I do have a few questions which are put forward simply so that the figures on the Trust's tax returns and accounting will agree with the estate's.

1. The K-1 filed by the Trust for 1991 showed income to your mother of \$41,446.00. The Seventh Accounting appears to show a disbursement to her of \$40,000.00 plus first half realty taxes paid by the trust for her and thus a disbursement to her of \$1794.89. If these two disbursements are added the sum is \$41,794.89. This leaves \$348.89 which I cannot figure out. It could well be a disbursement of principal and not taxable.

2. The K-1 filed by the Trust showed a payment of \$816.00 in interest to the estate. You sent a check in the amount of \$1475.97 to the estate. What was the remaining \$659.97? Do I have this confused with the tax debt/credit situation which ran from the Third Accounting?

3. On the Seventh Accounting "Income per 7th Account" is shown as \$5181.71, but I cannot figure that one out either.

I am of the opinion that the estate owes the trust for the second half real estate taxes from September 15, 1991 through December 31, 1991 in the amount of \$1052.35. This is shown on your accounting as disbursed to the heirs. Should this be paid back to the heirs or to the Trust?

I believe that the income received from the savings accounts

Page 2
Ltr to Mr. Anthony M. O'Connell
May 19, 1992

from September 15 to the date the various banks made their next payment to the Trust (9/30 and 9/21) should be split on a per diem basis, since the Trust terminated on her death. This will be a small amount of course.

Are there any other debts which your Mother owed the Trust?

I realize that Jo Ann Barnes prepared this and if you authorize it I can ask her to help me out.

Please understand that I have no problem with the Accounting, I m just trying to match things up. In the long run, since the beneficiaries are the same, the matter is academic.

Please send the bill for the appraisal whenever you receive it. Jean is filing the Fairfax form for re-assessment in her capacity as a co-owner in order to give us a better basis to get this assessment changed and to meet the county's deadline. It will state that the appraisal you have ordered will follow. I think this will be to all of your benefit in the long run.

Sincerely,



Edward J. White

EJW/e
Copy to: Jean M. Nader

Why not find the CPA Joanne L. Barnes (EIN 541040148 and SSN 579-44-3240?) who did this accounting and have her answer Mr. White's questions?

This letter framing the Trustee with confusion and conflict created by the CPA diverts attention from:

"Lynch properties note 518,903.26" at bk467p191.
"Int Lynch Prop Note DOD-4/21/92 26,917.17" at bk467p192

This is an example of making money disappear. A cash payment of approximately \$545,820.43 was made to the Estate on April 21, 1992, for the full payoff of the Lynch Note. But it was not reported. Only the interest of \$27,917.17 is reported. The note continues to be reported to the State and the IRS as late as April 10, 1995, as if it were still on schedule to mature on April 21, 1995. The Lynch Note disappears between the First and Second Estate Court Accounts without explanation.

Is there any authority in our Country who would find the CPA Joanne L. Barnes (EIN 541040148, SSN 579-44-3240?) and the Attorney Edward White who did this accounting at and have them show where the money went?

Twenty years

In twenty years not one authority has tried to expose bk467p191 or tried to tell our trusting sister Jean Nader that she is being used. Not one authority has tried to enforce the law. Not one authority has tried to protect our family. Not one.

Jean Mary O'Connell Nader
350 Fourth Avenue
New Kensington, PA 15068
(724) 337-7537

Please connect the dots:

- (1) The dot for 20 years of concealing Bk467p191.
- (2) The dot for 20 years of judgements made without exposing the evidence of bk467p191.
- (3) The dot for the cumulative effects of 20 years of character assassinations against the Trustee for trying to expose bk467p191
- (4) The dot for 20 years of no authority stopping our trusting sister Jean Nader from being used.

Why doesn't Chief Judge Dennis J. Smith allow the accounting trails at bk467p191 to be exposed?

November 21, 2012
Anthony O'Connell, Trustee
439 South Vista del Rio
Green Valley, AZ 85614
anthonymineroconnell@gmail.com
(no telephone)

To the Honorable Judges of the Nineteenth Judicial Circuit Court of Fairfax County, Virginia:

The Honorable Dennis J. Smith
The Honorable Marcus D. Williams
The Honorable Jane Marum Roush
The Honorable Johnathan C. Thacher
The Honorable R. Terrence Ney
The Honorable Randy I. Bellows
The Honorable Charles J. Maxfield
The Honorable Bruce D. White
The Honorable Robert J. Smith
The Honorable David S. Schel
The Honorable Jan L. Brodie
The Honorable Lorraine Nordlund
The Honorable Brett A. Kassabian
The Honorable Michael F. Devine

Please tell me if the enclosed Court notice is from the Judges or if it is from some alternative element speaking for the Court? I ask this because:

- (1) The notice is confusing and lacks accountability; there is no name, no signature, no point of contact, only a telephone number and "The Judges of the Fairfax Circuit Court" in the signature line.
- (2) The notice says "Case No. CL-2012-0013064", which matches the number on the summons and the injunction. The accusations in the summons and in the injunction are so blatantly false, and no evidence is provided to justify them, it's as if the law, the evidence, and accountability is not expected to be relevant.
- (3) The notice says "In Re: Harold A. O'Connell" but doesn't say what the issue is. Harold A. O'Connell is our Dad who died in 1975.

It would not be prudent for me to appear in Court unless the issues are defined and the evidence for the issues can be obtained beforehand. The present structure makes me dead on arrival; this is not due process.

The best of my two bad options is to not appear in Court, even though my not appearing could be made to appear as if I, rather than the accountants, were trying to hide something, and the terms of their summons and injunction might be approved by default.

Would you please put everything on hold until all of the plaintiff's issues can be identified and their evidence for their issues can be obtained? The known evidence I need before appearing in Court includes exposing the accounting trails in our Mother's estate at Bk467p191.

Background

This is extremely complicated and impossible to present in an understandable manner except by through websites.

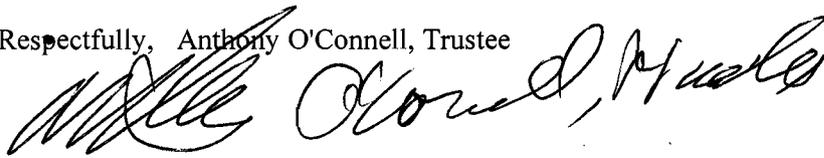
The CPA Joanne Barnes and the Attorney Edward White make money disappear and cover them selves by using an innocent family member as an unwitting agent to carry out their agenda. The evidence is in exposing the accounting trails at Book467page191 in the public record. I've tried to expose Bk467p191 for twenty years and the reaction has cost me my reputation, my family, and my solvency.

Exposing Bk467p191 would be the turning point, its the law, its common sense, and the public trusts that its done. Please use your power or call in federal powers that would do it. Please ask them to (1) protect our family, (2) find out where the money went and (3) untangle the accounting entanglements holding up the sale of our remaining family real estate that we call Accotink. Accotink is in a Virginia Land Trust and I am the Trustee.

Our family needs federal protection. The first thing our family needs is to have a federal agent personally visit our innocent sister Jean Nader at 350 Fourth Avenue, New Kensington, PA 15068, and convince her that she is being used by the accountants.

The terms of the summons and the injunction are for the benefit of the accountants and not for our family; it gives them unlimited control and cover of our family's assets and makes our family appear at fault. History suggests that the reason the accountants want to replace me with innocent Jean Nader as Trustee for Accotink is because they can use her as Trustee as they used her as co-executor in our mother's estate, to make money disappear.

Respectfully, Anthony O'Connell, Trustee



Enclosure: Court notice (Not included here.)

References:

<http://www.alexandriavirginia15acres.com> (Trust property in Fairfax County for sale; controlling summons, injunction, etc.)

<http://www.farm139.com> (Trustee's individual property in Highland County for sale; controlling lien sent to Highland County)

<http://www.canweconnectthedots.com> (Comprehensive; twenty years in the making; if you want to know how the accountants work)



NINETEENTH JUDICIAL CIRCUIT OF VIRGINIA

Fairfax County Courthouse
4110 Chain Bridge Road
Fairfax, Virginia 22030-4009

703-246-2221 • Fax: 703-246-5496 • TDD: 703-352-4139

COUNTY OF FAIRFAX

CITY OF FAIRFAX

Why doesn't Chief Judge Dennis J. Smith allow the accounting trails at bk467p191 to be exposed?

November 27, 2012

DENNIS J. SMITH, CHIEF JUDGE
MARCUS D. WILLIAMS
JANE MARUM ROUSH
JONATHAN C. THACHER
R. TERRENCE NEY
RANDY I. BELLOWS
CHARLES J. MAXFIELD
BRUCE D. WHITE
ROBERT J. SMITH
DAVID S. SCHELL
JAN L. BRODIE
LORRAINE NORDLUND
BRETT A. KASSABIAN
MICHAEL F. DEVINE
JUDGES

BARNARD F. JENNINGS
THOMAS A. FORTKORT
RICHARD J. JAMBORSKY
JACK B. STEVENS
J. HOWE BROWN
F. BRUCE BACH
M. LANGHORNE KEITH
ARTHUR B. VIEREGER
KATHLEEN H. MACKAY
ROBERT W. WOOLDRIDGE, JR.
MICHAEL P. McWEENEY
GAYLORD L. FINCH, JR.
STANLEY P. KLEIN
LESLIE M. ALDEN
RETIRED JUDGES

Anthony O'Connell, Trustee
439 South Vista Del Rio
Green Valley, AZ 85614

RE: *In Re: Harold A O'Connell*, CL-2012-13064

Dear Mr. O'Connell:

I have received your letter regarding the Notice of Scheduling Conference you received in case CL 2012 -0013064. This is indeed a valid notice from our court provided so that you would be aware of a Scheduling Conference at which we will, if appropriate, set a trial date and enter a scheduling order in accordance with the Uniform Pretrial Scheduling Order adopted by the Supreme Court of Virginia. No evidence will be taken at that time as this is only a hearing to establish the schedule for the orderly processing of the case.

As for accountability for the notice, it clearly indicates that it is sent by the judges of the circuit court and provides you with a phone number at which you can contact our case management staff with regard to the Scheduling Conference. We would not send out a notice indicating that you can contact the judges directly as such contact is inappropriate.

Your letter also indicates that you do not know what issues are raised in the case but our records indicate that you have responded to the Complaint which sets out the Plaintiff's allegations and prayer for relief so I therefore assume that you are acquainted with the issues which have been raised. As to whether the Plaintiff's allegations are true or merit relief, these issues will not be dealt with at the December 4, 2012 Scheduling Conference but are instead decided in the course of later proceedings or after a trial at which each side has had an opportunity to present evidence in the form of documents or testimony and make arguments as to the proper disposition of the issues.

The issue is exposing the accounting trails at bk467p191. It's the law and the public trusts that it's done. How did exposing bk467p191 become obstructed by rules such as these?

You also request that our court take certain actions, but please note that Judges take actions based upon pleadings which are properly filed, and even then, only after each interested party has had an opportunity to respond and be heard on the request. Sending a letter to a judge is not filing a pleading in a case as pleadings are properly filed with the Clerk of Court. Additionally, copies of anything sent to the Court for filing must be provided to all other interested parties. As your letter does not indicate copies were sent to the other parties I will provide them with a copy of your letter and this response.

Finally, with regard to your participation in the Scheduling Conference at 8:30 a.m. on December 4, 2012, this is a civil case and it is your choice as to whether you participate in this administrative hearing or any further hearings. If you do not appear, the Court will proceed to establish scheduling without your input. We will, however, send you a copy of any Order that is entered at that hearing.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Dennis J. Smith", written over a horizontal line.

Dennis J. Smith

Cc: Jean Mary O'Connell Nader
Anthony Miner O'Connell
Sheila A. O'Connell
Elizabeth Chichester Morrogh, Esquire



NINETEENTH JUDICIAL CIRCUIT OF VIRGINIA

Fairfax County Courthouse
4110 Chain Bridge Road
Fairfax, Virginia 22030-4009

703-246-2221 • Fax: 703-385-4432 • TDD: 703-352-4139

DENNIS J. SMITH, CHIEF JUDGE

- MARCUS D. WILLIAMS
JANE MARUM ROUSH
LESLIE M. ALDEN
JONATHAN C. THACHER
R. TERENCE NEY
RANDY I. BELLOWES
CHARLES J. MAXFIELD
BRUCE D. WHITE
ROBERT J. SMITH
DAVID S. SCHELL
JAN L. BRODIE
LORRAINE NORDLUND
BRETT A. KASSABIAN
MICHAEL F. DEVINE

JUDGES

COUNTY OF FAIRFAX

CITY OF FAIRFAX

Why doesn't Chief Judge Dennis J. Smith allow the accounting trails at bk467p191 to be exposed?

May 9, 2014

- BARNARD F. JENNINGS
THOMAS J. MIDDLETON
THOMAS A. FORTKORT
RICHARD J. JAMBORSKY
JACK B. STEVENS
J. HOWE BROWN
F. BRUCE BACH
M. LANGHORNE KEITH
ARTHUR B. VIEREGG
KATHLEEN H. MACKAY
ROBERT W. WOOLDRIDGE, JR.
MICHAEL P. McWEENEY
GAYLORD L. FINCH, JR.
STANLEY P. KLEIN
RETIRED JUDGES

Anthony O'Connell
439 South Vista De Rio
Green Valley, AZ 85614

Re: In Re: Harold A. O'Connell, CL-2012-13064

Mr. O'Connell,

I am in receipt of your multiple letters, the latest dated April 18, 2014, regarding the above referenced case. Please note that no action is initiated by sending correspondence to a judge as all pleadings must be filed with the Clerk of Court. In fact, your communication is considered to be an ex parte communication to the court which is prohibited. Pursuant to Canon 3B7 of Canons of the Judicial Conduct for the State of Virginia, judges can only permit or consider ex parte communications if the judge makes provision promptly to notify all other parties of the substance of the ex parte communication and allows an opportunity to respond.

A hearing was held in the above-referenced case on January 25, 2013. A final order was entered on January 28, 2013, a copy of which is enclosed. You will receive no further correspondence from this Court regarding this matter.

Respectfully yours,

[Handwritten signature of Dennis J. Smith]

Chief Judge Dennis J. Smith
Fairfax County Circuit Court

CC: Elizabeth Morrogh, Esq.
Blankingship & Keith, P.C.
4020 University Drive, Suite 300
Fairfax, VA 22030
Encl: Order from 1/28/13