## Durward C. Mathany Forensia Documents Exeminer

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April 21, 2015

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Micah D. Ball Colombo, Kitchin, Dunn, Ball & Porter, LLP Attorneys at Law 1698 E. Arlington Blvd. Greenville, North Carolina 27858

> RE: CARTER SMITH KIRWIN/ ESTATE OF RUTH B. SMITH WATERS YOUR FILE #14-1589 MY FILE #2015-023

Dear Mr. Ball:

The following exhibits were submitted for a forensic documents examination and comparison:

EXHIBIT#	DESCRIPTION OF EXHIBIT
Α	Signature Page from an Agricultural Lease, dated June 1, 2011, with questioned signature Ruth Smith Waters.
В	"Account Agreement, " bank account signature card with Capital Bank, with three questioned signatures Ruth B. Waters on page 1 and page 2.
С	Note, beginning "Dear Susan," etc., with known handwriting of Ruth B. Smith Waters, written in 2011.
<b>D</b>	Signature page of an Agricultural Lease, dated Oct. 11, 2007, with known signature of Charles Smith and Ruth B. Smith Waters.
Е	Three original Wachovia checks with known handwriting and signatures of Ruth B. Smith, dated Aug. 6, 1984, Sept. 12, 1984, and March 31, 1998.
F	Copy of handwritten Last Will and Testament of Ruth B. Waters, dated 10-08-2010, with known handwriting and signature of Ruth B. Smith.
G	Copy of Oath of Executor, dated 01-04-2012, with known signature of Charles B. Smith.

RE: CARTER SMITH KIRWIN/
ESTATE OF RUTH B. SMITH
WATERS
YOUR FILE #14-1589
MY FILE #2015-023

EXHIBIT#	DESCRIPTION OF EXHIBIT
Н	Copy of Estate Tax Certification with known signature of Charles B. Smith, dated 01-04-2012.
I	Copy of second page of Annual Account filed, dated 04-04-2012, with known signature of Charles B. Smith.

#### **EXAMINATION REQUESTED:**

To examine the questioned signatures (Ruth Smith Waters, aka Ruth B. Waters) on Exhibits A and B and compare with the known signatures of Ruth B. Smith Waters on Exhibits C through F, to determine the authenticity of the four questioned signatures on Exhibits A and B.

Also, compare the known signatures of Charles B. Smith on Exhibits A, B, D, G, H, and I with the questioned signatures on Exhibits A and B, to determine authorship of the questioned signatures on Exhibits A and B.

#### RESULTS OF EXAMINATION:

It is my opinion that the author of the known signatures of Ruth B. Smith Waters on Exhibits C through F is not the author of the three questioned signatures on Exhibit B. These three questioned signatures appear to be simulations of Ruth B. Waters' signature. There are differences noted, between the known signatures on Exhibits C through F with the questioned signatures on Exhibit B, in beginning and ending strokes to letters, pen lifts, formations of letters, and line quality.

The author of simulations is difficult to identify unless the author incorporates his or her own handwriting characteristics into the questioned signature.

It is also my opinion that it is Highly Probably that the author of the known signatures of Ruth B. Smith Waters is not the author of the questioned signature on Exhibit A. The questioned signature on Exhibit A is not of good quality for comparison; however, there is no indication, in the questioned signature, that Ruth B. Smith Waters is the author of the questioned signature on Exhibit A.

- 3 -

It is suggested that the original or a better copy of Exhibit A be obtained for comparison. This would aid in removing any doubt in my opinion of authorship of the questioned signature on Exhibit A.

It is my opinion that the author of the known signatures of Charles B. Smith could not be identified or eliminated as the author of the questioned signatures on Exhibits A and B.

The above-mentioned opinions can be illustrated for court or a hearing.

I reserve the right to examine the original Exhibits A and B, if they become available, prior to any court testimony.

### **DISPOSITION OF EXHIBITS:**

Exhibits A through I are enclosed.

Copies of my curriculum vitae and fee schedule are also enclosed.

Please let me know if I can be of further help in this matter.

Sincerely yours,

Dúrward C. Matheny

DCM/s

Enclosures

this Lease to be executed in duplicate.	
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By: Charles SMITH	6/1///
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RUTH SMITH	
	DARY Questioned Signature
LESSEE: EASTERN ACRES, LLC.  Sy Jl  By Jl	on agricultual Jease dated 6/1/
THOMAS B. ORMOND, JR., PRESIDEN	J°T
SHEILA ORMOND, SECRETARY	

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THOMAS B. ORMOND, SR.

Account Agreement Date: 05/11/2007 Unstitution Name & Avidress Internal Use CAPITAL BANK /Accountenille/Br/Actoress EXHIBIT RUTH B WATERS CHARLES BOWEN SMITH PO EOX 18949 **FALEIGH NC 276 19-8949** 52,12 NC HWY 92 EAST BATH NC 27808 (Olymership) af Account The specified ownership will remain the same for all accounts. ☐ Individual IMPORTANT us to obtain asked severs identification outside sour Questioned Signatures 5/11/07 DAIN JOINT ACCOUNT WITH MONT OF SURTIVOUSHIP G.S. § 53-146.1
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2. By written direction to the bank you, individually or locally, may change the beneficiary or boundleadies; and.
3. Upon your death the money regulating in the account will belong to the beneficiary or bandleadies; and. Ifcino Phone Yebek Bican Mobile Richa E)3:01 Chsmith 5212 @ Yahoo com 14th Date 01/14/1922 Rersonel/Agency/Aggain Designation SSNITIN 579-22-1637 BAIN. PERSONAL AGENCY: ACCOUNT B.S. § 13-146.3
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You fit or understand that upon your death the nodey tensering in the account will be controlled by your well or inherited by your holes. Grir') Issuad Fricks ID (Typo, Number, Siste, Issua Date, Esp. Oale) 1114836 NG 01/09/2003 01/14/2008 Cihe (U (Doscription, Ustalla) You agree that personal extens, will continue it you unbroggerfully become incorporate of or a natural layer of the state Saplayor's Name å Addrass Signature(s) levirezente The undersigned subhorize the financial institution to investigate credit and employment history and obtain reports from consumer reporting agency(las) on them as individuals. Except as otherwise provided by law or other documents, each of the undersigned is subhorized to make withdrawals from the account(s), provided the required number of signatures indicated before its satisfied. The undersigned personally and as, or on beholf of, the account owner(s) agree to the terms of, and acknowledge receipt of copy(les) of, this document and the following: CHARLES BOWEN SMITH Activities to Account (Charact and/or Signer, etc.) OWNER/SIGNER Yaqiosa 5212 NC HWY 92 EAST BATH NC ☐ Terms-and Conditions ⊠ Privecy 27808 D Electronic Fund Transfers Truth in Sayings Maling Address Substitute Checks X Funda Availability ☐ Common Features Min. Montbly Feg. Activity - Smart Horno Phone 919-881-2127 Nort Avona Mobile Phone ÉXINI cbsmith5212@yehoo.com BILL DAG 06/12/1946 SSPATING 244-64-3669 CHARLES BOWEN SMITH Go/i letood Shole II (Type, Winder, State, Italia Oote, Esp. Octo) NC 1821554 · ISS: 06/08/2006 EXP:06/12/2011 ट्राध्य वि (Description, Details) moliner's Hann Address Number of signatures required for withdrawals. ONE.

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Dear Susan,
Enclosed is a check.
Drey, fr. and Carolyn
Baldwin, swould like
to attend Carters party.
Also John and Cindy and
Johns two brothers.
Thank you.
Leve, Ruth.



IN WITNESS WHEREOF, the parties hereto, on the date first above written, have caused this Lease to be executed in duplicate.

LESSOR:

By: Child Smith

CHARLES SMITH

By: Kuth B. Smith Waters 10-11-07

LESSEE:

ORMOND FARMS

By: Homas Ormond

10-11-07

THOMAS ORMOND

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WARREN B. SMITH

PAY TO THE ORDER OF MANUAL Savel \$404.00

FOR MACHOVIA
Wachovia Bank & Trust Company, NA.
Washington, NO 27889

FOR MACHOVIA B 223 75867511 0135 120000004040011

RUTH B. SMITH
WARREN B. SMITH

003 0822 08 09-15-8+ 5 508220978 66-121
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FOR

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Checks - authentic handwriting

Last Will & Testament of Pat & Bal Avine Waters I, Puth B. Water, resident of Wake County lecing of sound mind, do hereby misting and decolore This to be my Rest Will and Tastament, hereby hero Ring all ather wills and codicils heretofore make dyme-I hereby appoint my consin, Belly Lon Durgamys and my son, Charles B. Smith to serve is executors of my extented, and to receive reasonable almpensation for Their series: I brist that my juste deb-to my funeral Dispurses including the costs of a princip in the autable morning at only grancis in the Cost of administration of my estate be paid out of the assets of my estate, as some as practical often my death. I direct that after all selets and toxico are paid, the remainder of the estate will De Limided greatly between my some Charles D. Smith and my grandloughter, Cortin J. Innite Rith B. Minter Kuth B. Waters October 8, 2010.

STATE OF NORTH CAROLINA	EXHIBIT File No.	10.7
Beaufort County	In The General C Superior Cor	urt Division
IN THE MATTER OF THE ESTATE OF:  Name Of Decedent/Minorincompetent/Trust	Before TI	ie Clerk
Rush B. Waters	OATH/AFFIRMATION	V
1 the confined and	N.C. Constitution, Art. VI., Sec. 7; G.S.11	1-7, 11-11; 28A-7-1
I, the undersigned, do solemnly swear affi of the United States, and the Constitution and laws of No and bear true allegiance to the State of North Carolina, a may be established for the government thereof; and that Constitution of said State, not inconsistent with the Cons ability; and that I will faithfully discharge the duties of my so help me, God. and this is my solemn affirma	I I will endeavor to support, maintain and defend fillulion of the United States, to the best of my kn	ill be faithful which are or
(check office below)  OATH OF ADMINISTRATOR	•	
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OATH OF EXECUTOR		
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File No.	
In The Gene	ral Court Of Justice

IN THE MATTER OF THE ESTATE OF:  Jame Of Decodont  Ruth B. Waters			
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ale Of Death	ESTATE TAY OF DIFFE A TION		
	ESTATE TAX CERTIFICATION		
12/24/2011 ecedent's Social Security Number (Last Four Digits)	(FOR DECEDENTS DYING ON OR AFTER 1/1/99)		
579-22-1637	G.S, 28A-21-2; -25-3;105-32.		
NOTE: Use this form for decedents dying on or after 1/1/99. For dece	edent's dying before 1/1/99, use AOC-E-207.		
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1. a. The gross value of the estate prior to the da			
\$650,000 (If decedent died on or after 1/1/1999)			
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区 b. The decedent died on or after 1/1/2010, and	d there is no state or federal estate tax due or payable.		
2. I am the surviving spouse and sole heir of the deci	edent.		
WORN/AFFIRMED AND SUBSCRIBED TO BEFORE M	IE SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME		
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NOTE TO PERSONAL REPRESENTATIVE/FIDUCIARY/SPOUSE AND CLERK:

No final accounting of an estate may be approved unless the personal representative files with the Clerk of Superior Court an Estate Tax Certification, AOC-E-212, or a certificate issued by the Secretary of Revenue stating the estate tax itability has been satisfied. G.S. 105-32,3(c).

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