

$$1,475.97 - 816.00 = 659.97$$

Source

# Joanne Barnes Did the Accounting

# 1041 U.S. Fiduciary Income Tax Return 1991

Department of the Treasury—Internal Revenue Service

*196,795.7*  
*11/10/91*  
*March 4, 1992*

For the calendar year 1991 or fiscal year beginning 1991, and ending 19 OMB No. 1545-0092

<b>A</b> Type of Entity  <input type="checkbox"/> Decedent's estate <input checked="" type="checkbox"/> Simple trust <input type="checkbox"/> Complex trust <input type="checkbox"/> Grantor type trust <input type="checkbox"/> Bankruptcy estate <input type="checkbox"/> Family estate trust <input type="checkbox"/> Pooled income fund	Name of estate or trust (grantor type trust, see instructions) <b>Trust u/w H.A. O'Connell</b>	<b>C</b> Employer identification number <b>62 6209167</b>
	Name and title of fiduciary <b>Anthony O'Connell, Trustee</b>	
	Number, street, and room or suite no. (if a P.O. box, see page 4 of instructions.) <b>6541 Franconia Road</b>	<b>E</b> Nonexempt charitable and split-interest trusts, check applicable boxes (see instructions): <input type="checkbox"/> Described in section 4947(a)(1) <input type="checkbox"/> Not a private foundation <input type="checkbox"/> Described in section 4947(a)(2)
	City, state, and ZIP code <b>Springfield, Virginia 22150</b>	
<b>B</b> Number of Schedules K-1 attached (see instructions) <b>5</b>	<b>Check applicable boxes:</b> <input type="checkbox"/> Initial return <input type="checkbox"/> Final return <input type="checkbox"/> Amended return <input type="checkbox"/> Change in Fiduciary's Name or Address	

<b>Income</b>	1 Interest income	1	55,314
	2 Dividends	2	
	3 Business income or (loss) (attach Schedule C (Form 1040))	3	
	4 Capital gain or (loss) (attach Schedule D (Form 1041))	4	100,645
	5 Rents, royalties, partnerships, other estates and trusts, etc. (attach Schedule E (Form 1040))	5	
	6 Farm income or (loss) (attach Schedule F (Form 1040))	6	
	7 Ordinary gain or (loss) (attach Form 4797)	7	
	8 Other income (state nature of income)	8	
	9 <b>Total income</b> (combine lines 1 through 8)	9	155,959

<b>Deductions</b>	10 Interest	10	
	11 Taxes	11	5,570
	12 Fiduciary fees	12	8,780
	13 Charitable deduction (from Schedule A, line 6)	13	
	14 Attorney, accountant, and return preparer fees	14	625
	15a Other deductions NOT subject to the 2% floor (attach schedule)	15a	138
	b Allowable miscellaneous itemized deductions subject to the 2% floor	15b	565.703
	c Add lines 15a and 15b	15c	703
	16 <b>Total</b> (add lines 10 through 14, and 15c)	16	15,678
	17 Adjusted total income or (loss) (subtract line 16 from line 9). Enter here and on Schedule B, line 1.	17	140,281
18 Income distribution deduction (from Schedule B, line 17) (see instructions) (attach Schedules K-1 (Form 1041))	18	140,281	
19 Estate tax deduction (including certain generation-skipping transfer taxes) (attach computation)	19		
20 Exemption	20	300	
21 <b>Total deductions</b> (add lines 18 through 20)	21	140,581	

<b>Please attach check or money order here</b>	22 Taxable income of fiduciary (subtract line 21 from line 17)	22	(300)
	23 <b>Total tax</b> (from Schedule G, line 7)	23	NONE
	24 Payments: a 1991 estimated tax payments and amount applied from 1990 return	24a	5,100
	b Treated as credited to beneficiaries (from Form 1041-T)	24b	
	c Subtract line 24b from line 24a	24c	5,100
	d Tax paid with extension of time to file: <input type="checkbox"/> Form 2758 <input type="checkbox"/> Form 8736 <input type="checkbox"/> Form 8800	24d	
	e Federal income tax withheld	24e	
	Credits: f Form 2439; g Form 4136; h Other	24i	
	25 <b>Total payments</b> (add lines 24c through 24e, and 24i)	25	5,100
	26 Penalty for underpayment of estimated tax (see instructions)	26	
27 If the total of lines 23 and 26 is larger than line 25, enter <b>TAX DUE</b>	27		
28 If line 25 is larger than the total of lines 23 and 26, enter <b>OVERPAYMENT</b>	28	5,100	
29 Amount of line 28 to be: a Credited to 1992 estimated tax; b Refunded	29		

**Please Sign Here** Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than fiduciary) is based on all information of which preparer has any knowledge.

*Anthony O'Connell, Trustee* Date **2/25/92** EIN of fiduciary (see instructions) **225-52-7637**

<b>Paid Preparer's Use Only</b>	Preparer's signature <i>James J. Bacon</i>	Date <b>4/3/92</b>	Check if self-employed <input type="checkbox"/>	Preparer's social security no. <b>579 441 3204</b>
	Firm's name (or yours if self-employed) and address <b>BRUNER, KANE &amp; MCCARTHY, LTD., CPAs</b> <b>700 N. Fairfax St., Alexandria, VA</b>	S.I. No. <b>54</b>	EIN No. <b>1040148</b> ZIP code <b>22314</b>	

Trust U/W Harold O'Connell  
Anthony O'Connell, Trustee  
6541 Franconia Road  
Springfield, Virginia 22150

April 29, 1992  
As of April 11, 1992

BRUNER, KANE & MCCARTHY, LTD.  
A PROFESSIONAL CORPORATION  
CERTIFIED PUBLIC ACCOUNTANTS  
700 NORTH FAIRFAX STREET  
POST OFFICE BOX 1250  
ALEXANDRIA, VIRGINIA 22313

ARTHUR J. BRUNER, CPA  
JOHN T. KANE, CPA  
JOANNE L. BARNES, CPA  
CHARLES W. BALLOU, CPA  
NICHOLAS GREKSOUK, CPA  
RICHARD G. COLE, JR., CPA  
DANIEL F. MCCARTHY, CPA  
CONSULTANT

(703) 549-7800  
FAX (703) 836-5591

MEMBERS  
AMERICAN INSTITUTE OF  
CERTIFIED PUBLIC ACCOUNTANTS  
AICPA DIVISION FOR CPA FIRMS  
SEC PRACTICE SECTION  
PRIVATE COMPANIES PRACTICE SECTION  
THE MCGLADREY NETWORK

MAKE CHECKS PAYABLE TO "BKM, LTD."  
(PLEASE INCLUDE REF. NO. ON YOUR CHECK)

CLIENT # 96085-THO

REF. NO. 9059

FOR PROFESSIONAL SERVICES RENDERED:

Preparation of Federal and Virginia fiduciary income  
tax returns for the year ended December 31, 1991 and  
preparation of annual court accounting for the year  
ended December 31, 1991

\$3,100

*paid  
5/6/92*

A 1 1/2 % PER MDNTH LATE PAYMENT PENALTY WILL BE ADDED TO ALL ACCOUNTS NOT  
PAID WITHIN 40 DAYS OF THE BILLING DATE.

TRUST U/W HAROLD A. O'CONNELL  
ANTHONY M. O'CONNELL, TRUSTEE  
6541 FRANCONIA ROAD PH. 703-971-2855  
SPRINGFIELD, VA. 22150

5-89

CLIENT # 96085-770  
REF. NO 9059  
May 6 1992

306

68-7267  
2560



BRUNER, KANE & MCCARTHY \$ 3,100.<sup>00</sup>

Three thousand and one hundred <sup>LTD</sup> and no cents **DOLLARS**

**Continental Federal**  
SAVINGS BANK

HAIRFAX, VIRGINIA 22030

PREPARE 1991 FEDERAL

MEMO

FOR RETURN

Anthony M. O'Connell

⑆ 256072675⑆ 23001938022⑆ 0306 ⑆0000⑆0000⑆

CO-OP ACCOUNT

\* FEDERAL RESERVE BOARD OF GOVERNORS REG. CC

MY 92 13  
056001079

ENDORSE HERE

FOR DEPOSIT ONLY  
CRESTAR BANK  
BRUNER, KANE & MCCARTHY, LTD.  
OR B.K.M. MORTGAGE INVESTMENT  
ALEXANDRIA, VIRGINIA

DO NOT WRITE STAMP OR SIGN BELOW THIS LINE  
RESERVED FOR FINANCIAL INSTITUTION USE \*

056001079  
CRESTAR BANK  
515 KING STREET  
ALEXANDRIA, VA  
22311

Create

# Create

How  $1,475.97 - 816.00 = 659.97$  was created

The accounting trail  $1,475.97 - 816.00 = 659.97$  is an accounting entanglement created by Joanne Barnes preparing a figure for the trust's court account that was different from the figure on the K-1 that goes to the IRS and the Estate when the figures should be the same;  $1,475.97$  was prepared for the Court and  $816.00$  was prepared for the IRS and the estate

Edward White reported the difference of  $659.97$  to the Court, the IRS, and the State.

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

ESTATE OF TRUST U/W OF H.A. O'CONNELL

ACCOUNT OF Anthony O'Connell, Trustee

FIDUCIARY # 21840

Number of this account Seventh Account

Covering period from 1/1/91 to 12/31/91

DESCRIPTION	ASSETS RECEIVED (or On Hand)	DISBURSEMENTS
<b>ASSETS HELD ON DECEMBER 31, 1991 FOR FUTURE ACCOUNTING</b>		
Lynch Note		\$ 428,277.21
46.0994% interest in 15 acres		34,574.55
Cash - Continental checking		43,302.55
Computer		2,100.00
Payable to the Estate of Jean M. O'Connell		
Deficit per 3 <sup>rd</sup> Account	\$ (5,906.72)	
Deficit per 4 <sup>th</sup> Account	(687.03)	
Income per 5 <sup>th</sup> Account	5,796.98	
Deficit per 6 <sup>th</sup> Account (restated)	(2,908.97)	
	\$ (3,705.74)	
Income per 7 <sup>th</sup> Account	5,181.71	
	\$ 1,475.97	
<b>TOTAL ASSETS HELD FOR FUTURE ACCOUNTING</b>		\$ 508,254.31 ✓
<b>TOTALS</b>	\$ 675,522.42 ✓	\$ 675,522.42 ✓

04/18/92 1768

John St...

Vouchers in support of disbursements are submitted herewith.

5/11/92  
Date

Anthony O'Connell, Trustee  
Anthony O'Connell, Trustee

**SCHEDULE K-1  
(Form 1041)**

**Beneficiary's Share of Income, Deductions, Credits, Etc.**

OMB No. 1545-0092

Department of the Treasury  
Internal Revenue Service

for the calendar year 1991, or fiscal year  
beginning ..... 1991, ending ..... 19 .....

**1991**

▶ Complete a separate Schedule K-1 for each beneficiary.

Name of estate or trust

Trust u/w H.A. O'Connell

Amended K-1  
 Final K-1

Beneficiary's identifying number ▶ 25-6377917

Estate's or trust's employer identification number ▶ 62-6209167

Beneficiary's name, address, and ZIP code

Estate of Jean M. O'Connell  
c/o Jean O. Nader, Executrix  
350 Fourth Avenue  
New Kensington, Pennsylvania 15068

Fiduciary's name, address, and ZIP code

Anthony O'Connell, Trustee  
6541 Franconia Road  
Springfield, Virginia 22150

(a) Allocable share item	(b) Amount	(c) Calendar year 1991 Form 1040 filers enter the amounts in column (b) on:	
1 Interest . . . . .	816	Schedule B, Part I, line 1	
2 Dividends . . . . .		Schedule B, Part II, line 5	
3a Net short-term capital gain . . . . .		Schedule D, line 4, column (g)	
b Net long-term capital gain . . . . .		Schedule D, line 11, column (g)	
4a Business income and other non-passive income before directly allocable deductions. (see instructions) . . . . .		Schedule E, Part III	
b Depreciation . . . . .			
c Depletion . . . . .			
d Amortization . . . . .			
5a Rental, rental real estate, and other passive income before directly allocable deductions. (see instructions) . . . . .			
b Depreciation . . . . .			
c Depletion . . . . .			
d Amortization . . . . .			
6 Income for minimum tax purposes . . . . .	816		Form 6251, line 5r
7 Income for regular tax purposes (add lines 1 through 5) . . . . .	816		
8 Adjustment for minimum tax purposes (subtract line 7 from line 6) . . . . .	0		
9 Estate tax deduction (including certain generation-skipping transfer taxes) (attach computation) . . . . .		Schedule A, line 25	
10 Foreign taxes (list on a separate sheet) . . . . .		Form 1118 or Schedule A (Form 1040), line 7	
11 Tax preference items (itemize):			
a Accelerated depreciation . . . . .			
b Depletion . . . . .			
c Amortization . . . . .			
d Exclusion items . . . . .		1992 Form 8801	
12 Distributions in the final year of estate or trust:			
a Excess deductions on termination (attach computation) . . . . .			
b Short-term capital loss carryover . . . . .			
c Long-term capital loss carryover . . . . .			
d Net operating loss (NOL) carryover . . . . .			
e . . . . .			
f . . . . .		Form 1040, line 22	
13 Other (itemize):			
a Trust payments of estimated taxes credited to you . . . . .			
b Tax-exempt interest . . . . .			
c . . . . .			
d . . . . .			
e . . . . .			
f . . . . .			
g . . . . .			
h . . . . .		Form 1040, line 55	
		Form 1040, line 8b	
		(Include on the applicable line) of appropriate tax form	

For Paperwork Reduction Act Notice, see page 1 of the Instructions for Form 1041. Cat. No. 113800 Schedule K-1 (Form 1041) 1991

State modifications: NONE



Blame

# May 19

Edward White's letter of May 19, 1992

Edward White questions me about Joanne Barnes accounting which makes me appear responsible for Joanne Barnes accounting.

EDWARD J. WHITE  
ATTORNEY AT LAW  
118 SOUTH ROYAL STREET  
ALEXANDRIA, VIRGINIA 22314

TELEPHONE 836-5444

May 19, 1992

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

Record

# Records

The accounting trail  $1,475.97 - 816.00 = 659.97$  is an accounting entanglement created by Joanne Barnes preparing a figure for the trust's court account that was different from the figure on the K-1 that goes to the IRS and the estate when the figures should be the same; 1,475.97 was prepared for the Court and 816.00 was prepared for the IRS and the estate.

Edward White reported the difference of 659.97 as debt(?), and the 816.00 as interest(?), to the Court. The 659.97 should have been paid back to the trust

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 ✓

DU467 0192

Confuse

# Confusion

Confusion is cover. Please recognize it as a flag to see what is behind it.



Jesse B. Wilson, III  
Commissioner of Accounts

*Commissioner of Accounts Office*  
**Circuit Court of Fairfax County**

Fair Oaks Plaza  
Suite 500  
11350 Random Hills Road  
Fairfax, Virginia 22030  
Telephone (703) 385-0268



Peter A. Arntson  
Deputy Commissioner of Accounts

August 8, 2000

Mr. Anthony M. O'Connell  
216 Governors Lane  
Apt. #12  
Harrisonburg, Virginia 22801

**RE: Harold A. O'Connell Trust;  
Fiduciary No. 21840**

Dear Mr. O'Connell:

Enclosed please find a copy of my report approving your 11<sup>th</sup> account as trustee in the above matter as your Final Account. As you will see from the report, it appears to me from the information you have provided that the \$659.97 debt you report is not a trust asset. Even if the debt existed as you suggest, it's collectability would be so problematic and uncertain, and the effort so costly, as to render it worthless and make reasonable a decision for it to be abandoned as an asset. It certainly should not be the basis for keeping this trust estate open and requiring the filing of annual accounts indefinitely.

In the event that the trustee is successful in recovering \$659.97 or any other funds which are proper trust assets to be accounted for, such may be reported to the Commissioner of Accounts by an Amended Inventory and, thereafter, accounted for by proper accounts.

If you disagree with this action by me, you may file exceptions with the Court within fifteen (15) days of the filing of my report and take the matter up directly with the Court.



Very truly yours,

Jesse B. Wilson, III  
Commissioner of Accounts

Shutout

# Shutout

I don't understand how trying to expose the accountant's accounting trails becomes something that can only be done by others.





Jesse B. Wilson, III  
Commissioner of Accounts

Commissioner of Accounts Office  
**Circuit Court of Fairfax County**

Fair Oaks Plaza  
Suite 500  
11350 Random Hills Road  
Fairfax, Virginia 22030  
Telephone (703) 385-0268



Peter A. Arntson  
Deputy Commissioner of Accounts

August 8, 2000

Mr. Anthony M. O'Connell  
216 Governors Lane  
Apt. #12  
Harrisonburg, Virginia 22801

**RE: Estate of Jean M. O'Connell  
Fiduciary No. 49160**

Dear Mr. O'Connell:

This will acknowledge receipt of a copy of your letter of July 24, 2000 to Judges of the Nineteenth Judicial Circuit Court of Virginia.

While I do not presume to speak for the Court or any of the Judges, I think that it is safe to say:

(1) the Court is not organized or constituted for the purpose of conducting the sort of investigation required to establish the facts that you allege in your letter. The Court can only decide cases based on evidence produced by others;

(2) the officials who are responsible for conducting investigations of alleged crimes in Virginia are the Commonwealth Attorneys (the prosecutors) in each jurisdiction and the police departments and their detectives. If the available facts are sufficient to convince the Commonwealth's Attorney that it can be proved that a crime has been committed, and that a prosecution is not barred by the statute of limitations, his/her job is to bring the matter before the Court.

I hope this will be helpful.

Very truly yours,

Jesse B. Wilson, III  
Commissioner of Accounts

JBW:jcs

cc: Honorable F. Bruce Bach, Chief Judge