

1 **NOAS**

2 Katie Anderson, Esq.

3 Nevada Bar No. 15153C

4 kanderson@lacsnsn.org

5 **LEGAL AID CENTER OF**

6 **SOUTHERN NEVADA, INC.**

7 725 E. Charleston Blvd

8 Las Vegas, NV 89104

9 Telephone: (702) 386-1537

10 Facsimile: (702) 386-1537

11 *Attorney for Christine B. Johnson, aka Christine B. Weiderman, Adult Protected Person*

Electronically Filed
Dec 14 2021 02:56 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

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**EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

In the Matter of the Guardianship of the Person
and Estate of:

CHRISTINE B. JOHNSON aka
CHRISTINE B. WEIDERMAN,

Adult Protected Person.

**Case No.: G-21-055340-A
Dept. No.: B**

NOTICE OF APPEAL

Notice is hereby given that Christine B. Johnson, the Adult Protected Person above named, hereby appeals to the Supreme Court of Nevada for review of the Amended Order Establishing Guardianship of the Person and Estate and for Issuance of Letters of General Guardianship (Summary Administration), entered by this Court in this action on the 10th day of November, 2021.

DATED this 7th day of December, 2021.

**LEGAL AID CENTER OF
SOUTHERN NEVADA, INC.**

/s/ Katie Anderson, Esq.

Katie Anderson, Esq.

Nevada Bar No. 15153C

kanderson@lacsnsn.org

725 E. Charleston Blvd

Las Vegas, NV 89104

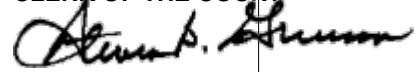
*Attorney for Christine B. Johnson, aka Christine
Weiderman, Adult Protected Person*

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None.

| | |
|-------------------|-------------------------|
| Kim Boyer | kimboyer@elderlawnv.com |
| Matthew D Carling | cedarlegal@gmail.com |
| Kate McCloskey | NVGCO@nvcourts.nv.gov |

Page 2 of 2



1 **ASTA**

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11 *Attorney for Christine B. Johnson, aka Christine B. Weiderman, Adult Protected Person*

12 **EIGHTH JUDICIAL DISTRICT COURT**

13 **FAMILY DIVISION**

14 **CLARK COUNTY, NEVADA**

15 In the Matter of the Guardianship of the Person
16 and Estate of:

17 CHRISTINE B. JOHNSON
18 aka CHRISTINE B. WEIDERMAN,

19 Adult Protected Person.

20 **Case No.: G-21-055340-A**
21 **Dept. No.: B**

22 **CASE APPEAL STATEMENT**

23 1. The appellant filing this case appeal statement is Christine B. Johnson aka
24 Christine B. Weiderman.

25 2. The judge issuing the order appealed from is the Honorable Linda Marquis,
26 District Court Judge for the Eighth Judicial District Court.

27 3. The only appellant is Christine B. Johnson aka Christine B. Weiderman, and
28 her counsel is Katie Anderson, Esq. from the Legal Aid Center of Southern Nevada, Inc.,
located at 725 East Charleston Blvd., Las Vegas, NV 89104.

1 The respondents in this case are Karen Kelly, Clark County Public Guardian,
2 and her counsel is Matthew Carling, Esq., from Carling Law Office, PC, located at 703 South
3 8th Street, Las Vegas, NV 89101; and Mountain View Care Center, and their counsel is Kim

1 Boyer, Esq., from Boyer Law Group, located at 10785 W. Twain Avenue, Suite 210, Las
2 Vegas, NV 89135.

3 5. All attorneys referenced above are licensed to practice in the state of Nevada.

4 6. Appellant was represented by her court-appointed counsel, Katie Anderson,
5 Esq., in the district court.

6 7. Appellant is represented by her court-appointed counsel, Katie Anderson, Esq.,
7 on appeal.

8 8. Appellant was granted leave to proceed in forma pauperis. The Statement of
9 Legal Aid Representation and Fee Waiver was filed on August 30, 2021.

10 9. The proceedings in this case commenced on August 23, 2021, when the Petition
11 for Appointment of Clark County Public Guardian as a General Guardian of the Person and
12 Estate and for Issuance of Letters of Guardianship was filed.

13 10. Respondent, Mountain View Care Center, requested that the Clark County
14 Public Guardian be appointed as the guardian of the person and estate of Appellant. Appellant
15 objected to the appointment of a guardian over her, but the district court nonetheless appointed
16 a guardian over Appellant's objection and without giving Appellant the opportunity to present
17 favorable evidence or confront adverse witnesses at an evidentiary hearing.

18 11. This case has not been the subject of a prior appeal or original writ proceeding
19 in the Supreme Court.

20 12. This appeal does not involve child custody or visitation.

21 13. There is no possibility of settlement in this case because Appellant is opposed
22 to any guardianship over her person and estate, and she is not willing to settle the appeal for
23 anything less than termination of the guardianship, which the Clark County Public Guardian

24 //

25 //

26 //

27 //

1 and Mountain View Care Center cannot agree to because the Clark County Public Guardian
2 serves at the order of the district court.

3 DATED this 8th day of December, 2021.
4

5 **LEGAL AID CENTER OF**
6 **SOUTHERN NEVADA, INC.**

7 */s/ Katie Anderson, Esq.* _____

8 Katie Anderson, Esq.

9 Nevada Bar No. 15153C

10 kanderson@lacsnc.org

11 725 E. Charleston Blvd

12 Las Vegas, NV 89104

13 Telephone: (702) 386-1537

14 Facsimile: (702) 386-1537

15 *Attorney for Christine B. Johnson, aka*

16 *Christine Weideman, Adult Protected Person*
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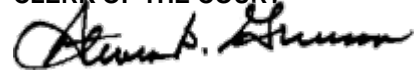
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SOLA

Katie Anderson, Esq.

Nevada Bar No. 15153C

**LEGAL AID CENTER OF
SOUTHERN NEVADA, INC.**

725 E. Charleston Blvd

Las Vegas, NV 89104

Telephone: (702) 386-1537

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kanderson@lacs.org

Attorney for Christine B. Johnson, Adult Protected Person

**EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

In the Matter of the Guardianship of the Person and
Estate of:

CHRISTINE B. JOHNSON,

Adult Protected Person.

Case No. G-21-055340-A

Dept No. B

**STATEMENT OF LEGAL AID
REPRESENTATION AND FEE WAIVER**

Party Filing Statement: [] Plaintiff/ Petitioner [X] Defendant/ Respondent

STATEMENT

CHRISTINE B. JOHNSON, has qualified and been accepted for placement as Pro Bono clients or as direct client of LEGAL AID CENTER OF SOUTHERN NEVADA, INC., a nonprofit organization providing free legal assistance to indigents, and is entitled to pursue or defend this action without costs, including filing fees and fees for service of writ, process, pleading or paper without charge, as set forth in NRS 12.015.

Dated: August 30, 2021

KATIE ANDERSON, ESQ.

Printed Name of Legal Aid Center of S.N., Preparer

Nevada Bar No.: 15153C

/s/ Katie Anderson, Esq.

Signature of Legal Aid Center of S.N. Preparer

Submitted by:

**LEGAL AID CENTER OF
SOUTHERN NEVADA, INC.**

725 East Charleston Blvd.

Las Vegas, Nevada 89101

Phone: (702) 386-1070






CASE SUMMARY**CASE NO. G-21-055340-A****In the Matter of the Guardianship of:
Christine Johnson, Protected Person(s)**§
§
§
§Location: **Department B**
Judicial Officer: **Marquis, Linda**
Filed on: **08/23/2021****CASE INFORMATION****Statistical Closures**

11/05/2021 Settled/Withdrawn With Judicial Conference or Hearing

Case Type: **Guardianship of Adult
General - Person & Estate -
Summary**Case Status: **11/05/2021 Adjudicated**Case Flags: **Proper Person Mail Returned
Appealed to Supreme Court****DATE****CASE ASSIGNMENT****Current Case Assignment**Case Number G-21-055340-A
Court Department B
Date Assigned 08/23/2021
Judicial Officer Marquis, Linda**PARTY INFORMATION**


















| | | <i>Attorneys</i> |
|--|---|--|
| Petitioner | Boyer, Esq., Kim 10785 W. Twain Avenue, Suite 210 Las Vegas, NV 89135 | Boyer, Kim <i>Retained</i> 702-255-2000(W) |
| Protected Person | Johnson, Christine B. c/o Facility licensed in the State of Nevada Address Confidential N/A, NV 89135 | Anderson, Katie <i>Retained</i> 702-386-1537(W) |
| Guardian of Person and Estate | Kelly, Karen 515 Shadow LN Las Vegas, NV 89106 | Carling, Matthew D. <i>Retained</i> 702-419-7330(W) |

DATE**EVENTS & ORDERS OF THE COURT****EVENTS**

| | |
|------------|---|
| 08/23/2021 |  Petition for Appointment of General Guardian [1] <i>Petition for Appointment of Clark County Public Guardian as a General Guardian of the Person and Estate and for Issuance of Letters of Guardianship</i> |
| 08/23/2021 |  Physicians Certificate Filed by: Petitioner Boyer, Esq., Kim [2] <i>Physician's Certificate with Needs Assessment</i> |
| 08/23/2021 |  Confidential Information Sheet - Guardianship Filed by: Petitioner Boyer, Esq., Kim [3] <i>Confidential Information Pursuant to NRS 159.044</i> |
| 08/23/2021 |  Citation Filed By: Petitioner Boyer, Esq., Kim [4] <i>Citation</i> |
| 08/24/2021 |  Certificate of Mailing |

CASE SUMMARY

CASE NO. G-21-055340-A

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| | Filed By: Petitioner Boyer, Esq., Kim [5] Certificate of Service and Mailing |
| 08/24/2021 |  Notice of Guardianship Nomination Registry Review [6] Notice of Guardianship Nomination Registry Review |
| 08/24/2021 |  Receipt Filed by: Petitioner Boyer, Esq., Kim [7] Receipt of Legal Documents by the Clark County Public Guardian's Office |
| 08/30/2021 |  Statement of Legal Aid Representation and Fee Waiver Filed By: Protected Person Johnson, Christine B. [8] Statement of Legal Aid Representation and Fee Waiver |
| 08/30/2021 |  Order Appointing Counsel [9] Order Appointing Counsel |
| 08/30/2021 |  Notice of Entry of Order Filed By: Protected Person Johnson, Christine B. [10] Notice of Entry of Order re OAC |
| 09/02/2021 |  Proof of Service Filed By: Petitioner Boyer, Esq., Kim [11] Proof of Service |
| 09/17/2021 |  Opposition Filed By: Protected Person Johnson, Christine B. [12] Opposition to Petition for Appointment of Guardian Over Adult |
| 09/17/2021 |  Exhibits Filed By: Petitioner Boyer, Esq., Kim [14] Exhibits |
| 09/23/2021 |  Response Filed By: Petitioner Boyer, Esq., Kim [15] Response to Objection to Petition for Appointment of Clark County Public Guardian as General Guardian of the Person and Estate and for Issuance of Letters of Guardianship |
| 09/27/2021 |  Order to Appoint State Investigator [17] Order Appointing Investigator |
| 10/21/2021 |  Order to Appoint State Investigator [18] oai |
| 10/22/2021 |  Notice of Entry [19] neo |
| 11/02/2021 |  Report and Recommendations Filed by: Protected Person Johnson, Christine B. [20] Report and Recommendations |
| 11/05/2021 |  Notice of Entry of Order [22] Notice of Entry of Order |
| 11/10/2021 |  Order Appointing General Guardian - Person & Estate -Summary [25] goags |
| 11/10/2021 |  Letters of Administration Electronically Issued/Filed Party: Guardian of Person and Estate Kelly, Karen [26] Letters of Guardianship**NOT ISSUED** Date of filed Order and date of order annotated on Letters do not match |
| 11/16/2021 |  Letters of Administration Electronically Issued/Filed Party: Guardian of Person and Estate Kelly, Karen [27] Letters of Guardianship |

CASE SUMMARY

CASE NO. G-21-055340-A

11/22/2021



Notice of Entry of Order

Filed By: Guardian of Person and Estate Kelly, Karen
[28] Notice of Entry of Order

12/07/2021



Notice of Appeal

Filed By: Protected Person Johnson, Christine B.
[29] Notice of Appeal

HEARINGS

09/23/2021

Citation (11:30 AM) (Judicial Officer: Marquis, Linda)

Citation

Matter Continued; See 09/23/2021 All Pending Motions

09/23/2021

Opposition (11:30 AM) (Judicial Officer: Marquis, Linda)

Opposition to Petition for Appointment of Guardian Over Adult

Matter Continued; See 09/23/2021 All Pending Motions

09/23/2021



All Pending Motions (11:30 AM) (Judicial Officer: Marquis, Linda)

Citation... Opposition to Petition for Appointment of Guardian over Adult.

Matter Heard;

Journal Entry Details:

CITATION... OPPOSITION TO PETITION FOR APPOINTMENT OF GUARDIAN OVER ADULT COURT CLERKS: Tanya Stengel and Leo Varona (LV) The matter was heard via VIDEO CONFERENCE through the BlueJeans application. Attorney Sunny Valencia, Bar #8913, present for Attorney Kim Boyer. Attorney Matthew Carling, Bar #7302, present for the Clark County Public Guardian. Karen Kelly, Clark County Public Guardian, present. Legal Aid Center Observer present. Court NOTED this matter was on for the Petition for Appointment of Guardianship over Christine Johnson and the Opposition thereto. Attorney Anderson stated a Response to Objection was filed earlier this morning which contains information that she would like to discuss with the Proposed Protected Person. Attorney Anderson requested additional time to reply to the Petitioner's Response. Upon the Court's inquiry, Attorney Valencia stated they did not have the pleadings from the North Dakota case. Attorney Valencia referenced the North Dakota Temporary Order for Emergency Guardian, attached to her Response. Attorney Valencia stated the temporary guardianship was for a period of 60 to 90 days. Court referenced the Order attached to Petitioner's Response was from the District Court of Williams County, North Dakota, which indicated a civil case number of 53-2021-PR-00052. There being no objections, Court ORDERED the following: State Guardianship Compliance Officer shall be APPOINTED to investigate the case. The investigator shall obtain APS records and Court filings relevant to the Proposed Protected Person in North Dakota and Clark County. Court to execute and process the order for filing. The Citation and the Opposition to Petition for Appointment of Guardian shall be CONTINUED to 10/21/2021 at 2:30 p.m.;

10/15/2021



Minute Order (1:15 PM) (Judicial Officer: Marquis, Linda)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES RE: G-21-055340-A NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing. The Court notes that line item [16] Order Establishing Guardianship of the Person and Estate and For Issuance of Letters of General Guardianship (Summary Administration), filed September 27, 2021, was issued in error. Accordingly, the Order Establishing Guardianship of the Person and Estate and For Issuance of Letters of General Guardianship (Summary Administration), filed September 27, 2021, SHALL be stricken. The Hearing set for October 21, 2021, at 2:30 p.m. stands. A copy of this minute order shall be provided to all Parties. CLERK NOTE: A copy of this Minute Order was e-mailed to parties at the e-mail address on record with the Court; if no e-mail address was available, the minute order was mailed to the physical address of record 10/15/21. (kc) ;

10/21/2021

Citation to Appear (2:30 PM) (Judicial Officer: Marquis, Linda)

Citation

Matter Continued; SEE ALL PENDING 10/21/21

10/21/2021

Opposition (2:30 PM) (Judicial Officer: Marquis, Linda)

Opposition to Petition for Appointment of Guardian over Adult

Matter Continued; SEE ALL PENDING 10/21/21

10/21/2021

Hearing (2:30 PM) (Judicial Officer: Marquis, Linda)

Response to Objection to Petition for Appointment of Clark County Public Guardian as a General Guardian of the Person and Estate and for Issuance of Letters of Guardianship

Matter Continued; SEE ALL PENDING 10/21/21

CASE SUMMARY

CASE NO. G-21-055340-A

10/21/2021



All Pending Motions (2:30 PM) (Judicial Officer: Marquis, Linda)

Matter Heard;

Journal Entry Details:

CITATION TO APPEAR... OPPOSITION TO PETITION FOR APPOINTMENT OF GUARDIAN OVER ADULT... RESPONSE TO OBJECTION TO PETITION FOR APPOINTMENT OF CLARK COUNTY PUBLIC GUARDIAN AS A GENERAL GUARDIAN OF THE PERSON AND ESTATE AND FOR ISSUANCE OF LETTERS OF GUARDIANSHIP In accordance with Administrative Order 21-04, out of an abundance of caution, in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans. Court Clerks: Karen Christensen, Tanya Stengel (ts) Sunny Valencia, Nevada Bar #8913, appeared for Kim Boyer on behalf of Mountain View Care Center. Frank Bellinger, Administrator at Mountain View Care Center, appeared. The Court reviewed the case history and pleadings on file. Court noted an Investigator was appointed but the report has not been filed yet. Court noted concerns about the allegations in the Petition regarding an existing Adult Protective Services (APS) investigation where the persons of interest are family members, specifically her children. Attorney Anderson requested the Petition be denied due to a number of procedural reasons including jurisdiction. Attorney Anderson stated she had additional substantive objections. Court noted the North Dakota Court has recently acted and issued an emergency temporary guardianship; however, what happened after that is unknown and it is unclear, procedurally, where this Court stands. Court stated hesitancy of making any Orders without the additional information from North Dakota. Attorney Valencia stated they would feel comfortable proceeding because they spoke with the daughter who was appointed as the emergency Guardian in North Dakota; however they don't have anything substantive saying what happened. Mr. Bellinger stated Proposed Protected Person is in need of a Guardian but was unsure if the daughter's North Dakota guardianship was good in Nevada. Court stated the only thing the Court is aware of is that a ten (10) day temporary guardianship was granted in North Dakota but is now expired. Attorney Anderson stated Proposed Protected Person's fiancé had been attempting to visit her and was able to see her through a window at one point but has now been prohibited from seeing her at all. Attorney Anderson requested Proposed Protected Person be allowed to see her fiancé. Attorney Anderson made further statements regarding Proposed Protected Person's fiancé being denied access to their joint account and requested the Court Order that property be released to him. Court stated concerns about making any Orders without determining jurisdiction first. Court stated further concerns about making Orders telling a facility what to do and how they have to do it, especially during COVID. Court and Counsel engaged in discussion. Court stated it would ask the Guardianship Compliance office to contact North Dakota APS and North Dakota Court to obtain a copy of the court file and/or any additional information. COURT ORDERED, the following: Matter shall be CONTINUED to 11/4/21 at 10:30 am;

11/04/2021



Citation to Appear (10:30 AM) (Judicial Officer: Marquis, Linda)

Citation.. (Petition for Appointment of Clark County Public Guardian as a General Guardian of the Person and Estate) Opposition... Response (continued from 10/21/21 for Investigator's Report)

Approved and Granted;

Journal Entry Details:

CITATION TO APPEAR REGARDING PETITION FOR APPOINTMENT OF CLARK COUNTY PUBLIC GUARDIAN AS A GENERAL GUARDIAN OF THE PERSON AND ESTATE... OPPOSITION TO PETITION FOR APPOINTMENT OF GUARDIAN OVER ADULT.. RESPONSE TO OBJECTION TO PETITION FOR APPOINTMENT OF CLARK COUNTY PUBLIC GUARDIAN AS A GENERAL GUARDIAN OF THE PERSON AND ESTATE AND FOR ISSUANCE OF LETTERS OF GUARDIANSHIP In accordance with Administrative Order 21-04, out of an abundance of caution, in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans. Court Clerks: Karen Christensen, Tanya Stengel (ts) Sunny Valencia, Nevada Bar #8913, appeared for Kim Boyer on behalf of Mountain View Care Center. Representative from Mountain View Care Center, Candyce Funderburk, appeared. Representative from Clark County Public Guardian's Office, Terrill Judie, appeared. Donna Kingman-Silva, State Guardianship Compliance Officer. The Court reviewed the case history and pleadings on file. Attorney Anderson stated Proposed Protected Person is opposed to the guardianship. Attorney Anderson stated her objection to the Investigator's Report being admitted for any purpose other than to inform the Court if there is jurisdiction and if there are any other open investigations; however, the substantive matters contain hearsay, double hearsay, and even triple hearsay and those witnesses would likely not be available for cross-examination. Attorney Anderson stated medical records indicate Proposed Protected Person has the capacity to make her own decisions and the only reason capacity has been questioned is because her decision to be in a relationship with Mr. Anchondo is being questioned. Attorney Anderson stated Proposed Protected Person is dying and should be able to spend the last few months/years of her life how she wants even if everyone else doesn't agree. Attorney Anderson stated Proposed Protected Person should be allowed to be able to spend the last part of her life with the people she loves but she is not being allowed to see or even talk to Mr. Anchondo. Attorney Anderson requested the Court set an Evidentiary Hearing if it is not inclined to deny the Petition. Attorney Valencia stated the facility has blocked Mr. Anchondo based on the facilities' rules, which may be addressed again; however, it appears the Mr. Anchondo has a history of misbehaving in medical situations. Court and Counsel engaged in discussion. COURT stated FINDINGS and ORDERED, the following: Petition for Appointment of Clark County Public Guardian as a General Guardian of the Person and Estate shall be APPROVED and GRANTED. Attorney Carling shall prepare and submit an Order Appointing and a separate Order with Findings of Facts and Conclusion of Law. CASE ADJUDICATED.;

CASE SUMMARY

CASE NO. G-21-055340-A

11/09/2021



Minute Order (3:15 PM) (Judicial Officer: Marquis, Linda)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES RE: G-21-055340-A NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing. The Court notes that an Order Appointing Guardian was filed on November 5, 2021. The Court further notes that the Order Appointing Guardian was filed without the Judge's signature. Lastly, the Court notes that Letters of Guardianship were filed on November 8, 2021 and were not issued due to the unsigned Order Appointing Guardian. Accordingly, the Order Appointing Guardian filed on November 5, 2021 and the unissued Letters of Guardianship filed on November 8, 2021 SHALL be stricken and an Order Appointing Guardian signed by the Judge shall issue. A copy of this minute order shall be provided to all Parties. CLERK NOTE: A copy of this Minute Order was e-mailed to parties at the e-mail address on record with the Court; if no e-mail address was available, the minute order was mailed to the physical address of record 11/9/21. (kc) ;

11/09/2021

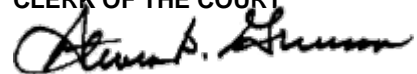


Minute Order (3:15 PM) (Judicial Officer: Marquis, Linda)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES RE: G-21-055340-A NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing. The Court notes that an Order Appointing Guardian was filed on November 9, 2021. The Court further notes that the Order Appointing Guardian was filed with the incorrect date the Guardianship was granted on the caption. Accordingly, the Order Appointing Guardian filed on November 9, 2021, SHALL be stricken and an Order Appointing Guardian with the correct hearing date shall be issued. A copy of this minute order shall be provided to all Parties. CLERK NOTE: A copy of this Minute Order was e-mailed to parties at the e-mail address on record with the Court; if no e-mail address was available, the minute order was mailed to the physical address of record 11/9/21. (kc) ;



1 **GOAGS**
2 **CARLING LAW OFFICE, PC**
3 **MATTHEW D. CARLING, ESQ.**
4 Nevada Bar No.: 007302
5 703 S. 8th Street
6 Las Vegas, NV 89101
7 (702) 419-7330 (Office)
8 (702) 446-8065 (Fax)
9 CedarLegal@gmail.com
10 *Attorney for Karen Kelly,*
11 **CLARK COUNTY PUBLIC GUARDIAN**

12
13 **DISTRICT COURT**
14 **FAMILY DIVISION**
15 **CLARK COUNTY, NEVADA**

16 * * * * *

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19 In the Matter of the Guardianship of: Case No.: G-21-055340-A
20 CHRISTINE JOHNSON aka CHRISTINE Dept. No.: B
21 WEIDERMAN, an Adult Protected Person. DATE: 11/04/21 @ 10:30am

22 **AMENDED**

23 **ORDER ESTABLISHING GUARDIANSHIP OF THE PERSON AND ESTATE AND**
FOR ISSUANCE OF LETTERS OF GENERAL GUARDIANSHIP
(SUMMARY ADMINISTRATION)

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|---|--|
| <input type="checkbox"/> TEMPORARY GUARDIANSHIP | <input checked="" type="checkbox"/> GENERAL GUARDIANSHIP |
| <input type="checkbox"/> Person | <input type="checkbox"/> Person |
| <input type="checkbox"/> Estate | <input type="checkbox"/> Estate <input checked="" type="checkbox"/> Summary Admin. |
| <input type="checkbox"/> Person & Estate | <input checked="" type="checkbox"/> Person & Estate |
| <input type="checkbox"/> SPECIAL GUARDIANSHIP | <input checked="" type="checkbox"/> NOTICES/SAFEGUARDS |
| <input type="checkbox"/> Person | <input type="checkbox"/> Blocked Account Required |
| <input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin. | <input type="checkbox"/> Bond Required |
| <input type="checkbox"/> Person & Estate | <input checked="" type="checkbox"/> Public Guardian Bond |
| | <input type="checkbox"/> Adult Protected Person Passed Away |

24
25 The Court, having reviewed the Petition of Kim Boyer for the Appointment of Clark
26 County Public Guardian as General Guardian of the Person and Estate of CHRISTINE JOHNSON,
27 Protected Person, and for Summary Administration, the hearing upon which was set by the Clerk

1 of the above entitled Court and the Court having considered the Petition and examined the
2 evidence: (i) proper notice of the hearing was duly given as required by law; (ii) the facts alleged
3 in the Petition are true and correct; (iii) the Protected Person is a resident of Clark County, Nevada
4 and the Guardian is the Public Guardian in the county where the Protected Person resides, and (iv)
5 the Petition ought to be granted. Accordingly, it is hereby:

6 **ORDERED, ADJUDGED AND DECREED** that a Guardianship of the Person and Estate
7 of CHRISTINE JOHNSON, Protected Person, be established, and the Clerk of the Court is order
8 to issues Letters of Guardianship;

9 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that pursuant to NRS
10 152A.250 and 162A.800 any previous Powers of Attorney executed by the Adult Protected Person
11 or prior Guardianship instruments prepared on behalf of the Adult Protected Person are suspended
12 at this time. Additionally, all representative payees are hereby relieved so that the Clark County
13 Public Guardian may secure any pay sources for the Protected Person;

14 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Karen Kelly, Clark
15 County Public Guardian, have authority to notice parties within the second degree of consanguinity
16 by publication if addresses are not available;

17 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, to carry out the
18 function of Guardian of the Person and the Estate of CHRISTINE JOHNSON, Karen Kelly, Clark
19 County Public Guardian, is vested with all the powers set forth in NRS Chapters 159 and 253 as
20 required to carry out Guardianship duties;

21 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Karen Kelly, Clark
22 County Public Guardian ("CCPG"), is appointed to act as General Guardian of the Person and
23 Estate of CHRISTINE JOHNSON and that pursuant to NRS 253.160:

1 1. Upon taking office, a public guardian shall file with the county clerk a general bond in
2 an amount fixed by the board of county commissioners payable to the State of Nevada with sureties
3 approved by the board of county commissioners. The premium for the bond shall be paid from the
4 general funds of the county and be conditioned upon the public guardian's faithful performance of
5 his or her duties;

6 2. The general bond and oath of office of a public guardian are in lieu of the bonds and
7 oaths required of private guardians; and

8 3. The oath and bond of an elected or appointed public officer designated public guardian
9 or designated to execute the powers and duties of the public guardian pursuant to paragraph (b) or
10 (c) of subsection 2 of NRS 253.150 are in lieu of the bonds and oaths required of private guardians.
11 The court may require such a designee to execute a separate bond for any guardianship in the
12 manner prescribed in NRS 159.065;

13 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the CCPG is the
14 Protected Person's personal representative for purposes of the Health Insurance Portability and
15 Accountability Act of 1996, Public Law 104-191 and any applicable regulations. The CCPG is
16 authorized to obtain and is permitted to receive any and all medical records and information
17 concerning the past and present condition and historical treatment of the Protected Person,
18 including, but not limited to, medical charts, examination reports and notes, which are or may be
19 lodged with any persons, family members, government agencies, businesses, medical providers,
20 physicians, hospitals, care facilities, institutions and/or third parties;

21 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the CCPG be
22 authorized and directed to close and/or freeze as well as take possession of any and all assets of

1 the Protected Person, including, but not limited to, funds on deposit in accounts bearing the
2 Protected Person's name with any and all banking and/or brokerage institutions;

3 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the CCPG be
4 authorized and directed to open, inventory and take possession of the contents of any and all safe
5 deposit box(es) in the name of the Protected Person;

6 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Karen Kelly, Clark
7 County Public Guardian, is hereby given full access to all historical and current financial
8 information for the above-named Protected Person for investigative purposes. Such information
9 shall include, but not be limited to, statements, cancelled checks, withdrawal authorizations and
10 other information from banks, financial institutions, brokerage or mutual fund firms, the United
11 States Social Security Administration, the Department of Veteran's Affairs, any pension source
12 and/or other persons and agencies which have engaged in transactions concerning the financial
13 affairs of the Protected Person, whether said accounts or records reflect the name of the Protected
14 Person individually or with one or more other persons;

15 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the CCPG has the
16 authority to expend reasonable funds, not to exceed \$300.00 per year, providing the Protected
17 Person's estate is financially stable and the request is appropriate under the circumstances, for the
18 purchase of gifts for the Protected Person and on behalf of the Protected Person so that the
19 presentation of gifts and exchanging of gifts with friends and/or relatives can be enjoyed by the
20 Protected Person, pursuant to NRS 159.125 and 159.113;

21 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that should funds
22 become available, the Guardian is granted authority to invest the Protected Person's assets pursuant
23 to the provisions of NRS 159.113(l)(a) and (h) and NRS 159.117(1)(a). Should funds become

1 available, the Protected Person's assets shall be invested in accordance with an Investment
2 Recommendation developed by the registered investment advisor, Prudent Investors Network,
3 Inc., ("PIN"), a copy of which will take into consideration the Protected Person's age and normal
4 life expectancy, physical condition, current and potential needs and expenses and all other sources
5 of income;

6 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that should funds
7 become available, the PIN set-up fee of \$125.00 along with a management fee based upon account
8 size, according to the schedule summarized in the Investment Recommendation shall be approved
9 and the Guardian shall be granted authority to exercise discretionary control over the assets within
10 the Protected Person's portfolio in managing not only the returns, but also the investment risks;

11 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that pursuant to NRS
12 159.344(3) the CCPG reserves the right to seek payment of attorney's fees and costs from the
13 guardianship estate based upon the following factors:

14 (a) Counsel for the CCPG is compensated from the Clark County General Fund and in
15 most cases compensation for counsel is based upon a flat fee; should fees and/or costs in this matter
16 be deemed extraordinary to the extent that said fees and/or costs exceed the flat fee compensation,
17 the CCPG and/or its attorney may file a separate petition explaining the need for additional fees
18 and costs that exceed the flat fee arrangement;

19 (b) Pursuant to NRS 7.125, the hourly billing rate for counsel is \$100 per hour and for
20 office staff including paralegals and law clerks is \$50 per hour. These rates are applied when the
21 guardianship estate does not have enough funds to pay for extraordinary fees and costs.
22 Extraordinary fees and costs are paid from the Clark County General Fund;

1 (c) Should the guardianship estate have funds to pay for fees and/or costs the CCPG and/or
2 its attorney may file a separate petition requesting payment of fees and costs from the guardianship
3 estate. The hourly billing rate for counsel is \$250 per hour, \$100 per hour for law clerks, \$75 per
4 hour for paralegals, and \$50 per hour for secretaries;

5 (d) The services of the attorney are necessary to further the best interests of the Protected
6 Person because the matter is unusually complex and cannot be resolved in the normal course.

7 (e) Upon notice of entry of this order, all persons entitled to notice shall be served pursuant
8 to NRS 159.034 and 159.047;

9 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the CCPG may
10 immediately destroy the personal property of the Protected Person without notice if:

11 (a) The CCPG determines that the property has been contaminated by vermin or biological
12 or chemical agents;

13 (b) The expenses related to the decontamination of the property cause salvage to be
14 impractical;

15 (c) The property constitutes an immediate threat to public health or safety;

16 (d) The handling, transfer or storage of the property might endanger public health or safety
17 or exacerbate contamination; and

18 (e) The value of the property is less than \$100 or, if the value of the property is \$100 or
19 more, a state or local health officer has endorsed the destruction of the property;¹

¹ Pursuant to AB 130, Section 32 which amends NRS 159.1515 with the language stated herein.

1 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED AND THE PARTIES**
2 **ARE PUT ON NOTICE** that the CCPG may sell or dispose of personal property of the Protected
3 Person that has a total value of less than \$10,000 by providing notice of intent to sell or dispose of
4 the property by certified mail to the Protected Person, their attorney and the persons specified in
5 NRS 159.034 and sale or disposal will be made within 15 days after such notice is received if no
6 party objects thereto;²

7 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that pursuant to NRS
8 253.240 the Public Guardian's services rendered without cost to the protected person shall be
9 allowed as a claim against the estate of the protected person upon approval of the court. Pursuant
10 to NRS 159.105, the Public Guardian may pay from the guardianship estate such claims against
11 the estate without complying with the provisions of NRS 159.107 and 159.109. Copies of claims
12 paid will be provided immediately to the protected person's attorney or to the protected person if
13 unrepresented and a copy will be filed with the court. The Public Guardian will account for the
14 payment of claims pursuant to NRS 159.105 in the next required accounting.

15 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the guardianship
16 matter of CHRISTINE JOHNSON remain a summary administration pursuant to NRS 159.076 as
17 the Protected Person's assets are believed to be less than \$10,000. As such, the Guardian shall be
18 relieved from the duty to file an accounting until assets of the Estate exceed the statutory maximum
19 for summary administration or a final accounting becomes due to the Court upon termination of
20 the guardianship for any reason;

² Pursuant to AB 130, Section 32 which amends NRS 159.1515

1 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** if necessary, Petitioner
2 is authorized and the Las Vegas Metropolitan Police Department, other law enforcement agencies
3 or paramedics should be directed to remove the Protected Person from their residence to transport
4 them to a medical facility;

5 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Protected Person
6 has a mental defect (lacks capacity to contract or manage their own affairs) and pursuant to NRS
7 159.0593 and 18 U.S.C. 922 is prohibited from possessing a firearm and that a record of the order
8 establishing this guardianship should be transferred to the Central Repository for Nevada Records
9 of Criminal History, along with a statement that the record is being transmitted for inclusion in
10 each appropriate database of the Nevada Instant Criminal Background Check System; and

11 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that a General
12 Acknowledgement covering all guardianships to which the Clark County Public Guardian may be
13 appointed by the Court has been filed and, pursuant to NRS 159.073(2), Petitioner be exempted
14 from having to file an acknowledgment in this case.

15
16
17
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19
20
21 Submitted by:

22 **CARLING LAW OFFICE, PC**

23 *Matthew D. Carling, Esq.*
24

25 **MATTHEW D. CARLING, ESQ.**

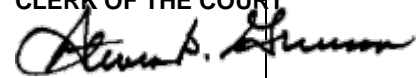
26 Nevada Bar No.: 007302

27 *Attorney for Karen Kelly,*

28 **CLARK COUNTY PUBLIC GUARDIAN**

Linda Marquis

DISTRICT COURT JUDGE
LINDA MARQUIS



NEOJ
CARLING LAW OFFICE, PC
MATTHEW D. CARLING, ESQ.
Nevada Bar No.: 007302
703 S. 8th Street
Las Vegas, NV 89101
(702) 419-7330 (Office)
(702) 446-8065 (Fax)
CedarLegal@gmail.com
Attorney for Karen Kelly,
CLARK COUNTY PUBLIC GUARDIAN

**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

* * * * *

In the Matter of the Guardianship of:
CHRISTINE JOHNSON aka CHRISTINE
WEIDERMAN, an Adult Protected Person.

Case No.: G-21-055340-A
Dept. No.: B

NOTICE OF ENTRY OF ORDER

| | |
|---|--|
| <input type="checkbox"/> TEMPORARY GUARDIANSHIP | <input checked="" type="checkbox"/> GENERAL GUARDIANSHIP |
| <input type="checkbox"/> Person | <input type="checkbox"/> Person |
| <input type="checkbox"/> Estate | <input type="checkbox"/> Estate <input checked="" type="checkbox"/> Summary Admin. |
| <input type="checkbox"/> Person & Estate | <input checked="" type="checkbox"/> Person & Estate |
| <input type="checkbox"/> SPECIAL GUARDIANSHIP | <input checked="" type="checkbox"/> NOTICES/SAFEGUARDS |
| <input type="checkbox"/> Person | <input type="checkbox"/> Blocked Account Required |
| <input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin. | <input type="checkbox"/> Bond Required |
| <input type="checkbox"/> Person & Estate | <input checked="" type="checkbox"/> Public Guardian Bond |
| | <input type="checkbox"/> Protected Person Passed Away |

TO: CHRISTINE JOHNSON aka CHRISTINE WEIDERMAN, Adult Protected Person; and
ALL INTERESTED PARTIES.

PLEASE TAKE NOTICE that an **Amended Order Establishing Guardianship of the
Person and Estate and for Issuance of Letters of Guardianship** was entered in the above-
captioned matter on November 10, 2021. A copy of said Order is attached hereto.

CARLING LAW OFFICE, PC

Matthew D. Carling, Esq.

MATTHEW D. CARLING, ESQ.

Nevada Bar No.: 007302

Attorney for Karen Kelly,

CLARK COUNTY PUBLIC GUARDIAN

CERTIFICATE OF SERVICE

I hereby certify that, on November 22, 2021, I sent a true and correct copy of the **Amended Order Establishing Guardianship of the Person and Estate and for Issuance of Letters of Guardianship** to the following parties *via* the method indicated below:

PLEASE CONTACT CEDARLEGAL@GMAIL.COM IF YOU
WOULD LIKE TO RECEIVE NOTICES VIA EMAIL IN THE FUTURE

Christine Johnson

c/o CONFIDENTIAL

Protected Person

Katie Anderson

kanderson@lacsns.org

Attorney for Protected Person

CONFIDENTIAL

Caregiver

Kim Boyer, Esq.

kimboyer@elderlawnv.com

Attorney for Petitioner

Anthony Anchondo (#0695524)

c/o Las Vegas Detention Center

3300 Stewart Avenue

Las Vegas, NV 89101

Significant Other

Robert Weiderman

9800 Virginia Woods Circle

Las Vegas, Nevada 89117

Son

Richard Weiderman

4828 Minturn Avenue

Las Vegas, Nevada 89130

Son

Edward Weiderman

9025 W. Desert Inn Road, Apt. #267

Las Vegas, Nevada 89117

Son

Valerie Weiderman

8777 W. Maule Avenue, Unit #2109

Las Vegas, Nevada 89148

Daughter

Allison Weiderman

Unknown Whereabouts

Daughter

Division of Welfare and Supportive Services

Medicaid Chief, Eligibility and Payments

1470 College Parkway

Carson City, NV 89706

Nevada Medicaid

CARLING LAW OFFICE, PC

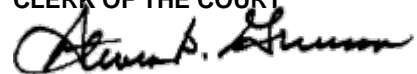
Matthew D. Carling, Esq.

MATTHEW D. CARLING, ESQ.

Nevada Bar No.: 007302

Attorney for Karen Kelly,

CLARK COUNTY PUBLIC GUARDIAN



1 **GOAGS**
2 **CARLING LAW OFFICE, PC**
3 **MATTHEW D. CARLING, ESQ.**
4 Nevada Bar No.: 007302
5 703 S. 8th Street
6 Las Vegas, NV 89101
7 (702) 419-7330 (Office)
8 (702) 446-8065 (Fax)
9 CedarLegal@gmail.com
10 *Attorney for Karen Kelly,*
11 **CLARK COUNTY PUBLIC GUARDIAN**

12
13 **DISTRICT COURT**
14 **FAMILY DIVISION**
15 **CLARK COUNTY, NEVADA**

16 * * * * *

17
18
19 In the Matter of the Guardianship of: Case No.: G-21-055340-A
20 CHRISTINE JOHNSON aka CHRISTINE Dept. No.: B
21 WEIDERMAN, an Adult Protected Person. DATE: 11/04/21 @ 10:30am

22 **AMENDED**

23 **ORDER ESTABLISHING GUARDIANSHIP OF THE PERSON AND ESTATE AND**
FOR ISSUANCE OF LETTERS OF GENERAL GUARDIANSHIP
(SUMMARY ADMINISTRATION)

| | |
|---|--|
| <input type="checkbox"/> TEMPORARY GUARDIANSHIP | <input checked="" type="checkbox"/> GENERAL GUARDIANSHIP |
| <input type="checkbox"/> Person | <input type="checkbox"/> Person |
| <input type="checkbox"/> Estate | <input type="checkbox"/> Estate <input checked="" type="checkbox"/> Summary Admin. |
| <input type="checkbox"/> Person & Estate | <input checked="" type="checkbox"/> Person & Estate |
| <input type="checkbox"/> SPECIAL GUARDIANSHIP | <input checked="" type="checkbox"/> NOTICES/SAFEGUARDS |
| <input type="checkbox"/> Person | <input type="checkbox"/> Blocked Account Required |
| <input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin. | <input type="checkbox"/> Bond Required |
| <input type="checkbox"/> Person & Estate | <input checked="" type="checkbox"/> Public Guardian Bond |
| | <input type="checkbox"/> Adult Protected Person Passed Away |

24
25 The Court, having reviewed the Petition of Kim Boyer for the Appointment of Clark
26 County Public Guardian as General Guardian of the Person and Estate of CHRISTINE JOHNSON,
27 Protected Person, and for Summary Administration, the hearing upon which was set by the Clerk

1 of the above entitled Court and the Court having considered the Petition and examined the
2 evidence: (i) proper notice of the hearing was duly given as required by law; (ii) the facts alleged
3 in the Petition are true and correct; (iii) the Protected Person is a resident of Clark County, Nevada
4 and the Guardian is the Public Guardian in the county where the Protected Person resides, and (iv)
5 the Petition ought to be granted. Accordingly, it is hereby:

6 **ORDERED, ADJUDGED AND DECREED** that a Guardianship of the Person and Estate
7 of CHRISTINE JOHNSON, Protected Person, be established, and the Clerk of the Court is order
8 to issues Letters of Guardianship;

9 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that pursuant to NRS
10 152A.250 and 162A.800 any previous Powers of Attorney executed by the Adult Protected Person
11 or prior Guardianship instruments prepared on behalf of the Adult Protected Person are suspended
12 at this time. Additionally, all representative payees are hereby relieved so that the Clark County
13 Public Guardian may secure any pay sources for the Protected Person;

14 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Karen Kelly, Clark
15 County Public Guardian, have authority to notice parties within the second degree of consanguinity
16 by publication if addresses are not available;

17 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, to carry out the
18 function of Guardian of the Person and the Estate of CHRISTINE JOHNSON, Karen Kelly, Clark
19 County Public Guardian, is vested with all the powers set forth in NRS Chapters 159 and 253 as
20 required to carry out Guardianship duties;

21 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Karen Kelly, Clark
22 County Public Guardian ("CCPG"), is appointed to act as General Guardian of the Person and
23 Estate of CHRISTINE JOHNSON and that pursuant to NRS 253.160:

1 1. Upon taking office, a public guardian shall file with the county clerk a general bond in
2 an amount fixed by the board of county commissioners payable to the State of Nevada with sureties
3 approved by the board of county commissioners. The premium for the bond shall be paid from the
4 general funds of the county and be conditioned upon the public guardian's faithful performance of
5 his or her duties;

6 2. The general bond and oath of office of a public guardian are in lieu of the bonds and
7 oaths required of private guardians; and

8 3. The oath and bond of an elected or appointed public officer designated public guardian
9 or designated to execute the powers and duties of the public guardian pursuant to paragraph (b) or
10 (c) of subsection 2 of NRS 253.150 are in lieu of the bonds and oaths required of private guardians.
11 The court may require such a designee to execute a separate bond for any guardianship in the
12 manner prescribed in NRS 159.065;

13 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the CCPG is the
14 Protected Person's personal representative for purposes of the Health Insurance Portability and
15 Accountability Act of 1996, Public Law 104-191 and any applicable regulations. The CCPG is
16 authorized to obtain and is permitted to receive any and all medical records and information
17 concerning the past and present condition and historical treatment of the Protected Person,
18 including, but not limited to, medical charts, examination reports and notes, which are or may be
19 lodged with any persons, family members, government agencies, businesses, medical providers,
20 physicians, hospitals, care facilities, institutions and/or third parties;

21 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the CCPG be
22 authorized and directed to close and/or freeze as well as take possession of any and all assets of

1 the Protected Person, including, but not limited to, funds on deposit in accounts bearing the
2 Protected Person's name with any and all banking and/or brokerage institutions;

3 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the CCPG be
4 authorized and directed to open, inventory and take possession of the contents of any and all safe
5 deposit box(es) in the name of the Protected Person;

6 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Karen Kelly, Clark
7 County Public Guardian, is hereby given full access to all historical and current financial
8 information for the above-named Protected Person for investigative purposes. Such information
9 shall include, but not be limited to, statements, cancelled checks, withdrawal authorizations and
10 other information from banks, financial institutions, brokerage or mutual fund firms, the United
11 States Social Security Administration, the Department of Veteran's Affairs, any pension source
12 and/or other persons and agencies which have engaged in transactions concerning the financial
13 affairs of the Protected Person, whether said accounts or records reflect the name of the Protected
14 Person individually or with one or more other persons;

15 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the CCPG has the
16 authority to expend reasonable funds, not to exceed \$300.00 per year, providing the Protected
17 Person's estate is financially stable and the request is appropriate under the circumstances, for the
18 purchase of gifts for the Protected Person and on behalf of the Protected Person so that the
19 presentation of gifts and exchanging of gifts with friends and/or relatives can be enjoyed by the
20 Protected Person, pursuant to NRS 159.125 and 159.113;

21 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that should funds
22 become available, the Guardian is granted authority to invest the Protected Person's assets pursuant
23 to the provisions of NRS 159.113(l)(a) and (h) and NRS 159.117(1)(a). Should funds become

1 available, the Protected Person's assets shall be invested in accordance with an Investment
2 Recommendation developed by the registered investment advisor, Prudent Investors Network,
3 Inc., ("PIN"), a copy of which will take into consideration the Protected Person's age and normal
4 life expectancy, physical condition, current and potential needs and expenses and all other sources
5 of income;

6 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that should funds
7 become available, the PIN set-up fee of \$125.00 along with a management fee based upon account
8 size, according to the schedule summarized in the Investment Recommendation shall be approved
9 and the Guardian shall be granted authority to exercise discretionary control over the assets within
10 the Protected Person's portfolio in managing not only the returns, but also the investment risks;

11 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that pursuant to NRS
12 159.344(3) the CCPG reserves the right to seek payment of attorney's fees and costs from the
13 guardianship estate based upon the following factors:

14 (a) Counsel for the CCPG is compensated from the Clark County General Fund and in
15 most cases compensation for counsel is based upon a flat fee; should fees and/or costs in this matter
16 be deemed extraordinary to the extent that said fees and/or costs exceed the flat fee compensation,
17 the CCPG and/or its attorney may file a separate petition explaining the need for additional fees
18 and costs that exceed the flat fee arrangement;

19 (b) Pursuant to NRS 7.125, the hourly billing rate for counsel is \$100 per hour and for
20 office staff including paralegals and law clerks is \$50 per hour. These rates are applied when the
21 guardianship estate does not have enough funds to pay for extraordinary fees and costs.
22 Extraordinary fees and costs are paid from the Clark County General Fund;

1 (c) Should the guardianship estate have funds to pay for fees and/or costs the CCPG and/or
2 its attorney may file a separate petition requesting payment of fees and costs from the guardianship
3 estate. The hourly billing rate for counsel is \$250 per hour, \$100 per hour for law clerks, \$75 per
4 hour for paralegals, and \$50 per hour for secretaries;

5 (d) The services of the attorney are necessary to further the best interests of the Protected
6 Person because the matter is unusually complex and cannot be resolved in the normal course.

7 (e) Upon notice of entry of this order, all persons entitled to notice shall be served pursuant
8 to NRS 159.034 and 159.047;

9 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the CCPG may
10 immediately destroy the personal property of the Protected Person without notice if:

11 (a) The CCPG determines that the property has been contaminated by vermin or biological
12 or chemical agents;

13 (b) The expenses related to the decontamination of the property cause salvage to be
14 impractical;

15 (c) The property constitutes an immediate threat to public health or safety;

16 (d) The handling, transfer or storage of the property might endanger public health or safety
17 or exacerbate contamination; and

18 (e) The value of the property is less than \$100 or, if the value of the property is \$100 or
19 more, a state or local health officer has endorsed the destruction of the property;¹

¹ Pursuant to AB 130, Section 32 which amends NRS 159.1515 with the language stated herein.

1 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED AND THE PARTIES**
2 **ARE PUT ON NOTICE** that the CCPG may sell or dispose of personal property of the Protected
3 Person that has a total value of less than \$10,000 by providing notice of intent to sell or dispose of
4 the property by certified mail to the Protected Person, their attorney and the persons specified in
5 NRS 159.034 and sale or disposal will be made within 15 days after such notice is received if no
6 party objects thereto;²

7 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that pursuant to NRS
8 253.240 the Public Guardian's services rendered without cost to the protected person shall be
9 allowed as a claim against the estate of the protected person upon approval of the court. Pursuant
10 to NRS 159.105, the Public Guardian may pay from the guardianship estate such claims against
11 the estate without complying with the provisions of NRS 159.107 and 159.109. Copies of claims
12 paid will be provided immediately to the protected person's attorney or to the protected person if
13 unrepresented and a copy will be filed with the court. The Public Guardian will account for the
14 payment of claims pursuant to NRS 159.105 in the next required accounting.

15 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the guardianship
16 matter of CHRISTINE JOHNSON remain a summary administration pursuant to NRS 159.076 as
17 the Protected Person's assets are believed to be less than \$10,000. As such, the Guardian shall be
18 relieved from the duty to file an accounting until assets of the Estate exceed the statutory maximum
19 for summary administration or a final accounting becomes due to the Court upon termination of
20 the guardianship for any reason;

² Pursuant to AB 130, Section 32 which amends NRS 159.1515

1 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** if necessary, Petitioner
2 is authorized and the Las Vegas Metropolitan Police Department, other law enforcement agencies
3 or paramedics should be directed to remove the Protected Person from their residence to transport
4 them to a medical facility;

5 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Protected Person
6 has a mental defect (lacks capacity to contract or manage their own affairs) and pursuant to NRS
7 159.0593 and 18 U.S.C. 922 is prohibited from possessing a firearm and that a record of the order
8 establishing this guardianship should be transferred to the Central Repository for Nevada Records
9 of Criminal History, along with a statement that the record is being transmitted for inclusion in
10 each appropriate database of the Nevada Instant Criminal Background Check System; and

11 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that a General
12 Acknowledgement covering all guardianships to which the Clark County Public Guardian may be
13 appointed by the Court has been filed and, pursuant to NRS 159.073(2), Petitioner be exempted
14 from having to file an acknowledgment in this case.

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19
20
21 Submitted by:

22 **CARLING LAW OFFICE, PC**

23 *Matthew D. Carling, Esq.*
24

25 **MATTHEW D. CARLING, ESQ.**

26 Nevada Bar No.: 007302

27 *Attorney for Karen Kelly,*

28 **CLARK COUNTY PUBLIC GUARDIAN**

Linda Marquis

DISTRICT COURT JUDGE
LINDA MARQUIS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult

COURT MINUTES

September 23, 2021

G-21-055340-A In the Matter of the Guardianship of:
Christine Johnson, Protected Person(s)

September 23, 2021 11:30 AM All Pending Motions

HEARD BY: Marquis, Linda

COURTROOM: RJC Courtroom 10A

COURT CLERK: Tanya Stengel; Leo Varona

PARTIES:

| | |
|--|--|
| Christine Johnson, Protected Person, present | Katie Anderson, Attorney, present |
| Karen Kelly, Guardian of Person and Estate, not present | Matthew Carling, Attorney, not present |
| Kim Boyer, Esq., Petitioner, not present | Kim Boyer, Attorney, not present |
| State Guardianship Compliance Officer, Investigator, not present | |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- CITATION... OPPOSITION TO PETITION FOR APPOINTMENT OF GUARDIAN OVER ADULT

COURT CLERKS: Tanya Stengel and Leo Varona (LV)

The matter was heard via VIDEO CONFERENCE through the BlueJeans application.

Attorney Sunny Valencia, Bar #8913, present for Attorney Kim Boyer. Attorney Matthew Carling, Bar #7302, present for the Clark County Public Guardian. Karen Kelly, Clark County Public Guardian, present. Legal Aid Center Observer present.

Court NOTED this matter was on for the Petition for Appointment of Guardianship over Christine Johnson and the Opposition thereto.

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Attorney Anderson stated a Response to Objection was filed earlier this morning which contains information that she would like to discuss with the Proposed Protected Person. Attorney Anderson requested additional time to reply to the Petitioner's Response.

Upon the Court's inquiry, Attorney Valencia stated they did not have the pleadings from the North Dakota case. Attorney Valencia referenced the North Dakota Temporary Order for Emergency Guardian, attached to her Response. Attorney Valencia stated the temporary guardianship was for a period of 60 to 90 days.

Court referenced the Order attached to Petitioner's Response was from the District Court of Williams County, North Dakota, which indicated a civil case number of 53-2021-PR-00052.

There being no objections, Court ORDERED the following:

State Guardianship Compliance Officer shall be APPOINTED to investigate the case. The investigator shall obtain APS records and Court filings relevant to the Proposed Protected Person in North Dakota and Clark County. Court to execute and process the order for filing.

The Citation and the Opposition to Petition for Appointment of Guardian shall be CONTINUED to 10/21/2021 at 2:30 p.m.

INTERIM CONDITIONS:

FUTURE HEARINGS: Oct 21, 2021 2:30PM Citation to Appear
Citation
RJC Courtroom 10A Marquis, Linda

Oct 21, 2021 2:30PM Opposition
Opposition to Petition for Appointment of Guardian over Adult
RJC Courtroom 10A Marquis, Linda

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult

COURT MINUTES

October 15, 2021

G-21-055340-A In the Matter of the Guardianship of:
Christine Johnson, Protected Person(s)

October 15, 2021 1:15 PM Minute Order

HEARD BY: Marquis, Linda

COURTROOM: Chambers

COURT CLERK: Karen Christensen

PARTIES:

| | |
|--|--|
| Christine Johnson, Protected Person, not present | Katie Anderson, Attorney, not present |
| Karen Kelly, Guardian of Person and Estate, not present | Matthew Carling, Attorney, not present |
| Kim Boyer, Esq., Petitioner, not present | Kim Boyer, Attorney, not present |
| State Guardianship Compliance Officer, Investigator, not present | |

JOURNAL ENTRIES

- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES
RE: G-21-055340-A

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing.

The Court notes that line item [16] Order Establishing Guardianship of the Person and Estate and For Issuance of Letters of General Guardianship (Summary Administration), filed September 27, 2021, was issued in error.

Accordingly, the Order Order Establishing Guardianship of the Person and Estate and For Issuance

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of Letters of General Guardianship (Summary Administration), filed September 27, 2021, SHALL be stricken. The Hearing set for October 21, 2021, at 2:30 p.m. stands.

A copy of this minute order shall be provided to all Parties.

CLERK NOTE: A copy of this Minute Order was e-mailed to parties at the e-mail address on record with the Court; if no e-mail address was available, the minute order was mailed to the physical address of record 10/15/21. (kc)

INTERIM CONDITIONS:

FUTURE HEARINGS:

Oct 21, 2021 2:30PM Citation to Appear
Citation
RJC Courtroom 10A Marquis, Linda

Oct 21, 2021 2:30PM Opposition
Opposition to Petition for Appointment of Guardian over Adult
RJC Courtroom 10A Marquis, Linda

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult

COURT MINUTES

October 21, 2021

G-21-055340-A In the Matter of the Guardianship of:
Christine Johnson, Protected Person(s)

October 21, 2021 2:30 PM All Pending Motions

HEARD BY: Marquis, Linda

COURTROOM: RJC Courtroom 10A

COURT CLERK: Karen Christensen; Tanya Stengel

PARTIES:

Christine Johnson, Protected Person, present
Karen Kelly, Guardian of Person and Estate,
present

Katie Anderson, Attorney, present
Matthew Carling, Attorney, present

Kim Boyer, Esq., Petitioner, not present
State Guardianship Compliance Officer,
Investigator, not present

Kim Boyer, Attorney, not present

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| JOURNAL ENTRIES |
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- CITATION TO APPEAR... OPPOSITION TO PETITION FOR APPOINTMENT OF GUARDIAN OVER ADULT... RESPONSE TO OBJECTION TO PETITION FOR APPOINTMENT OF CLARK COUNTY PUBLIC GUARDIAN AS A GENERAL GUARDIAN OF THE PERSON AND ESTATE AND FOR ISSUANCE OF LETTERS OF GUARDIANSHIP

In accordance with Administrative Order 21-04, out of an abundance of caution, in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans.

Court Clerks: Karen Christensen, Tanya Stengel (ts)

Sunny Valencia, Nevada Bar #8913, appeared for Kim Boyer on behalf of Mountain View Care Center.

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Frank Bellinger, Administrator at Mountain View Care Center, appeared.

The Court reviewed the case history and pleadings on file. Court noted an Investigator was appointed but the report has not been filed yet. Court noted concerns about the allegations in the Petition regarding an existing Adult Protective Services (APS) investigation where the persons of interest are family members, specifically her children.

Attorney Anderson requested the Petition be denied due to a number of procedural reasons including jurisdiction. Attorney Anderson stated she had additional substantive objections.

Court noted the North Dakota Court has recently acted and issued an emergency temporary guardianship; however, what happened after that is unknown and it is unclear, procedurally, where this Court stands. Court stated hesitancy of making any Orders without the additional information from North Dakota.

Attorney Valencia stated they would feel comfortable proceeding because they spoke with the daughter who was appointed as the emergency Guardian in North Dakota; however they don't have anything substantive saying what happened.

Mr. Bellinger stated Proposed Protected Person is in need of a Guardian but was unsure if the daughter's North Dakota guardianship was good in Nevada.

Court stated the only thing the Court is aware of is that a ten (10) day temporary guardianship was granted in North Dakota but is now expired.

Attorney Anderson stated Proposed Protected Person's fiance had been attempting to visit her and was able to see her through a window at one point but has now been prohibited from seeing her at all. Attorney Anderson requested Proposed Protected Person be allowed to see her fiance. Attorney Anderson made further statements regarding Proposed Protected Person's fiance being denied access to their joint account and requested the Court Order that property be released to him.

Court stated concerns about making any Orders without determining jurisdiction first. Court stated further concerns about making Orders telling a facility what to do and how they have to do it, especially during COVID.

Court and Counsel engaged in discussion.

Court stated it would ask the Guardianship Compliance office to contact North Dakota APS and North Dakota Court to obtain a copy of the court file and/or any additional information.

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COURT ORDERED, the following:

Matter shall be CONTINUED to 11/4/21 at 10:30 am

INTERIM CONDITIONS:

FUTURE HEARINGS: Nov 04, 2021 10:30AM Citation to Appear
Citation.. (Petition for Appointment of Clark County Public Guardian as a General Guardian of the
Person and Estate) Opposition... Response (continued from 10/21/21 for Investigator's Report)
RJC Courtroom 10A Marquis, Linda

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult

COURT MINUTES

November 04, 2021

G-21-055340-A In the Matter of the Guardianship of:
Christine Johnson, Protected Person(s)

November 04, 2021 10:30 AM Citation to Appear

HEARD BY: Marquis, Linda

COURTROOM: RJC Courtroom 10A

COURT CLERK: Karen Christensen; Tanya Stengel

PARTIES:

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| Christine Johnson, Protected Person, present | Katie Anderson, Attorney, present |
| Karen Kelly, Guardian of Person and Estate, not present | Matthew Carling, Attorney, present |
| Kim Boyer, Esq., Petitioner, not present | Kim Boyer, Attorney, not present |
| State Guardianship Compliance Officer, Investigator, present | |

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| JOURNAL ENTRIES |
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- CITATION TO APPEAR REGARDING PETITION FOR APPOINTMENT OF CLARK COUNTY PUBLIC GUARDIAN AS A GENERAL GUARDIAN OF THE PERSON AND ESTATE...
OPPOSITION TO PETITION FOR APPOINTMENT OF GUARDIAN OVER ADULT.. RESPONSE TO
OBJECTION TO PETITION FOR APPOINTMENT OF CLARK COUNTY PUBLIC GUARDIAN AS A
GENERAL GUARDIAN OF THE PERSON AND ESTATE AND FOR ISSUANCE OF LETTERS OF
GUARDIANSHIP

In accordance with Administrative Order 21-04, out of an abundance of caution, in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans.

Court Clerks: Karen Christensen, Tanya Stengel (ts)

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Sunny Valencia, Nevada Bar #8913, appeared for Kim Boyer on behalf of Mountain View Care Center.

Representative from Mountain View Care Center, Candyce Funderburk, appeared.

Representative from Clark County Public Guardian's Office, Terrill Judie, appeared.

Donna Kingman-Silva, State Guardianship Compliance Officer.

The Court reviewed the case history and pleadings on file.

Attorney Anderson stated Proposed Protected Person is opposed to the guardianship. Attorney Anderson stated her objection to the Investigator's Report being admitted for any purpose other than to inform the Court if there is jurisdiction and if there are any other open investigations; however, the substantive matters contain hearsay, double hearsay, and even triple hearsay and those witnesses would likely not be available for cross-examination. Attorney Anderson stated medical records indicate Proposed Protected Person has the capacity to make her own decisions and the only reason capacity has been questioned is because her decision to be in a relationship with Mr. Anchondo is being questioned. Attorney Anderson stated Proposed Protected Person is dying and should be able to spend the last few months/years of her life how she wants even if everyone else doesn't agree. Attorney Anderson stated Proposed Protected Person should be allowed to be able to spend the last part of her life with the people she loves but she is not being allowed to see or even talk to Mr. Anchondo. Attorney Anderson requested the Court set an Evidentiary Hearing if it is not inclined to deny the Petition.

Attorney Valencia stated the facility has blocked Mr. Anchondo based on the facilities' rules, which may be addressed again; however, it appears the Mr. Anchondo has a history of misbehaving in medical situations.

Court and Counsel engaged in discussion.

COURT stated FINDINGS and ORDERED, the following:

Petition for Appointment of Clark County Public Guardian as a General Guardian of the Person and Estate shall be APPROVED and GRANTED.

Attorney Carling shall prepare and submit an Order Appointing and a separate Order with Findings of Facts and Conclusion of Law.

CASE ADJUDICATED.

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INTERIM CONDITIONS:

FUTURE HEARINGS: Nov 04, 2021 10:30AM Citation to Appear
Citation.. (Petition for Appointment of Clark County Public Guardian as a General Guardian of the
Person and Estate) Opposition... Response (continued from 10/21/21 for Investigator's Report)
RJC Courtroom 10A Marquis, Linda

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

November 09, 2021

G-21-055340-A

In the Matter of the Guardianship of:
Christine Johnson, Protected Person(s)

**November 09,
2021**

3:15 PM**Minute Order****HEARD BY:** Marquis, Linda**COURTROOM:** Chambers**COURT CLERK:** Karen Christensen**PARTIES:**

Christine Johnson, Protected Person, not present

Katie Anderson, Attorney, not present

Karen Kelly, Guardian of Person and Estate, not present

Matthew Carling, Attorney, not present

Kim Boyer, Esq., Petitioner, not present
State Guardianship Compliance Officer,
Investigator, not present

Kim Boyer, Attorney, not present

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| JOURNAL ENTRIES |
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- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES

RE: G-21-055340-A

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing.

The Court notes that an Order Appointing Guardian was filed on November 5, 2021. The Court further notes that the Order Appointing Guardian was filed without the Judge's signature. Lastly, the Court notes that Letters of Guardianship were filed on November 8, 2021 and were not issued due to the unsigned Order Appointing Guardian.

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Accordingly, the Order Appointing Guardian filed on November 5, 2021 and the unissued Letters of Guardianship filed on November 8, 2021 SHALL be stricken and an Order Appointing Guardian signed by the Judge shall issue.

A copy of this minute order shall be provided to all Parties.

CLERK NOTE: A copy of this Minute Order was e-mailed to parties at the e-mail address on record with the Court; if no e-mail address was available, the minute order was mailed to the physical address of record 11/9/21. (kc)

INTERIM CONDITIONS:

FUTURE HEARINGS:

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| PRINT DATE: | 12/08/2021 | Page 12 of 14 | Minutes Date: | September 23, 2021 |
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

November 09, 2021

G-21-055340-A In the Matter of the Guardianship of:
Christine Johnson, Protected Person(s)

November 09, 3:15 PM Minute Order
2021

HEARD BY: Marquis, Linda**COURTROOM:** Chambers**COURT CLERK:** Karen Christensen**PARTIES:**

| | |
|--|--|
| Christine Johnson, Protected Person, not present | Katie Anderson, Attorney, not present |
| Karen Kelly, Guardian of Person and Estate, not present | Matthew Carling, Attorney, not present |
| Kim Boyer, Esq., Petitioner, not present | Kim Boyer, Attorney, not present |
| State Guardianship Compliance Officer, Investigator, not present | |

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| JOURNAL ENTRIES |
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- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES
RE: G-21-055340-A

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing.

The Court notes that an Order Appointing Guardian was filed on November 9, 2021. The Court further notes that the Order Appointing Guardian was filed with the incorrect date the Guardianship was granted on the caption.

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Accordingly, the Order Appointing Guardian filed on November 9, 2021, SHALL be stricken and an Order Appointing Guardian with the correct hearing date shall be issued.

A copy of this minute order shall be provided to all Parties.

CLERK NOTE: A copy of this Minute Order was e-mailed to parties at the e-mail address on record with the Court; if no e-mail address was available, the minute order was mailed to the physical address of record 11/9/21. (kc)

INTERIM CONDITIONS:

FUTURE HEARINGS:

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Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; STATEMENT OF
LEGAL AID REPRESENTATION AND FEE WAIVER; DISTRICT COURT DOCKET ENTRIES;
AMENDED ORDER ESTABLISHING GUARDIANSHIP OF THE PERSON AND ESTATE AND FOR
ISSUANCE OF LETTERS OF GENERAL GUARDIANSHIP (SUMMARY ADMINISTRATION);
NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

In the Matter of the Guardianship of:

CHRISTINE JOHNSON,

Protected Person(s).

Case No: G-21-055340-A

Dept No: B

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 8 day of December 2021.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk