

Mr. Francis denied accusations of depleting any marital property. Instead, Mr. Francis contends that he withdrew [*13] money from his retirement account to pay off expenses, including mortgage payments, other property expenses and travel expenses back and forth to Washington D.C. where he visits with the parties' older daughter and cultivates business for his company, ACSB Capital Management LLC.¹⁴

¹⁴ The parties' older daughter, Saryn J. Francis, born on January 27, 1993, is an undergraduate student at Howard University located in Washington, D.C.

The Court also heard sworn expert testimony from **Erika Kellerhals, Esq.**, (hereafter Kellerhals) on behalf of Dr. Wright-Francis. Kellerhals testified that she analyzed Mr. Francis' financial records. She advised the Court that she submitted her findings in two (2) reports: the first one analyzed Mr. Francis' bank accounts, investments, credit cards and retirement account and the second report assessed the financial reports Mr. Francis submitted to the Court as exhibits for trial.¹⁵ Kellerhals testified that the records she received from Mr. Francis were incomplete and that it appears that Mr. Francis was commingling funds since she was not able to distinguish between his personal and business expenditures. Kellerhals also refuted Mr. Francis' claim that he has been [*14] cultivating business in Washington, D.C. since his records do not show evidence that he has any clients outside the territory of the U.S. Virgin Islands. With respect to the money owed to Balbo, Kellerhals testified that financial records show that Mr. Francis has paid Balbo about Fifteen Thousand Dollars (\$15,000.00) and Dr. Wright-Francis has paid approximately Thirty Thousand Dollars (\$30,000.00).

¹⁵ Kellerhals' Curriculum Vitae reflects her education and expertise in legal tax related assessments and financial analyses.

Kellerhals claim that although in deposition Mr. Francis submitted incomplete bank account information to 2011-2012,¹⁶ she found that Mr. Francis spent approximately One Hundred Seventeen Thousand Five [**23] Dollars and One Cent (\$117,005.01).¹⁷ For the year 2012, Mr. Francis submitted his 1040 tax form, and again, Kellerhals found that Mr. Francis spent about One Hundred Seventy Nine Thousand Twenty One Dollars (\$179,021.00).¹⁸

¹⁶ Mr. Francis submitted Fidelity IRA and 401K statements for December 2011-February 2012, April 2012-May 2012; Charles Schwab IRA statements for November 2012-December 2012; an AmEx credit card spending report for the year of 2011; and Marriott Credit Card [*15] statements for December 24, 2011-December 23, 2012. Mr. Francis also submitted Texas Credit Union statements for December 2012-January 2013 and Banco Popular statements for March-May 2013, which are outside the scope of investigation.

¹⁷ See, Respondent's Exhibit 3A

¹⁸ See, Respondent's Exhibit 3A.

Kellerhals concluded that Mr. Francis' spending habits increased drastically since the parties divorced on July 25, 2012, in violation of the Court's December 22, 2011 Order.

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