

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In re Estate of WILLIAM BRADFORD  
EDWARDS, Deceased.

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JOHN A. MUNDELL,  
  
Petitioner-Appellant,

UNPUBLISHED  
June 28, 2005

V

PAUL E. DUFAULT, NANCY ORT, and  
MICHIGAN STATE UNIVERSITY,

Respondents-Appellees.

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No. 251443  
Oakland Probate Court  
LC No. 98-264390-CV

Before: Bandstra, P.J., and Fitzgerald and Meter, JJ.

MEMORANDUM.

Petitioner appeals as of right from the probate court's order disallowing the payment of certain fees from the estate of the decedent to petitioner and a business apparently operated by his wife. We affirm. This case is being decided without oral argument under MCR 7.214(E).

Petitioner has not cited a single court decision, statute, court rule, or other legal authority in support of his arguments. For this reason alone, petitioner is not entitled to relief from this Court. *Conlin v Scio Twp*, 262 Mich App 379, 384; 686 NW2d 16 (2004).

Moreover, a fiduciary or trustee is entitled to a just and reasonable fee. *Comerica Bank v City of Adrian*, 179 Mich App 712, 723; 446 NW2d 553 (1989). The determination of reasonable compensation is in the probate court's discretion. *Id.* at 724. Petitioner has not established an abuse of discretion with regard to the disallowance of the fees at issue.

With regard to the disallowance of fees for his services, petitioner faults the probate court for "reducing" his fees from the \$100-an-hour fee allowed at an earlier point to only \$75 an hour for the periods at issue. However, from petitioner's own description of the tasks he performed for the decedent during the relevant time, it is apparent that these tasks, which consisted primarily of taking decedent places and running errands for him, did not require professional level skills. Accordingly, even the \$75-an-hour fee seems quite generous. We simply see no plausible basis for concluding that the probate court abused its discretion in failing to award petitioner \$100 an hour for performing these quite mundane tasks.

Petitioner also challenges the probate court's decision to reduce the fees for his wife's business by fifty percent on the ground that the court failed to account for the fact that fees received by the business were "used to pay the accounts of painters, construction workers, carpet layers and electricians, together with their materials and supplies." However, the mere fact that petitioner's wife presumably made payments to others in connection with services rendered to the decedent has no direct relationship to whether the fees she charged the decedent were reasonable for the services that she provided to him. It is common that a business providing services would in turn have to buy materials and supplies and pay for labor to perform the services it is rendering to its customers; thus, there is no reason to provide special consideration to petitioner's wife in this regard. Petitioner has simply not set forth a basis for finding an abuse of discretion.

Affirmed.

/s/ Richard A. Bandstra  
/s/ E. Thomas Fitzgerald  
/s/ Patrick M. Meter