

IN THE CHANCERY COURT OF PERRY COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF STEPHEN
RAY "FUZZY" WEATHERFORD, DECEASED

CAUSE NO. 2022-pr-0021-SM

SHOW CAUSE ORDER

This estate was opened over three years ago to probate the intestate estate of Stephen "Fuzzy" Weatherford subsequent to his death resulting from a motor vehicle accident. The Court became concerned about the estate after the initial *Motion for Petition to Authorize Compromise and Settlement of Claim, Payment of Final Expenses, and Distribution of Estate Assets* [MEC #38] filed June 4, 2024 revealed creditor liens against the wrongful death proceeds with no clear explanation nor court approval to pledge the funds as collateral. The Petition was not signed by the Administrator, Sylvia Weatherford, as required by 6.14 of the Uniform Chancery Court Rules.

Thereafter, an *Amended Petition to Authorize Compromise and Settlement of Claim, Payment of Final Expenses and Distribution of Estate Assets* [MEC #39] was filed on July 16, 2024 - also not signed by the Administrator and sole wrongful death beneficiary. A *Second Amended Petition to Authorize Compromise and Settlement of Claim, Payment of Final Expenses and Distribution of Estate Assets* [MEC #40] was filed on August 14, 2024 followed by a *Joinder* [MEC #41] signed by Sylvia Weatherford.

A *Third Amended Petition to Authorize Compromise and Settlement of Claim, Payment of Final Expenses and Distribution of Estate Assets* [MEC #40] was filed on August 26, 2024 which was signed by Sylvia Weatherford. A court appearance was set on September 12, 2024 in Marion County and the matter was not finalized. In November of 2024, Counsel for Shelter Insurance reached out to Mr. Cory Ferraez, the attorney for the Estate, and to the Court about

scheduling a conference on the approval of the wrongful death settlement. After much effort, Mr. Ferraez was unavailable and the Court conferenced with Attorney Kelly McLeod who shared that the wrongful death proceeds in the amount of \$450,000 were tendered to Mr. Ferraez to hold in his trust account pending the signing of a release, court approval and the closing of the estate. Based on that conversation, the Court signed a *Decree Authorizing Settlement of Wrongful Death Claim* [MEC #43] which approved the settlement amount but reserved other issues, including attorney fees and payment of the three purported liens.

The matter was set again on December 10, 2024 in Forrest County. The day before the December 10, 2024 hearing, Mr. Ferraez confirmed with the Court's staff attorney on December 9, 2024 that the liens had been resolved and that he would submit a proposed order. Yet, no order was ever presented to the Court.

The Court's staff attorney again requested an update from Mr. Ferraez on December 19, 2024 with no response. Then on March 19, 2025, the Court demanded a status conference within two weeks and the court administrator provided dates to Mr. Ferraez. Again - no response, so the Court set the status conference for April 16, 2025 in Forrest County. Mr. Ferraez's staff then reached out indicating that he was "stuck in North Mississippi for an unrelated matter" but could appear by Zoom. A Zoom link was created and provided but Mr. Ferraez indicated by email at the scheduled time that Zoom was not working because of spotty cellular service. Mr. Ferraez's staff indicated that he was available April 30, 2025 so the status conference was rescheduled to that date. Yet again, on April 30, 2025, Mr. Ferraez did not appear.

For these reasons, the Court issues this show cause order and demands the following:

[1] Mr. Ferraez must personally appear on June 16, 2025 at 9:00 a.m. in Hattiesburg, Forrest County, at the Chancery Building and show cause why he should not be sanctioned for

the failure to appear on the above scheduled court dates.

[2] Mr. Ferraez must provide documentation showing the wrongful death proceeds of \$450,000 are being held in his IOLTA trust account pending disbursement.

[3] Mr. Ferraez must provide documentation reflecting the validity of any lien amount against the wrongful death proceeds, including who applied for the lien amounts, any documentation submitted to the lenders.

[4] Mr. Ferraez must provide documentation of the Deed of Conveyance directed in *Order Approving Transfer of Real Property* [MEC #37] transferring the real property located at 829 Buck Creek Road, Richton, MS 39476 to Sylvia Weatherford.

[4] Sylvia Weatherford, as the Administrator and sole wrongful death beneficiary, is required to attend the hearing. The Perry County Chancery Clerk is directed to notify her by U.S. Mail at 829 Buck Creek Road, Richton, MS 39476, by email, and by phone of the court proceeding and her mandatory appearance.

[5] Should the evidence presented at the hearing render a finding of misconduct or other misappropriation of funds by Attorney Cory Ferraez, then an immediate reporting of the actions will result in compliance with Rules 1(c) of the Mississippi Rules of Discipline and Rules 1.15 and 8.4 of the Mississippi Rules of Professional Conduct.

SO ORDERED AND ADJUDGED, this the 23rd day of May, 2025.

Sheila H. Smallwood

CHANCELLOR
SHEILA H. SMALLWOOD