

later on April 10, 2000 (PE-1); after Susan Bell had been granted a \$40,000.00 mortgage in March 1997 on the property to secure a loan she alleges she made to Mr. Bell to redeem his property from criminal forfeiture.

At the time Mr. Bell created the Trust and put his real estate into same, he transferred possession of his remaining assets to Sue Bell. These included one or more vehicles, one or more boats (DE-51), and cash. Testimony revealed the cash was approximately \$150,000.00-\$200,000.00. (S. Bell 2/20 pg. 12-13, PACER 120, Ruby Bell pg. 176, PACER 118) These funds were handled in a revealing way by Sue Bell. Bell asked her son Michael Cole Simon and family friend Kathy Lackey to open up a safe deposit box in their joint names as neither person had the name Bell. (Lackey pg. 68-73, PACER 117) Ms. Lackey was not given a key and the funds were "a couple of hundred thousand." (Lackey pg. 70,75, PACER 117) Sue Bell testified however that two (2) deposit boxes were actually opened, one (1) in the name of Lackey and Simon and one (1) by Sue Bell alone. (S. Bell 2/20 pg 17-18, PACER 120) Ms. Lackey as well as Ruby Bell, Cheri Fontenot and Sue Bell testified the cash was to be used to "clean up Wilfred's mess". (S. Bell 2/20 pg 20 also pg. 180-181, Lackey pg 74-75, PACER 117, R. Bell pg. 181, PACER 118) Ms. Lackey testified she understood the cash was transferred after the creation of the Trust. Mr. Bell testified he gave the cash to Bell to buy back his house from forfeiture so he could live in same. (W. Bell, Pg.57, PE 68.) No doubt the cash was hidden from the US Attorney this way. ~~*~~

Wilfred Bell wanted Ruby Bell and Sue Bell to be co-Trustee's of the Trust but was counseled against same and wound up appointing Appellant as Trustee. (Wilfred Bell, pg.10, PE-68). The Trust had a provision whereby through majority vote of the beneficiaries Sue Bell could be removed as Trustee and a new Trustee appointed. (PE-3 Section 8.7) Mr. Bell thought this was a good idea. (W. Bell, pg. 11 PE-68). On January 2, 1998 Sue Bell initiated an