

1 **IN THE COURT OF APPEALS FOR THE STATE OF NEVADA**

2
3 IN THE MATTER OF THE GUARDIANSHIP
4 OF: CHRISTINE B. JOHNSON, A/K/A
5 CHRISTINE B. WEIDERMAN, AN ADULT
6 PROTECTED PERSON,

7 CHRISTINE B. JOHNSON, A/K/A
8 CHRISTINE B. WEIDERMAN,

9 Appellant,

10 *vs.*

11 KAREN KELLY, CLARK COUNTY PUBLIC
12 GUARDIAN; AND MOUNTAIN VIEW
13 CARE CENTER,

14 Respondents.

Court of Appeals No. 83912-
COA

Electronically Filed
Apr 20 2022 10:24 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

15 **APPEAL**

16 From the Eighth Judicial District Court, Clark County
17 The Honorable Linda Marquis, District Judge
18 District Court Case No. G-21-055340-A

19 **APPELLANT’S APPENDIX**

20 Scott Cardenas
21 Nevada Bar No. 14851
22 Katie Anderson
23 Nevada Bar No. 15153C
24 Elizabeth Mikesell
25 Nevada Bar No. 08034
26 Legal Aid Center of Southern Nevada
27 725 East Charleston Boulevard
28 Las Vegas, Nevada 89104
 (702) 386-1539
 Attorneys for Appellant

ALPHABETICAL INDEX TO APPELLANT'S APPENDIX

DESCRIPTION	VOL.	BATES NUMBERS
Amended Order to Appoint Investigator	I	AA 163–64
Amended Order Establishing Guardianship of the Person and Estate and for Issuance of Letters of General Guardianship (Summary Administration)	I	AA 222–29
Case Appeal Statement	I	AA 247–50
Certificate of Service and Mailing for 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	AA 022–024
Certification of Transcripts/Notification of Completion	II	AA 383
Christine Johnson's Opposition to Petition for Appointment of Clark County Public Guardian as Guardian of the Person and Estate and for Issuance of Letters of Guardianship	I	AA 040–048
Christine Johnson's Reply to Response to Motion to Stay and Petition for Advice and Instructions and Continued Request to Stay Amended Order for Guardianship	II	AA 318–25
Citation	I	AA 020–021
Confidential Information Pursuant to NRS 159.044	I	AA 017–019 Submitted Confidentially to the Court

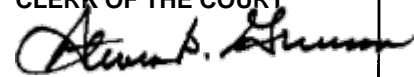
Confidential Physician's Certificate with Needs Assessment	I	AA 010–016 Submitted Confidentially to the Court
Confidential Report of Investigator	I	AA 168–207 Submitted Confidentially to the Court
Exhibits to Christine Johnson's Opposition to Petition for Appointment of Clark County Public Guardian as Guardian of the Person and Estate and for Issuance of Letters of Guardianship	I	AA 049–128 Submitted Confidentially to the Court
Ex Parte Motion for an Order Shortening Time	II	AA 299–303
Findings of Fact and Conclusions of Law and Orders Appointing Guardian	II	AA 326–38
Letters of Guardianship	I	AA 230–31
Letters of Guardianship	I	AA 232–33
Minutes for September 23, 2021 Hearing	I	AA 155
Minutes for October 21, 2021 Hearing	I	AA 161–62
Minutes for November 04, 2021 Hearing	I	AA 208–09
Minutes for December 16, 2021 Hearing	II	AA 317
Minute Order	I	AA 159–60
Minute Order	I	AA 221
Minute Order	II	AA 307

1	Motion to Stay Amended Order	II	AA 251–96
2	Establishing Guardianship of the		Exhibits Submitted
3	Person and Estate and for Issuance		Confidentially to the
4	of Letters of General Guardianship		Court
5	(Summary Administration) Pending		
6	Appeal		
7	Notice of Appeal	I	AA 245–46
8	Notice of Entry of Order	I	AA 210–20
9	Notice of Entry of Order for	I	AA 165–67
10	Amended Order to Appoint		
11	Investigator		
12	Notice of Entry of Order for	I	AA 234–44
13	Amended Order Establishing		
14	Guardianship of the Person and		
15	Estate and for Issuance of Letters of		
16	General Guardianship (Summary		
17	Administration)		
18	Notice of Entry of Order for Order	I	AA 033–038
19	Appointing Counsel and Directing		
20	Release of Medical and Financial		
21	Records and Information		
22	Notice of Entry of Order for Order	II	AA 308–312
23	Shortening Time		
24	Notice of Hearing	II	AA 297
25	Notice of Hearing	II	AA 298
26	Notice of Guardianship Nomination	I	AA 025
27	Registration Review		
28	Order Appointing Counsel and	I	AA 029–032
	Directing Release of Medical and		
	Financial Records and Information		
	Order to Appoint Investigator	I	AA 156–58
	Order Granting Protected Person’s	II	AA 341–45
	Request for Stay; and Order		
	Denying Clark County Public		
	Guardian’s Counterpetition for		
	Advice and Instruction		
	Order Shortening Time	II	AA 304–06

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	AA 001–009
Proof of Service	I	AA 039
Receipt of Legal Documents by the Clark County Public Guardian’s Office	I	AA 026–027
Response to Motion to Stay	II	AA 339–40
Response to Motion for Stay and Petition for Advice and Instructions	II	AA 313–316
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	I	AA 129–54
Statement of Legal Aid Representation and Fee Waiver	I	AA 028
Transcript for September 23, 2021 Hearing	II	AA 346–52
Transcript for October 21, 2021 Hearing	II	AA 353–67
Transcript for November 04, 2021 Hearing	II	AA 368–83

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APPELLANT'S APPENDIX: VOLUME I



PAG
KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Ave., Suite 210
Las Vegas, Nevada 89135
(702) 255-2000
Email: kimboyer@elderlawnv.com
Attorney for Facility

CASE NO: G-21-055340-A
Department: To be determined

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of the Guardianship of

CHRISTINE B. JOHNSON aka
CHRISTINE B. WEIDERMAN,

An Adult Protected Person.

Case No.:
Dept. No.:

**PETITION FOR APPOINTMENT OF CLARK COUNTY PUBLIC GUARDIAN AS A
GENERAL GUARDIAN OF THE PERSON AND ESTATE AND FOR ISSUANCE OF
LETTERS OF GUARDIANSHIP**

☐ **TEMPORARY GUARDIANSHIP**

- ☐ Person
☐ Estate
☐ Person and Estate

☒ **GENERAL GUARDIANSHIP**

- ☐ Person
☐ Estate ☐ Summary Admin.
☒ Person and Estate

☐ **SPECIAL GUARDIANSHIP**

- ☐ Person
☐ Estate
☐ Person and Estate

☒ **NOTICES / SAFEGUARDS**

- ☐ Blocked Account Required
☐ Bond Required
☒ Public Guardian's Bond

KIM BOYER, ESQ., on behalf of a facility licensed to do business in the State of Nevada, respectfully petitions this Court for appointment of KAREN KELLY, as the Clark County Public Guardian ("CCPG"), as General Guardian of the Person and Estate of CHRISTINE B. JOHNSON aka CHRISTINE B. WEIDERMAN (hereinafter known as the "Proposed Protected Person"), and for issuance of Letters of Guardianship, in accordance with NRS Chapter 159 and NRS 253.150 - NRS 253.250, and alleges the following:

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1. **Information on Proposed Protected Person.**

(i) CHRISTINE B. JOHNSON aka CHRISTINE B. WEIDERMAN, the proposed adult Protected Person ("Proposed Protected Person"), was born in 1958, and is 63 years old. The Proposed Protected Person is a resident of the State of Nevada, and resides at a facility in Las Vegas, Nevada. The Proposed Protected Person has requested that her location remains unknown to her family. The contact information will be provided to the Court confidentially and to the attorney for the Proposed Protected Person and to the CLARK COUNTY PUBLIC GUARDIAN.

(ii) The names and addresses of the Proposed Protected Person's relatives within the second degree, and those entitled to notice, to the extent known by Petitioner, are as follows:

<u>NAME AND ADDRESS</u>	<u>RELATIONSHIP</u>
Christine B. Johnson aka Christine B. Wiederman Confidential Address	Proposed Protected Person
Administrator Confidential Address	Administrator of Facility
Anthony Anchondo c/o Las Vegas Dentition Center Inmate #0695524 3300 Stewart Avenue Las Vegas, Nevada 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	Daughter

1	Address Unknown	
2	Richard Johnson	Possible Relative
3	2255 E. Sunset Road, Apt. #120	
4	Las Vegas, Nevada 89119	
5	Lisa Johnson	Possible Relative
6	116 McKinnon Avenue NE	
7	Concord, North Carolina 28025	
8	Karen Johnson	Possible Relative
9	2724 Golf Ball Circle	
10	Concord, North Carolina 28025	
11	Richard Johnson	Possible Relatives
12	Linda Johnson	
13	350 Lance Drive	
14	Grants Pass, Oregon 97526	
15	Legal Aid Center of Southern Nevada, Inc.	Legal Aid
16	725 E. Charleston Blvd.	
17	Las Vegas, Nevada 89104	
18	Karen Kelly	Clark County Public Guardian
19	Clark County Public Guardian's Office	
20	515 Shadow Lane	
21	Las Vegas, Nevada 89106	
22	Division of Welfare and Supportive Services	Medicaid
23	Medicaid Chief, Eligibility and Payments	
24	1470 College Parkway	
25	Carson City, Nevada 89706	
26	(iii) On information and belief, the Proposed Protected Person has no spouse. It is unknown whether the Proposed Protected Person has grandchildren or siblings. On August 16, 2021, a representative of Kim Boyer's office did a search for family through Lexis Nexis. The search provided the contact information for the Proposed Protected Person's children and other possible relatives.	
	(iv) The Proposed Protected Person's assets, to the extent known by Petitioner, consists of a Wells Fargo Bank Checking Account #x-6823 in an unknown amount. The Proposed Protected Person receives income from Social Security in the approximate amount of \$1,821.00 per month. On information and belief, the Proposed Protected Person does not receive any benefits from the Department of Veterans Affairs.	

1 (v) It is unknown whether the Proposed Protected Person is a party to
2 any pending criminal or civil litigation.

3 (vi) The guardianship is not sought for the purpose of initiating
4 litigation.

5 2. **Need for General Guardian.**

6 (i) On or around August 6, 2021, a licensed physician, stated the
7 Proposed Protected Person was suffering from Amyotrophic lateral sclerosis (ALS),
8 quadriplegia, neuromuscular dysfunction of bladder, loss of appetite and major depressive
9 disorder. According to the physician, the Proposed Protected Person has sufficient loss of
10 executive function resulting in a barrier to meaningful understanding or rational response. The
11 patient is unable to execute on desires, preferences, or stated goals, preventing the ability to
12 pursue the patient's own best interest and is unable to make or communicate decisions to such an
13 extent that the patient lacks the ability to meet essential requirements for physical health, safety,
14 or self-care without proper assistance. The Physician's Certificate with Needs Assessment will
15 be submitted confidentially to the Court.

16 (ii) The Proposed Protected Person requires 24-hour long-term care.
17 ANTHONY ANCHONDO, the Proposed Protected Person's significant other is currently in the
18 Las Vegas Detention Center on charges of domestic violence and battery. It is unknown whether
19 the alleged allegations involved the Proposed Protected Person. According to the facility, there
20 is an open adult protective services case against a number of the Proposed Protected Person's
21 children. There is no one with legal authority to make medical decisions or to obtain Medicaid
22 benefits to pay for the Proposed Protected Person's medically necessary care.

23 (iii) The Proposed Protected Person's medical condition is such that
24 she would benefit from a general guardian. Petitioner is unaware of any nominated person,
25 relative or friend who is suitable and willing to serve as guardian. Petitioner believes that it is in
26 the best interest of the Protected Person to have the CCPG serve as the general guardian of the

1 Person and Estate of CHRISTINE B. JOHNSON aka CHRISTINE B. WEIDERMAN.

2 3. **Request for Appointment of Public Guardian.** Petitioner is requesting
3 the CCPG to become the guardian of the Proposed Protected Person pursuant to NRS 253.200.
4 and that the CCPG's general bond as the Public Guardian be accepted in lieu of the bonds and
5 oath required of private guardians, pursuant to NRS 253.160(2). KAREN KELLY is the Public
6 Guardian for Clark County, Nevada who is authorized to act as the Public Guardian pursuant to
7 NRS 253.150 - 253.250 and NRS 159.024. KAREN KELLY resides within Clark County,
8 Nevada with the mailing address of 515 Shadow Lane, Las Vegas, Nevada 89106. Petitioner
9 respectfully submits that both the CCPG and the Proposed Protected Person meet all the
10 necessary requirements under NRS 253.200 for this Court to approve this Petition.

11 4. **Qualifications of the Proposed Guardian.** The CCPG is an adult
12 competent person and has never been convicted of a felony or been judicially determined to have
13 committed abuse, neglect or exploitation of a child spouse, parent or other person. She has not
14 filed for bankruptcy protection within the last seven (7) years immediately preceding the date of
15 this Petition. That the CCPG has not been suspended for misconduct or disbarred from the
16 practice of law, the practice of accounting or any other profession which involves the
17 management or sale of money, investments, securities or real property and requires a licensure in
18 the State of Nevada or any other State.

19 5. **Powers Requested.** Petitioner desires for the CCPG to receive its standard
20 powers as a general guardian of the Proposed Protected Person's person and estate, including,
21 but not limited to the following:

22 (i) Petitioner desires for the CCPG to have the authority to receive access to
23 any and all historical account information for any and all of the Proposed Protected Person's
24 assets for investigative purposes. Furthermore, Petitioner desires for the CCPG to be authorized
25 and directed to open, inventory, and take possession of all contents of any and all safe deposit
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1 box(es) in the name of the Proposed Protected Person as well as close any such box(es) and to be
2 able to take possession of any and all investment and financial accounts of any type.

3 (ii) Petitioner further desires for the CCPG, pursuant to NRS 159.105, to be
4 able to receive reasonable and necessary expenses for payment of guardianship case manager
5 fees for services rendered.

6 (iii) Pursuant to NRS 159.183, 159.105, 159.107 and 159.109, Petitioner
7 requests that this Court allow reasonable and necessary expenses for payment of attorney's fees
8 associated with the commencement and administration of the guardianship of the Estate in this
9 matter to any law firm who assists the CCPG.

10 (iv) Petitioner further requests that this Court terminate all of the Proposed
11 Protected Person's general power of attorney, financial power of attorney, or durable power of
12 attorney for health care decision documents that may have been previously executed by the
13 Protected Person, pursuant to NRS 162A.250(2) and 162A.800(2). Pursuant to NRS
14 162A.800(2), the Guardian should follow any provisions contained in the power of attorney for
15 healthcare delineating the Proposed Protected Person's wishes for medical and end-of-life care.

16 (v) Petitioner also seeks the CCPG to be declared as the Proposed Protected
17 Person's personal representative for the purposes of the Health Insurance Portability and
18 Accountability Act of 1996, Public Law 104-191, and any applicable regulations. Petitioner
19 further desires for this Court to order that the CCPG shall be authorized to obtain and be
20 permitted to receive any and all medical records and information concerning the past and
21 present condition and historical treatment of the Proposed Protected Person, including but not
22 limited to, medical charts, examination reports and notes, which are or may be lodged with any
23 persons, family members, government agencies, businesses, medical providers, physicians,
24 hospitals, care facilities, institutions, or third parties.

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1 (vi) Petitioner desires for the CCPG to have the authority to take all necessary
2 steps to obtain, modify or maintain Medicare or Medicaid coverage for the Proposed Protected
3 Person, to obtain or maintain any benefits the Proposed Protected Person may be entitled to from
4 any public agency.

5 6. **Information on Facility.** The facility has been a 24-hour care provider for
6 the Proposed Protected Person. As such, the facility has standing to petition for appointment of a
7 guardian under NRS 159. The facility is paying the law firm of Boyer Law Group for its
8 services. If the facility does choose to seek payment for the Proposed Protected Person's estate,
9 a Notice of Intent will be filed. The facility believes it is appropriate to request the CCPG be
10 appointed so that the Proposed Protected Person has a decision-maker and that any discharge or
11 transfer is safe.

12 **Wherefore, Petitioner prays:**

13 1. That KAREN KELLY, Clark County Public Guardian, be appointed to act
14 as the General Guardian of the Person and Estate of the Proposed Protected Person and that the
15 general bond and oath of the Public Guardian be used in lieu of the bonds and oaths required of
16 private guardianship pursuant to NRS 253.160(2).

17 2. That Letters of Guardianship be issued to the CCPG.

18 3. That the powers, rights and authorities sought for in paragraph 5 of this
19 petition above for the CCPG, as guardian of the Proposed Protected Person, be awarded in an
20 order for this Court.

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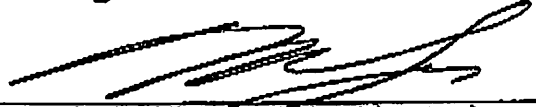
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1 4. For such other further relief as the Court may deem just and proper in the
2 premises.

3 DATED this 19 day of Aug, 2021.

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5 By An Authorized Representative (signature)
6 PRINT NAME: Michael Fowler, LSW

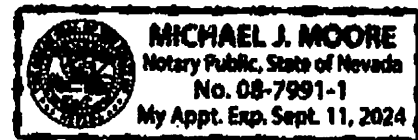
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8 Respectfully submitted,

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10 KIM BOYER, ESQ.
11 Nevada Bar #5587
12 10785 W. Twain Ave., Suite 210
Las Vegas, Nevada 89135
Attorney for Facility

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2 **VERIFICATION**3 **STATE OF NEVADA**4 **COUNTY OF CLARK**5 The undersigned as an authorized representative of the licensed facility, being
6 first duly sworn, deposes and says:7 It is the Petitioner in the above-entitled action; it has read the foregoing Petition
8 and knows the contents thereof; the same are true to the best of its own personal knowledge,
9 except for those statements made upon information and belief, and as to those matters, it believes
10 them to be true.11 *State: NV*
12 *County: Clark*

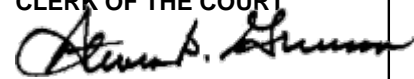
By An Authorized Representative

13 SUBSCRIBED and SWORN to before
14 me this 19 day of Aug., 2021, by *Michael Fowler*15
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NOTARY PUBLIC

Submitted confidentially to the Court:

Confidential Physician's Certificate with Needs
Assessment (Bates Numbers **AA 0010 - 0016**)

Confidential Information Pursuant to NRS
159.044 (Bates Numbers **AA 0017 - 0019**)



CITA
KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Ave., Suite 210
Las Vegas, Nevada 89135
(702) 255-2000
Email: kimboyer@elderlawnv.com
Attorney for Facility

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of the Guardianship of

CHRISTINE B. JOHNSON aka
CHRISTINE B. WEIDERMAN,

An Adult Protected Person.

Case No.: **G-21-055340-1A**
Dept. No.: **B**

CITATION

☐ **TEMPORARY GUARDIANSHIP**

- ☐ Person
☐ Estate
☐ Person and Estate

☒ **GENERAL GUARDIANSHIP**

- ☐ Person
☐ Estate ☐ Summary Admin.
☒ Person and Estate

☐ **SPECIAL GUARDIANSHIP**

- ☐ Person
☐ Estate
☐ Person and Estate

☒ **NOTICES / SAFEGUARDS**

- ☐ Blocked Account Required
☐ Bond Required
☒ Public Guardian's Bond

TO: **CHRISTINE B. JOHNSON aka CHRISTINE B. WEIDERMAN, an adult**

TO: **KAREN KELLY, as the Clark County Public Guardian**

TO: **Any person having the care, custody, and control of CHRISTINE B. JOHNSON aka**
CHRISTINE B. WEIDERMAN

TO: **All other interested parties**

PLEASE TAKE NOTICE that **KIM BOYER, ESQ.**, on behalf of the facility
licensed to do business in the State of Nevada, filed a Petition for Appointment for Appointment
of Clark County Public Guardian as a General Guardian of the Person and Estate and for
Issuance of Letters of Guardianship, and a hearing on the Petition has been set for the 23rd day

1 of September, 2021, at 11:30 a.m., Court Room 10A, at the Regional Justice
2 Center, 200 Lewis Ave., Las Vegas, Nevada 89155.

3 YOU ARE NOTIFIED that CHRISTINE B. JOHNSON aka CHRISTINE B.
4 WEIDERMAN, the Adult Proposed Protected Person, may be adjudged to be incapacitated or of
5 limited capacity; that a guardian may be appointed for the Proposed Protected Person; that the
6 Proposed Protected Person's rights may be affected as specified in the Petition; that the Proposed
7 Protected Person has the right to appear at the hearing and to oppose the Petition; and that the
8 Proposed Protected Person has the right to be represented by an attorney, who may be appointed
9 for the Proposed Protected Person by the Court if the Proposed Protected Person is unable to
10 retain one.

11 YOU ARE DIRECTED to appear at the hearing and show cause, if you have any,
12 why a Guardian should not be appointed for the Person and Estate of CHRISTINE B. JOHNSON
13 aka CHRISTINE B. WEIDERMAN.

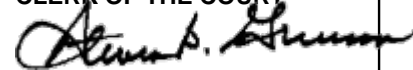
14 PLEASE NOTE that CHRISTINE B. JOHNSON aka CHRISTINE B.
15 WEIDERMAN is required to appear at the hearing. **Other interested parties need not appear**
16 **at the hearing unless they want to enter an objection.**

17 STEVEN D. GRIERSON, Clerk of the Court

18 By Elizabeth Odo
19 Deputy Clerk Elizabeth Odo DATE
20 Electronically Issued
21 8/23/2021

22 Respectfully submitted,

23 Kim Boyer
24 KIM BOYER, ESQ.
25 Nevada Bar #5587
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CERT

KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Ave., Suite 210
Las Vegas, Nevada 89135
(702) 255-2000
Email: kimboyer@elderlawnv.com

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Guardianship of

CHRISTINE B. JOHNSON aka
CHRISTINE B. WEIDERMAN,

An Adult Protected Person.

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

Date of Hearing: 09/23/21
Time of Hearing: 11:30 a.m.

CERTIFICATE OF SERVICE AND MAILING

☐ **TEMPORARY GUARDIANSHIP**

- ☐ Person
☐ Estate
☐ Person and Estate

☒ **GENERAL GUARDIANSHIP**

- ☐ Person
☐ Estate ☐ Summary Admin.
☒ Person and Estate

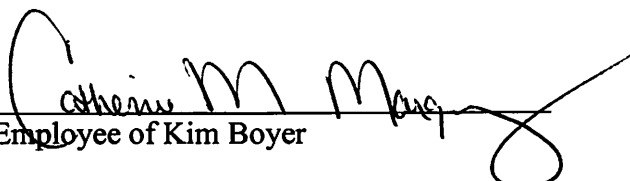
☐ **SPECIAL GUARDIANSHIP**

- ☐ Person
☐ Estate
☐ Person and Estate

☒ **NOTICES / SAFEGUARDS**

- ☐ Blocked Account Required
☐ Bond Required
☒ Public Guardian's Bond

I HEREBY CERTIFY that service of the Petition for Appointment of Clark County Public Guardian as a General Guardian of the Person and Estate and for Issuance of Letters of Guardianship and Citation were made this 24th day of August, 2021, by depositing a copy of the same in the U.S. Mail, postage prepaid, certified, return receipt requested, addressed to those persons listed on the attached service and mailing list.



An Employee of Kim Boyer

SERVICE & MAILING LIST

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E-Service List

NONE

Mailing List

Christine B. Johnson aka
Christine B. Wiederman
Confidential Address

Administrator
Confidential Address

Anthony Anchondo
c/o Las Vegas Dentition Center
Inmate #0695524
3300 Stewart Avenue
Las Vegas, Nevada 89101

Robert Weiderman
9800 Virginia Woods Circle
Las Vegas, Nevada 89117

Richard Weiderman
4828 Minturn Avenue
Las Vegas, Nevada 89130

Edward Weiderman
9025 W. Desert Inn Road, Apt. #267
Las Vegas, Nevada 89117

Valerie Weiderman
8777 W. Maule Avenue, Unit #2109
Las Vegas, Nevada 89148

Richard Johnson
2255 E. Sunset Road, Apt. #120
Las Vegas, Nevada 89119

Lisa Johnson
116 McKinnon Avenue NE
Concord, North Carolina 28025

Karen Johnson
2724 Golf Ball Circle
Concord, North Carolina 28025

Richard Johnson
Linda Johnson
350 Lance Drive
Grants Pass, Oregon 97526

///

1 Legal Aid Center of Southern Nevada, Inc.
725 E. Charleston Blvd.
2 Las Vegas, Nevada 89104

3 Karen Kelly
Clark County Public Guardian's Office
515 Shadow Lane
4 Las Vegas, Nevada 89106

5 Division of Welfare and Supportive Services
Medicaid Chief, Eligibility and Payments
6 1470 College Parkway
Carson City, Nevada 89706

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8 The following people listed below are entitled to notice, however we have been unable to obtain
a current mailing address:

9 Allison Weiderman

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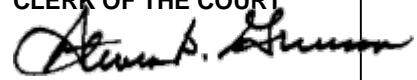
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DISTRICT COURT
CLARK COUNTY, NEVADA

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

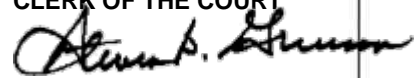
Case No.: G-21-055340-A
Department B

NOTICE OF GUARDIANSHIP NOMINATION REGISTRY REVIEW

Please be advised that the Nevada Secretary of State Guardianship Nomination Registry (Lock Box) has been reviewed for the protected person's date of birth on file, and the following name(s):
Johnson

/s/ Angela Root

Guardianship Compliance Employee



RCPT
KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Ave., Suite 210
Las Vegas, Nevada 89135
(702) 255-2000
Email: kimboyer@elderlawnv.com
Attorney for Facility

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of the Guardianship of

CHRISTINE B. JOHNSON aka
CHRISTINE B. WEIDERMAN,

An Adult Protected Person.

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

RECEIPT OF LEGAL DOCUMENTS BY THE CLARK COUNTY PUBLIC
GUARDIAN'S OFFICE

☐ **TEMPORARY GUARDIANSHIP**

- ☐ Person
☐ Estate
☐ Person and Estate

☒ **GENERAL GUARDIANSHIP**

- ☐ Person
☐ Estate
☒ Person and Estate
☐ Summary Admin.

☐ **SPECIAL GUARDIANSHIP**

- ☐ Person
☐ Estate
☐ Person and Estate

☒ **NOTICES / SAFEGUARDS**

- ☐ Blocked Account Required
☐ Bond Required
☒ Public Guardian's Bond

The undersigned, as the Clark County Public Guardian, Deputy Clark County Public Guardian or an authorized representative of either, certifies that he or she has received a copy of the following documents from KIM BOYER, ESQ., on behalf of a facility licensed to do business in the State of Nevada, pursuant to NRS 253.200(5), that will be filed in the above-titled matter:

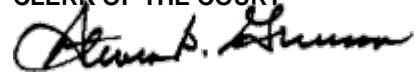
1. Petition for Appointment of Clark County Public Guardian as a General Guardian of the Person and Estate and for Issuance of Letters of Guardianship;
2. Confidential Physician's Certificate with Needs Assessment;
3. Confidential Information Pursuant to NRS 159.044; and

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4. Citation.

DATED this 24th day of August, 2021.

Debbie Dickman
CLARK COUNTY PUBLIC GUARDIAN'S OFFICE
By An Authorized Representative



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

Facsimile: (702) 386-1537

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

OAC

Katie Anderson, Esq.
Nevada Bar No. 15153C
kanderson@lacsnsn.org

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

725 E. Charleston Blvd
Las Vegas, NV 89104
Telephone: (702) 386-1537
Facsimile: (702) 386-1537

Attorney for Christine B. Johnson aka Christine B. Weiderman, 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 aka
CHRISTINE B. WEIDERMAN,

Adult Protected Person.

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

**ORDER APPOINTING COUNSEL AND DIRECTING
RELEASE OF MEDICAL AND FINANCIAL RECORDS AND INFORMATION**

Pursuant to NRS 159.0485(1)-(2), LEGAL AID CENTER OF SOUTHERN NEVADA, INC., is hereby appointed as counsel for CHRISTINE B. JOHNSON AKA CHRISTINE B. WEIDERMAN, the protected person herein.

IT IS HEREBY ORDERED THAT LEGAL AID CENTER OF SOUTHERN NEVADA, INC., and each of its attorneys and employees, shall have access to and be permitted to speak confidentially with CHRISTINE B. JOHNSON AKA CHRISTINE B. WEIDERMAN at any public or private institution, facility, or residence.

IT IS FURTHER ORDERED THAT LEGAL AID CENTER OF SOUTHERN NEVADA, INC., and each of its attorneys and employees, shall be permitted to discuss the care, treatment, and finances pertaining to CHRISTINE B. JOHNSON AKA CHRISTINE B. WEIDERMAN with any individual possessing knowledge of the same, including protected

1 health information under the provisions of the Federal Health Insurance Portability and
2 Accountability Act of 1996 ("HIPAA").

3 IT IS FURTHER ORDERED THAT LEGAL AID CENTER OF SOUTHERN
4 NEVADA, INC., shall be permitted to obtain copies of any and all documents and records
5 relating to CHRISTINE B. JOHNSON AKA CHRISTINE B. WEIDERMAN, without charge,
6 from any guardian; any person or entity having a financial relationship with CHRISTINE B.
7 JOHNSON AKA CHRISTINE B. WEIDERMAN, including but not limited to any financial
8 institution, mortgage servicer, or landlord; any human services agency, including but not limited
9 to Aging and Disability Services Division, Adult Protective Services; any medical professional,
10 including but not limited to physicians, psychologists, psychiatrists, mental health clinics, or
11 other health care providers; and any agency, facility, individual, or entity providing placement,
12 care, treatment, or services of any kind to CHRISTINE B. JOHNSON AKA CHRISTINE B.
13 WEIDERMAN, including documents and records containing confidential information or health
14 information protected under HIPAA.

15 IT IS FURTHER ORDERED THAT prior to any change in the placement, residence, or
16 address of CHRISTINE B. JOHNSON AKA CHRISTINE B. WEIDERMAN, CHRISTINE B.
17 JOHNSON AKA CHRISTINE B. WEIDERMAN's guardian shall notice LEGAL AID
18 CENTER OF SOUTHERN NEVADA, INC., at least ten business days prior to the anticipated
19 change in placement or residence. In the event of an emergency change in placement or
20 residence, the guardian shall notice LEGAL AID CENTER OF SOUTHERN NEVADA, INC.
21 as soon as possible.

22 IT IS FURTHER ORDERED THAT LEGAL AID CENTER OF SOUTHERN
23 NEVADA, INC., and each of its attorneys and employees, shall have access to any and all data,
24 information, reports, documents, and records held by local, state, and federal governmental or
25 law enforcement agencies, for the purpose of inspecting and/or copying such data, information,
26 reports, documents, and records relating to CHRISTINE B. JOHNSON AKA CHRISTINE B.
27 WEIDERMAN, whether public, private, or confidential, in order to provide legal representation
28 to CHRISTINE B. JOHNSON AKA CHRISTINE B. WEIDERMAN relating to the

guardianship and the protection of CHRISTINE B. JOHNSON AKA CHRISTINE B. WEIDERMAN's rights as provided by law. This includes access to data, information, reports, documents, and records that would otherwise be confidential under NRS 200.5095 and includes the disclosure of information pursuant to NRS 200.5098 and health information protected under HIPAA.

IT IS FURTHER ORDERED that, in the event this case has previously been sealed by order of this Court or otherwise, the Clerk of the Court is hereby ordered and directed to provide LEGAL AID CENTER OF SOUTHERN NEVADA, and each of its attorneys and employees, full and complete access to the case and court file, both physical and electronic.

IT IS FURTHER ORDERED that the appointment of LEGAL AID CENTER OF SOUTHERN NEVADA, INC. as counsel for CHRISTINE B. JOHNSON AKA CHRISTINE B. WEIDERMAN shall terminate when so ordered by this Court or at such time as this case is otherwise closed or dismissed or the guardianship terminated.

IT IS SO ORDERED.

Dated this 30th day of August, 2021



Submitted By:

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

**668 F09 2F6D 32E8
Linda Marquis
District Court Judge**

/s/ Katie Anderson, Esq.

Katie Anderson, Esq.

Nevada Bar No. 15153C

kanderson@lacsnc.org

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

725 E. Charleston Blvd

Las Vegas, NV 89104

Telephone: (702) 386-1537

Facsimile: (702) 386-1537

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

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

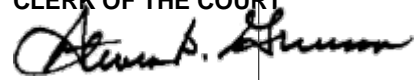
4
5
6 In the Matter of the Guardianship CASE NO: G-21-055340-A
of:
7 DEPT. NO. Department B
8 Christine Johnson, Protected
Person(s)
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order Appointing Counsel was served via the court's electronic eFile
13 system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 8/30/2021

15 Katie Anderson kanderson@lacs.n.org
16 Kimli Nguyen knguyen@lacs.n.org
17 Kim Boyer kimboyer@elderlawnv.com
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1 **NEOJ**

2 Katie Anderson, Esq.

3 Nevada Bar No. 15153C

4 kanderson@lacsns.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*

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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 ENTRY OF ORDER

YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that the attached
**ORDER APPOINTING COUNSEL AND DIRECTING RELEASE OF MEDICAL AND
FINANCIAL RECORDS AND INFORMATION** in the above captioned matter was entered
on the 30th day of August, 2021.

DATED this 30th day of August, 2021.

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

/s/ Katie Anderson, Esq.

Katie Anderson, Esq.

Nevada Bar No. 15153C

kanderson@lacsns.org

725 E. Charleston Blvd

Las Vegas, NV 89104

Telephone: (702) 386-1537

Facsimile: (702) 386-1537

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 30th day of August 2021, I deposited in the United States Mail at Las Vegas, Nevada, a copy of the foregoing document entitled **NOTICE OF ENTRY OF ORDER** in a sealed envelope, mailed regular U.S. mail, upon which first class postage was fully prepaid, addressed to the following:

Anthony Anchondo
c/o Las Vegas Dentition Center
Inmate #0695524
3300 Stewart Avenue
Las Vegas, Nevada 89101

Robert Weiderman
9800 Virginia Woods Circle
Las Vegas, Nevada 89117

Richard Weiderman
4828 Minturn Avenue
Las Vegas, Nevada 89130

Edward Weiderman
9025 W. Desert Inn Road, Apt. #267
Las Vegas, Nevada 89117

Valerie Weiderman
8777 W. Maule Avenue, Unit #2109
Las Vegas, Nevada 89148

Richard Johnson
2255 E. Sunset Road, Apt. #120
Las Vegas, Nevada 89119

Lisa Johnson
116 McKinnon Avenue NE
Concord, North Carolina 28025

Karen Johnson
2724 Golf Ball Circle
Concord, North Carolina 28025

Richard Johnson
Linda Johnson
350 Lance Drive
Grants Pass, Oregon 97526

Karen Kelly
Clark County Public Guardian's Office
515 Shadow Lane
Las Vegas, Nevada 89106

Division of Welfare and Supportive Services
Medicaid Chief, Eligibility and Payments
1470 College Parkway
Carson City, Nevada 89706

AND I FURTHER CERTIFY that on the same date I electronically served the same document to the following via ODYSSEY, the Court's electronic filing system, pursuant to NEFCR 9:

Kim Boyer kimboyer@elderlawnv.com

/s/ Kimli Nguyen
Employee of Legal Aid Center of Southern Nevada

OAC

Katie Anderson, Esq.
Nevada Bar No. 15153C
kanderson@lacsns.org

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

725 E. Charleston Blvd
Las Vegas, NV 89104
Telephone: (702) 386-1537
Facsimile: (702) 386-1537

Attorney for Christine B. Johnson aka Christine B. Weiderman, 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 aka
CHRISTINE B. WEIDERMAN,

Adult Protected Person.

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

**ORDER APPOINTING COUNSEL AND DIRECTING
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Pursuant to NRS 159.0485(1)-(2), LEGAL AID CENTER OF SOUTHERN NEVADA, INC., is hereby appointed as counsel for CHRISTINE B. JOHNSON AKA CHRISTINE B. WEIDERMAN, the protected person herein.

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7 JOHNSON AKA CHRISTINE B. WEIDERMAN, including but not limited to any financial
8 institution, mortgage servicer, or landlord; any human services agency, including but not limited
9 to Aging and Disability Services Division, Adult Protective Services; any medical professional,
10 including but not limited to physicians, psychologists, psychiatrists, mental health clinics, or
11 other health care providers; and any agency, facility, individual, or entity providing placement,
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26 reports, documents, and records relating to CHRISTINE B. JOHNSON AKA CHRISTINE B.
27 WEIDERMAN, whether public, private, or confidential, in order to provide legal representation
28 to CHRISTINE B. JOHNSON AKA CHRISTINE B. WEIDERMAN relating to the

guardianship and the protection of CHRISTINE B. JOHNSON AKA CHRISTINE B. WEIDERMAN's rights as provided by law. This includes access to data, information, reports, documents, and records that would otherwise be confidential under NRS 200.5095 and includes the disclosure of information pursuant to NRS 200.5098 and health information protected under HIPAA.

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IT IS FURTHER ORDERED that the appointment of LEGAL AID CENTER OF SOUTHERN NEVADA, INC. as counsel for CHRISTINE B. JOHNSON AKA CHRISTINE B. WEIDERMAN shall terminate when so ordered by this Court or at such time as this case is otherwise closed or dismissed or the guardianship terminated.

IT IS SO ORDERED.

Dated this 30th day of August, 2021



Submitted By:

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

**668 F09 2F6D 32E8
Linda Marquis
District Court Judge**

/s/ Katie Anderson, Esq.

Katie Anderson, Esq.

Nevada Bar No. 15153C

kanderson@lacsnc.org

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

725 E. Charleston Blvd

Las Vegas, NV 89104

Telephone: (702) 386-1537

Facsimile: (702) 386-1537

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

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 In the Matter of the Guardianship of: CASE NO: G-21-055340-A
7 Christine Johnson, Protected DEPT. NO. Department B
8 Person(s)
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

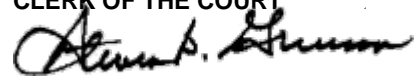
11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order Appointing Counsel was served via the court's electronic eFile
13 system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 8/30/2021

15 Katie Anderson	kanderson@lacs.n.org
16 Kimli Nguyen	knguyen@lacs.n.org
17 Kim Boyer	kimboyer@elderlawnv.com

PSER
BOYER LAW GROUP
10785 W. TWAIN AVE STE 210
LAS VEGAS, NV 89135
(702) 255-2000

Electronically Filed
9/2/2021 12:24 PM
Steven D. Grierson
CLERK OF THE COURT



DISTRICT COURT
CLARK COUNTY, NEVADA

IN THE MATTER OF THE GUARDIANSHIP OF:

CHRISTINE B. JOHNSON AKA CHRISTINE B. WEIDERMAN,

Adult Protected Person.

Case Number: G-21-055340-A

Dept:

PROOF OF SERVICE

TANNER TREWET, deposes and says: that at all times herein I am a citizen of the United States, over 18 years of age, licensed to serve civil process in the State of Nevada under license #389, and not a party to nor interested in the proceeding in which this statement is made.

Legal Wings, Inc. received on Tuesday, August 24, 2021 a copy of the:
**CITATION; 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 served the same on **8/26/2021** at **2:45 PM** to:

CHRISTINE B. JOHNSON AKA CHRISTINE B. WEIDERMAN

by leaving the copies with or in the presence of **FRANK BELLINGER, ADMINISTRATOR OF
FACILITY**, at ****CONFIDENTIAL****, , .

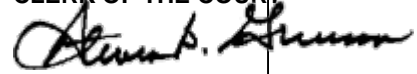
Pursuant to NRS 53.045, I declare under penalty
of perjury under the law of the State of Nevada that
the forgoing is true and correct.

Executed: Friday, August 27, 2021



TANNER TREWET

Registered Work Card R-2019-07712



OPPS

Katie Anderson, Esq.
Nevada Bar No. 15153C
kanderson@lacsnsn.org

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

725 E. Charleston Blvd
Las Vegas, NV 89104
Telephone: (702) 386-1537
Facsimile: (702) 386-1537

*Attorney for Christine Johnson
Proposed Adult Protected Persons*

**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**

**CHRISTINE JOHNSON'S OPPOSITION TO PETITION FOR APPOINTMENT OF
CLARK COUNTY PUBLIC GUARDIAN AS GUARDIAN OF THE PERSON AND
ESTATE AND FOR ISSUANCE OF LETTERS OF GUARDIANSHIP**

Christine Johnson, proposed adult protected person ("Christine"), by and through her counsel, Katie M. Anderson, Esq., of Legal Aid Center of Southern Nevada, Inc., hereby submits her opposition to the Petition for Appointment of Clark County Public Guardian as Guardian of the Person and Estate and for Issuance of Letters of Guardianship ("Petition") filed by a facility licensed to do business in the state of Nevada ("Petitioner") on August 23, 2021. This opposition is made and based upon the following memorandum of points and authorities, the pleadings and papers on file, and oral argument at the time of the hearing on this matter.

DATED this 17th day of September, 2021.

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

/s/ Katie M. Anderson
Katie M. Anderson, Esq.
Nevada Bar No. 15153C
kanderson@lacs.org
725 E. Charleston Blvd.
Las Vegas, Nevada 89104
Telephone: (702) 386-1537
Facsimile: (702) 386-1537
*Attorney for Christine Johnson,
Proposed Adult Protected Person*

MEMORANDUM OF POINTS AND AUTHORITIES

I. FACTUAL AND PROCEDURAL BACKGROUND

Christine was living with her fiancé, Anthony Anchondo (“Anthony”) in rural North Dakota until a few months ago. While living in North Dakota, Christine was diagnosed with Amyotrophic Lateral Sclerosis (“ALS”). Her condition has deteriorated such that she is now quadriplegic, experiences difficulty swallowing and slurred speech. But according to her medical providers, she would have better treatment options in a metropolitan area. So Christine moved back to Las Vegas, Nevada recently. Once in Nevada, and at her children’s insistence, Christine moved in with her sons. It became clear to Christine, however, that her children did not want her to continue seeing Anthony. During that same timeframe, Christine fell out of her wheelchair, and was hospitalized at University Medical Center. While at University Medical Center, Christine and Anthony decided that they would live together again upon her discharge. Christine then transitioned to another facility licensed to do business in Nevada¹ to receive further treatment while Anthony looked for suitable housing in Las Vegas.

¹ The specific facility is not public information at the present time, so throughout this

Christine remains living at the facility at the present time. Christine voluntarily signed herself into the facility on June 25, 2021.² At or near the time of her admission, Christine was presented with and executed Physician Orders for Life Sustaining Treatment (“POLST”). Said POLST was validated by Dr. Craig Jorgenson who certified that Christine had “decisional capacity.”³ At the time of her admission, Christine was apparently “alert and oriented” and “answered all questions appropriately.”⁴ The admission physical further noted that Christine displayed some “anxiety” but in general was in “good spirits” despite her “physical decline.”⁵ Christine further identified her fiancé as her Power of Attorney.⁶ In Kellen Anderson’s notes from June 30, 2021, Christine had “low mumbled speech. BIMS⁷ was conducted on 7/2/21 and resident scored 15/15 indicating no cognitive impairment. Resident did not display any signs or symptoms of delirium. PHQ-9⁸ conducted 7/2/21 and resident scored 00/27 indicating a minimal risk of depression...Resident expects to remain in facility for rehab and then return home with fiancé Tony in an apartment in Las Vegas.”⁹ throughout her stay, Christine has remained

Opposition, Christine will refer to the same as the “facility.”

² See Admission Documents filed contemporaneously with this Opposition and under Confidential Exhibit 1.

³ See executed POLST form filed contemporaneously with this Opposition and under Confidential Exhibit 2.

⁴ See Admission History and Physical filed contemporaneously with this Opposition and under Confidential Exhibit 3.

⁵ *Id* at 2 of 4.

⁶ *Id.* at 3 of 4. It is not known whether Christine ever actually executed a legally recognized Power of Attorney, but the facility was put on notice that one may exist. Additionally, the facility was put on notice that Christine intended Anthony to be involved in her health and living decisions.

⁷ This acronym stands for Brief Interview for Mental Status.

⁸ This acronym stands for Patient Health Questionnaire 9.

⁹ See Activity Comprehensive Data Set dated June 30, 2021 filed contemporaneously with this Opposition and under Confidential Exhibit 4.

oriented to name, time, and place.¹⁰ Notably, Christine has also made frequent and substantial medical decisions for herself concerning medications and sustenance throughout her stay.¹¹ By all accounts, the facility treated Christine as competent and reflected the same in her records.

Questions of competency arose a short time later, when Christine voiced a desire to leave the facility to live with Anthony. At that point, staff requested an “emergency competency evaluation.” A neuropsychologist performed a bedside “evaluation” on July 9, 2021 and formalized his findings through a handwritten note.¹² He found that Christine what they called a “shallow understanding of her condition and physical needs.”¹³ He related that that she “makes decisions with Anthony.”¹⁴ The doctor further lamented that Christine “refused to acknowledge that she was homeless prior to being hospitalized.”¹⁵

Petitioner filed their Petition for Clark County Public Guardian be Guardians of the Person and Estate and for Issuance of Letters of Guardianship on August 30, 2021.¹⁶ Petitioner further filed a Physician’s Certificate completed by Dr. Craig Jorgenson on August 6, 2021. This Dr. was the very same who determined Christine to have “decisional capacity” on June 28, 2021, just 38 days prior. The Physician’s Certificate indicates that Christine is in need of “24 hour supervision.”¹⁷ The Certificate goes on to say that Christine needs support or substantial

¹⁰ See Progress Notes spanning from June to August of 2021 filed contemporaneously with this Opposition and under Confidential Exhibit 5.

¹¹ See Physical Medicine and Rehabilitation Follow Ups filed contemporaneously with this Opposition and under Confidential Exhibit 6.

¹² See Physician’s Progress Note dated July 9, 2021 filed contemporaneously with this Opposition and under Confidential Exhibit 7.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ See Petition filed herein.

¹⁷ See Physician’s Certificate filed August 23, 2021 on page 4 of 6, Section 3, Paragraph A.

1 assistance in all areas except her physical needs such as bathing and walking.¹⁸ The physician's
2 certificate does **not** indicate that Christine lacks capacity to enter into a contract, make a will,
3 or make power of attorney.¹⁹ Despite this assessment, Christine continued to be consulted and
4 make medical decisions for herself up to and including the present.

5 The Petition does not address whether or not Christine has designated someone as her
6 Power of Attorney. But, the Petition alleges that Christine's fiancé is in the Las Vegas Detention
7 Center on "charges of domestic violence and battery."²⁰ The Petition questions whether or not
8 the alleged allegations involved Christine.²¹ According to the City of Las Vegas Inmate search,
9 Anthony was arrested on July 21, 2021 pursuant to Battery and Domestic Violence Charges
10 dating back to 2018, before he met Christine.²² He was sentenced to 120 days and will be
11 released in early October²³ Each defendant report lists the name of the victim, and neither victim
12 is Christine. Christine reports that Anthony has never been violent to her, and that she feels safe
13 and loved in his care.
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16 On August 30, 2021, the Court appointed counsel for Christine.²⁴

17 To date, Petitioner has failed to present any evidence, thus far, that the appointment of a
18 guardian is necessary, or that less restrictive alternatives have been attempted, pursuant to NRS.
19 159.055. For those reasons, Christine requests that the Petition be denied.
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22 ¹⁸ *Id* at pages 4-5 of 6, Section 3, Paragraph B.

23 ¹⁹ *Id* at page 5 of 6, Section 4, Paragraph A.

24 ²⁰ *See* Petition for CCPG to be Appointed as Guardian of Person and Estate and for Issuance of
Letters of Guardianship filed herein, 4:16-20.

25 ²¹ *Id.*

26 ²² *See* Case No: C1201508A and C1201316A.

27 ²³ *See* Case No: C1201508A and C1201316A

28 ²⁴ *See* Order Appointing Counsel filed on May 5, 2021.

II. LEGAL ARGUMENT

A. The Guardianship is not necessary pursuant to NRS 159.055.

NRS 159.044(2) requires a Petition to include “whether the proposed protected person has executed a durable power of attorney for health care, a durable power of attorney for financial matters or a written nomination of guardian.” Additionally, NRS 159.055 provides that the “petitioner has the burden of proving by clear and convincing evidence that the appointment of a guardian of the person, of the estate, or of the person and estate is necessary.” Nothing contained in this Petition addresses either one of those requirements. The Court has not been informed whether a Power of Attorney exists, even though Christine indicated at one point that there may be one. Should this matter be resolved in her favor, Christine intends to name Anthony as her Health Care and Financial Power of Attorney. Thus, the necessity of the Guardianship is not supported by the present filings. And in fact, is not necessary because Christine is ready and willing to execute a Power of Attorney.

B. Christine is not incapacitated pursuant to NRS 159.019.

The Court shall only appoint a guardian for persons who are incapacitated.²⁵ NRS 159.019 defines incapacity as a person who is “unable to receive and evaluate information or make or communicate decisions to such an extent that the person lacks the ability to meet essential requirements for physical health, safety or self-care without assistance.”

As described above, Christine is not incapacitated. At the end of June, Christine performed a mental status evaluation in which she scored 15 out of a possible 15. She also answered mental status questions indicating that her risk of depression was low. Throughout her stay, she has consistently remained oriented to person, place and time. Although her speech is

²⁵See NRS 159.048.

1 weak, she is able to communicate her needs and wants to staff. Dr. Jorgenson described her as
2 having decisional capacity just a few weeks before he said the opposite in a physician's
3 certificate.

4 The only tension, or change in Christine's demeanor or behavior, revolved around her
5 desire to be discharged from skilled nursing, and reside under the 24 hour care of Anthony. When
6 Christine started talking about leaving, the facility requested the competency evaluation. The
7 initial note/evaluation give details about what questions the doctor asked or the responses she
8 Christine gave, and what tests or metrics led the Doctor to the conclusion that her desire to go
9 home and live with Anthony, meant that she was not competent to make decisions for herself.
10 Or that her optimism regarding her diagnosis meant that she didn't have a full understanding of
11 her condition. To be blunt, ALS is terminal whether Christine lives out her days in the facility,
12 or in a home with her loved one. Decisional capacity does not go away just because one disagrees
13 with the decision.
14

15 Christine does not object or disagree with the concept that she needs assistance, as the
16 need for assistance is obvious given her physical condition. But Christine has selected Anthony
17 as her caregiver, as he has been for 2 years, and does not wish to have a guardian. Together, she
18 and Anthony have been able to manage their own finances and pay bills when they are due for
19 several years. Despite the facilities suggestion that they didn't know whether Christine was a
20 "victim" of Anthony's crimes, those were readily answered with a quick google search.
21 Ultimately, Christine has the capacity to choose where to live, who to live with, and when and
22 which doctors to see. She further has the right be optimistic about her condition, and believe it
23 won't get worse. If she doesn't want to face what is a terminal diagnosis, that is her prerogative.
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1 To date, Petitioner fails to present clear and convincing evidence that Christine is unable
2 to take in, evaluate and communicate her decisions. Further, there is no information to suggest
3 that Christine is unable to manage her own finances. Finally, Christine has assistance and support
4 now, without a guardianship, to maintain herself and her lifestyle. She has and will continue to
5 be in a long term relationship with Anthony, and Anthony has the means and willingness to
6 provide 24 hour care to Christine that has been recommended.

7 8 **III. CONCLUSION**

9 For the aforementioned reasons, Christine respectfully request that the Court deny
10 Petitioner's Petition for Clark County Public Guardian as a General Guardian of Person and
11 Estate and for Issuance of Letters of Guardianship.

12 DATED this 17th day of September, 2021.

13 14 15 **LEGAL AID CENTER OF SOUTHERN NEVADA, INC.**

16 /s/ Katie M. Anderson

17 Katie M. Anderson, Esq.

18 Nevada Bar No. 15153C

19 kanderson@lacsns.org

20 725 E. Charleston Blvd

21 Las Vegas, NV 89104

22 Telephone: (702) 386-1537

23 Facsimile: (702) 386-1537

24 *Attorney for Christine Johnson,*

25 *Proposed Adult Protected Persons*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 17th day of September 2021, I deposited in the United States Mail at Las Vegas, Nevada, a copy of the foregoing document entitled **CHRISTINE JOHNSON'S OPPOSITION TO PETITION FOR APPOINTMENT OF CLARK COUNTY PUBLIC GUARDIAN AS GUARDIAN OF THE PERSON AND ESTATE AND FOR ISSUANCE OF LETTERS OF GUARDIANSHIP** in a sealed envelope, mailed regular U.S. mail, upon which first class postage was fully prepaid, addressed to the following:

None.

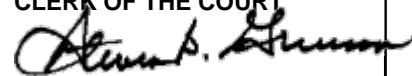
AND I FURTHER CERTIFY that on the same date I electronically served the same document to the following via ODYSSEY, the Court's electronic filing system, pursuant to NEFCR 9:

Kim Boyer kimboyer@elderlawnv.com

Matthew D Carling cedarlegal@gmail.com

/s/ Kimli Nguyen
Employee of Legal Aid Center of Southern Nevada

Submitted confidentially to the Court:
Exhibits to Christine Johnson's Opposition to Petition for
Appointment of Clerk County Public Guardian as
Guardian of the Person and Estate and for Issuance of
Letters of Guardianship (Bates Numbers **AA 0049 - 0128**)



RSPN
KIM BOYER, ESQ.
Nevada Bar #5587
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(702) 255-2000
Email: kimboyer@elderlawnv.com
Attorney for Facility

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of the Guardianship of

CHRISTINE B. JOHNSON aka
CHRISTINE B. WEIDERMAN,

An Adult Protected Person.

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

Date of Hearing: 09/23/21
Time of Hearing: 11:30 a.m.

**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**

☐ **TEMPORARY GUARDIANSHIP**

- ☐ Person
☐ Estate
☐ Person and Estate

☒ **GENERAL GUARDIANSHIP**

- ☐ Person
☐ Estate
☒ Person and Estate
☐ Summary Admin.

☐ **SPECIAL GUARDIANSHIP**

- ☐ Person
☐ Estate
☐ Person and Estate

☒ **NOTICES / SAFEGUARDS**

- ☐ Blocked Account Required
☐ Bond Required
☒ Public Guardian's Bond

KIM BOYER, ESQ., on behalf of a facility licensed to do business in the State of Nevada, respectfully responds to the objection filed in this matter as follows:

1. Jennifer Weiderman, the daughter of the Proposed Protected Person, contacted our office. She stated that she and her husband had been appointed as the emergency guardian and conservator of the Proposed Protected Person in the state of North Dakota. This appointment occurred after an investigation by the Mountrail Williams Human Service Zone, Vulnerable Adult Protective Services. In fact, it was the case worker at Vulnerable Adult Protective Services who filed the petition requesting a guardian, and who was familiar with the

1 Proposed Protected Person and her case file. The Court in North Dakota found that: "An
2 emergency exists in that Christin Bertina Johnson's health, safety and personal affairs are at risk
3 in light of this inability to properly handle her affairs." Exhibit "1."

4 2. The Proposed Protected Person had asked that her location in Nevada
5 remain confidential from her family. Based on review of the North Dakota pleadings, it appears
6 that request may be as a result of the isolation and control by Anthony Anchondo.

7 3. Based on the conclusions of Court in North Dakota, it is not in the
8 Protected Person's best interests to go back with Anthony Anchondo when he is released from
9 prison. Jennifer Weiderman does not want her mother in his care. It appears dangerous and
10 shows that the Proposed Protected Person lacks the ability to make decisions to such an extent
11 that she would not meet essential requirements for physical health, safety or self-care.

12 4. While our office could not find who was the victim of Anthony
13 Anchondo's domestic battery, we did find the following criminal history:

14 a) Criminal Damage to Property (12/1997) - Case No.:
15 1997CM002727; Dismissed in Wisconsin;

16 b) Criminal Trespass to Dwelling (12/1997) - Case No.:
17 1997CM002727; Dismissed in Wisconsin;

18 c) Disorderly Conduct (12/1997) - Case No.: 1997CM002727;
19 Guilty/ No Contest in Wisconsin;

20 d) Criminal Damage to Property (10/1998) - Case No.:
21 1998CM002413; Dismissed in Wisconsin;

22 e) Disorderly Conduct - Violent (10/1998) - Case No.:
23 1998CM002413; Guilty/ No Contest in Wisconsin;

24 f) Operating while Intoxicated (08/1998) - Case No.:
25 1998TR007754; Guilty/ No Contest in Wisconsin;

26 ///

1 g) Retail Theft (09/1999) – Case No.:1999CF00944; Guilty/ No
2 Contest in Wisconsin;
3 h) Failure to Support Child (12/2000) – Case No.: 2000CF001018;
4 Guilty/ No Contest in Wisconsin;
5 i) Fugitive (08/2002) – Case No.: PC02F14434X in Nevada;
6 j) Fugitive (05/2002) – Case No.: PC02F09043X in Nevada;
7 k) Bail Jumping (04/2004) – Case No.: 2004CF000458; Dismissed in
8 Wisconsin;
9 l) Criminal Damage (11/2004) – Case No.: 2005CM001820;
10 Dismissed in Wisconsin;
11 m) Disorderly Conduct (11/2004) – 2005CM001820; Dismissed in
12 Wisconsin;
13 n) Bail Jumping (01/2005) – Case No.: 2005CM000217; Dismissed
14 in Wisconsin;
15 o) Obstructing an Officer (01/2005) – Case No.: 2005CM000217;
16 Guilty/No Contest in Wisconsin;
17 p) Possession of Stolen Vehicle (06/2007) – Case No.: PC07F13352X
18 in Nevada;
19 q) Retail Theft (12/2007) – Case No.: 2007CM003479; Plead Guilty
20 in Wisconsin;
21 r) Resisting or obstructing an Officer (04/2013) – Case No.:
22 20013CM000682; Guilty due to No Contest Plea in Wisconsin;
23 s) Retail Theft (08/2013) – Case No.: 2013CM001709; Plead Guilty
24 in Wisconsin;
25 t) Dom Battery (05/2018) – Case No.: 18M12266X in Nevada; and
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u) Battery/Domestic Violence (07/2021) – Case No.: C1201508A;
ongoing and detained in Nevada.

Wherefore, Petitioner prays that KAREN KELLY, Clark County Public
Guardian, be appointed to act as the General Guardian of the Person and Estate of the Proposed
Protected Person.

DATED this 23rd day of September, 2021.

/s/ Kim Boyer

Kim Boyer, Esq.

Thomas E. Kalil (ID #06918)
Kalil Law Firm, PLLC
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P.O. Box 2355
Williston, ND 58802-2355
(701) 572-0395
tom@kalillawfirm.com
Attorney for Petitioner

Civil No. 53-2021-PR-00052

IN THE DISTRICT COURT OF WILLIAMS COUNTY, NORTH DAKOTA

In the Matter of the Guardianship and Conservatorship
of **Christine Bertina Johnson f/k/a Christine Weiderman f/k/a Christine Haugsdal**
an Allegedly Incapacitated Person

**EX PARTE PETITION FOR APPOINTMENT OF AN EMERGENCY
GUARDIAN AND CONSERVATOR**

Name of proposed ward/protected person: Christine Bertina Johnson f/k/a Christine Weiderman f/k/a Christine Haugsdal

Age: 62

Address: Super 8 Motel, Room 122, 2324 2nd Ave W, Williston, ND 58801

Name of Petitioner: Kayla Fenster, HSPA III

Address: Vulnerable Adult Protective Services
Mountrail Williams Human Service Zone
18 2nd Ave SE, P.O. Box 39
Stanley, ND 58784

Relationship to proposed ward/protected person: None, Employee of Vulnerable Adult Protective Services.

Name of Proposed Co-Guardian/Conservator: Jennifer Weiderman

Address: P.O. Box 527, Yarmouth, ME 04096

Relationship to proposed ward/protected person: Daughter

Name of Proposed Co-Guardian/Conservator: Robert Weiderman

Address: 9800 Virginia Woods Circle, Las Vegas, NV 89117

Relationship to proposed ward/protected person: Son

The Petitioner respectfully presents the following to the Court:

[¶1] The information listed above pertaining to the named above-named proposed ward is accurate.

[¶2] The ex parte appointment of an emergency guardian is necessary because substantial

EXHIBIT AA0133

harm has already occurred to the proposed ward's health, safety, and welfare, and harm will likely continue to occur. No other person appears to have authority or willingness to act in the circumstances.

[¶3] Christine Bertina Johnson ("Christine") requires a guardian and conservator because she is unable to properly care for herself. She suffers from Amyotrophic Lateral Sclerosis (ALS), also known as Lou Gehrig's Disease, significant arthritis at several levels in her back, inability to walk, and alcohol addiction.

[¶4] Christine requires daily medical care and needs to be in a facility equipped to handle her daily needs. Christine is currently living in a hotel and is not getting to her appointments and tests as scheduled.

[¶5] On February 2, 2021, Dr. William Curtis Small wrote a letter addressing his concerns regarding Christine's medical condition, lack of care, and abusive behavior of her significant other, Anthony Anchondo ("Anthony"). Due to Mr. Anchondo's behavior, Dr. Small has had to have the Williston Police Department on standby and in the building during Christine's appointments. Dr. Small is concerned over Anthony's recent comment when addressed how to manage Christine's pain. Anthony responded that "Christine and I have a plan, we aren't telling anyone what the plan is, though..." Dr. Small has concerns over some kind of mercy-killing/suicide pact. See Exhibit I attached.

[¶6] Christine's neurologist, Dr. Tessa Marburger, also wrote a letter addressing her concerns about Christine's medical condition, lack of care, and the abusive behavior of her significant other, Anthony Anchondo. Dr. Marburger recommends Christine to be in a facility equipped to handle her ALS. Dr. Marburger and her staff have also experienced abusive behavior from Anthony. Dr. Marburger tried to explain the type of care that Christine requires and tried to get

her to understand, but Anthony repeatedly interfered with the conversation by loudly interrupting with insults, accusations and vague and/or unrealistic demands directed towards Dr. Marburger. Anthony accused Dr. Marburger of lying several times. Dr. Marburger is concerned about Anthony's influence over Christine. Dr. Marburger confronted Anthony about his behavior toward the health care team and Anthony acknowledged no wrong doing, claiming that they needed to be "called out". Anthony further claimed that Dr. Marburger had no right to make recommendations about Christine's living situation because that is personal. Dr. Marburger explained that Christine's living situation is very relevant to her health. From Dr. Marburger's perspective, Anthony has been systematically alienating Christine from healthcare team members that have been trying to provide her care. See Exhibit 2 attached.

[¶7] Kayla Fenster with Vulnerable Adult Protective Services ("VAPS") had a face-to-face visit with Christine and Anthony. Kayla had concerns over Anthony's behavior as well. She was greeted by him yelling at her through the door. Anthony talked for Christine throughout the entire conversation and did not give Christine the ability to answer Kayla's questions on her own. Anthony berated Kayla's professionalism and called her a liar numerous times. Kayla is concerned about Christine residing in a Motel and not having the resources she requires for her ALS. Christine is unable to get out of bed or use the bathroom unassisted. During the visit, Kayla witnessed Christine laying in bed cringing in pain every time Anthony would reposition her. During this visit, Christine started to choke on three different occasions due to her swallowing issues. Kayla noted that Christine's health had rapidly declined since she saw her in 2020. VAPS also has concerns about Anthony leaving Christine in the Motel room alone for an undisclosed amount of time; during this time, Christine is not able to do anything for herself and if she doesn't have the only cell phone, she is incapable of calling out for help should something go

wrong. Kayla feels that an Emergency Guardianship would be the best during this time to have family with a sound mind to help Christine make decisions that will affect her medically as well as respect Christine's wishes for the little time she has left. See Exhibit 3 attached.

[¶8] Dr. Marburger stated in her letter that there is documentation that a local home health provider will not go to Christine's hotel room due to Anthony's behavior. See Exhibit 2 attached.

[¶9] Dr. Marburger also stated in her letter that there is documentation that the respiratory team members have called to schedule Christine for her breathing test, and Anthony would not let them talk to her and hung up on them. Anthony is barring Christine from getting important diagnostic tests to assess her respiratory status. See Exhibit 2 attached.

[¶10] The only source of income is Christine's Social Security income. There are concerns over Anthony's influence of Christine and him not having any income other than Christine's Social Security.

[¶11] Christine's husband passed away May 2019. In April 2020, Anthony had indicated to Dr. Small that he was here in Williston to track down an inheritance of his mineral acres. Anthony indicated that he had come up from Las Vegas to track these down. In June, 2020, Christine had reported to Dr. Small that she was on a quest to find her inheritance, oil mineral acres from her Grandfather in Divide County, which motivated her to enlist Anthony's help in helping her move here. See Exhibit 1 attached.

[¶12] There are concerns that the only reason Christine is not getting the healthcare that she needs is because Anthony is determined to find this "inheritance" in Divide County and will not allow Christine to move back to Las Vegas where there are resources available and where her children reside. Anthony has driven Christine's family members away and has isolated her. Anthony's control over Christine's Social Security money, her unfound "inheritance", attempting

to seek Power of Attorney, and her healthcare in the little time that Christine has known him is very concerning.

[¶13] Christine's needs are greater than the care she is receiving at this time. She is unable to care for herself and requires 24 hour care.

[¶14] Christine has been hospitalized twice for conditions related to her inability to walk. In July, while being hospitalized for weakness and inability to walk, Dr. Small applied for Christine to be accepted by Bethel Lutheran Home, but they refused to undertake her care, for reasons Dr. Small does not know. Dr. Small then referred Christine to their Home Care division and the home care nurses became scared of Anthony and refused to do further visits on her as they did not feel safe. See Exhibit 1 attached.

[¶15] It is necessary, in order to protect Christine's well-being, that an emergency guardian and conservator be appointed to look after her affairs until a permanent guardian and conservator can be appointed.

[¶16] The petitioner requests Christine's daughter, Jennifer Weiderman, whose post office address is P.O. Box 527, Yarmouth, ME 04096, and Christine's son, Robert Weiderman, whose post office address is 9800 Virginia Woods Circle, Las Vegas, NV 89117 be appointed the temporary co-guardians and co-conservators and have the qualifications which justify their appointment as the temporary guardian and conservator. It is in the ward's best interests that Jennifer Weiderman and Robert Weiderman be guardian and conservator.

[¶17] The petitioner has considered less intrusive alternatives to guardianship and conservatorship and has reviewed possibilities for alternative resource plans, as specified by N.D.C.C. § 30.1-26-01, and believes that no alternative resource plan is available to Christine Bertina Johnson.

[¶18] The names and addresses of persons entitled to notice in this matter are listed below:

Spouse: **Deceased**

Parents: **Deceased**

Adult Children:

Jennifer Weiderman, P.O. Box 527, Yarmouth, ME 04096

Robert Weiderman, 9800 Virginia Woods Circle, Las Vegas, NV 89117

Don Leadbeter, 1204 Silver Prospect Dr., Las Vegas, NV 89108

Edward Weiderman, 1200 Redwood St. Apt. E96, Las Vegas, NV 89146

Valerie Weiderman, 8777 W Maule Ave #15-2109, Las Vegas, NV 89148

Richard Weiderman, 5817 Rae Dr, Las Vegas, NV 89108

Allison Weiderman, 6232 Timberwolf Ct., Las Vegas, NV 89130

[¶19] I request that the Court authorize the guardian and conservatorship decision-making ability in the following areas and to the following degrees:

	<i>Full</i>	<i>Limited</i>	<i>None</i>
Place of residence, including long-term care facility placement	X		
Education and/or training	X		
Legal matters	X		
Vocation	X		
Financial Matters	X		
Medical treatment	X		

[¶20] I request that Christine Bertina Johnson's rights to vote, seek change in marital status, and obtain or retain a motor vehicle operator's license be restricted.

[¶21] The cost of this proceeding will be paid by North Dakota Human Services, Aging Services Division, 1237 W. Divide Ave, Ste 6, Bismarck, ND 58501-1208.

[¶22] Given Anthony Anchondo's erratic and unpredicted behavior, Petitioner further requests that the Williams County Sheriff's Office assist the Emergency Co-Guardians and Co-


Conservators with removing the ward from the Super 8 Motel.

[¶23] For the reasons set forth above, Petitioner respectfully requests the following:

1. That the Court appoint Jennifer Weideman and Robert Weideman as Emergency co-guardian and co-conservator of Christine Bertina Johnson;
2. That a hearing be held promptly on this Petition and that the Court appoint the above-indicated persons as the guardian and conservator of Christine Bertina Johnson;
3. That the Court appoint an expert examiner to examine Christine Bertina Johnson, and a visitor to interview Christine Bertina Johnson, the proposed guardian, and other persons interested in the welfare of Christine Bertina Johnson;
4. That a guardian ad litem be appointed to advocate for the best interests of Christine Bertina Johnson;
5. That the Court order the Williams County Sheriff's Office immediately locate Christine Bertina Johnson and remove her from the Super 8 Motel, Room 122, 2324 2nd Ave W, Williston, ND 58801, and place her in the care of the Guardians, or their designee.

I DECLARE, CERTIFY, VERIFY, AND STATE, UNDER PENALTY OF PERJURY, THAT THE FOREGOING IS TRUE AND CORRECT.

Dated this 26th day of February, 2021.



Kayla Fenster, HSPA III, Petitioner
Vulnerable Adult Protective Services
Mountrail McKenzie Human Service Zone
18 2nd Ave SE, P.O. Box 39
Stanley, North Dakota 58784



February 2, 2021
Kayla Fenster
Vulnerable Adult Protective Services
Williston, ND 58801

Dear Ms. Fenster,

In response to your request for information of the impact and effect that Anthony Anchondo has been having on the medical care that we have been attempting to deliver to Christine Johnson, Date of Birth [REDACTED], 1958, the follow details are offered.

My first contact was with Mr. Anchondo before I met Ms. Johnson, in April 2020. In his initial visit with me, he stated that he was here in Williston to track down an inheritance of his of oil mineral acres. He indicated that he had come up from Las Vegas to track these down and that this was a difficult situation because of limitations he had in income, no vehicle and inadequate knowledge of geography and mineral rights and ownership.

My initial visit with 62 year old Christine Johnson came later after some cancelled/missed appointments and finally occurred on June 24, 2020. She had been referred to me after having a May visit to the Emergency Room where she had stumbled and fallen back on her buttocks, blaming her bad knee. She also discussed having long standing back problems treated in Las Vegas but I had no medical records of this. Mr. Anchondo accompanied her and she asked for pain medication. Because I needed more medical evidence of a back problem, she was scheduled for xrays and we requested records which were never received. She felt her legs were too weak to support her and described living in a motel with her fiancé Anthony. She reported that she was on a quest to find her inheritance, oil mineral acres from her Grandfather in Divide County, which motivated her to enlist Anthony's help in helping her to move here.

Because of her obvious pain I gave her Tylenol with codeine 3 for treatment and told her she would have to have further testing to consider other treatments or referrals to specialists. She sometimes kept those appointments, for reasons never specifically explained to me. She did finally get an MRI of her back which showed that she had significant arthritis at several levels in her back, and I wanted to see if our pain control doctor would be able to do epidural steroid injections to reduce this pain and improve her walking.

I have been recently told by Christine's daughter Jennifer, that her mother has a long history of alcoholism and that she had not had contact with her mother for over a year as she did not know where she was or who Anthony Anchondo was. We found out that Ms. Johnson had seven children, several of which are living in Las Vegas.

My evaluation of Mr. Anchondo's medical condition occurred over 2-3 visits and during an October 29, 2020 visit, he told me a very detailed story of his life in Las Vegas where he lost his daughter to heroin abuse and he reported that he was a one man unofficial drug task force taking on drug dealers. He has medical findings consistent with his history of fighting with people and has familiarity with hand guns. He had found Ms. Johnson and she supposedly asked him to help her find her lost inheritance in North Dakota. Somehow they found their way here. Christine became more and more frail and physically and emotionally dependent on Mr. Anchondo. She says she is in love with him and she does not want to be separated from him.

Starting in the end of October, Mr. Anchondo began displaying worrisome behavioral characteristics with yelling at nursing staff and reception staff on the phone and being very abusive in his speech. Because of his multiple episodes of angry disruptive behavior, I had him removed from my practice. However, as Ms. Johnson's sole care giver, we have been forced to have continued contact with him and his abusive manners.

Ms. Johnson has been hospitalized twice for conditions related to her inability to walk. In July, while being hospitalized for weakness and inability to walk, we applied for her to be accepted by Bethel Lutheran Home, but they refused to undertake her care, for reasons I do not know. She was referred to our Home Care division and our home care nurses became scared of Mr. Anchondo and refused to do further visits on her, as they did not feel safe. Ms. Johnson was advised to have a follow up appointment with our neurologist, Dr. Marburger, for further nerve and muscle testing for a more definitive diagnosis, but again, the appointments kept being missed.

With scattered further appointments, contacts with other doctors during 2 subsequent hospitalizations, worrisome patterns began to appear. When Ms. Johnson came for a follow up appointment to see me for refilling opioid pain medicines, when she was required to give a urine sample and when he found that it was for a required urine drug screen, being done before seeing me, Mr. Anchondo objected and quickly wheeled her out of the clinic, missing the appointment with me. When attempting to set up follow up appointments for her, Mr. Anchondo would typically get the call and may or may not cooperate with the caller in getting the appointment set.

She finally saw Dr. Marburger after having a second hospitalization, and on December 30, after EMG nerve testing, Dr. Marburger became convinced that her diagnosis was amyotrophic lateral sclerosis (ALS), also known as Lou Gehrig's Disease. On that day, Dr. Marburger broke the news to Ms. Johnson in Mr. Anchondo's presence. Ms. Johnson was understandably very upset and Dr. Marburger knew that it would take some time before she could absorb other details about the treatment. Dr. Marburger discussed that it would be wise for her to move to a city that had more resources for the support of people with ALS. Along the way, Mr. Anchondo has become adamant that he heard that Dr. Marburger say Ms. Johnson had only 3-4 months to live. Dr. Marburger told them that Ms. Johnson needed a breathing test and a swallowing test and that she would need in the future to wear a breathing machine called Bipap, and eventually needing a ventilator as her muscles became weaker. Ms. Johnson already displays difficulty with breathing if she is laying down, and difficulty speaking as her neck and laryngeal muscles are weakening. She is subject to choking as her swallowing muscles become weaker as well.

At a subsequent visit with Dr. Marburger on February 1, Mr. Anchondo, after hearing Dr. Marburger's discussion about her illness limiting her life to a variable amount of time from months to 3-4 years, he became very angry that Dr. Marburger had lied about this, and had told them it would be 4 months. He

acted in a bullying abusive manner, scaring Dr. Marburger, and and interrupting the process of getting appropriate tests set up. He had already been obstructing Christine's getting tests set up by acting abusive to the respiratory technician on the phone and also to the nurses trying to set up the swallowing study.

On January 29, 2021, we had a telephone conference with Ms. Johnson's daughter Jennifer, who had travelled her from New England to see her mother. We warned her about Mr. Anchondo's behaviors. I was told on February 1, that Mr. Anchondo acted welcomingly to her on January 29 and 30, but he acted angry on January 31 with Jennifer as discussion turned to whether Ms. Johnson would go with her to Las Vegas where there would be more family support, an ALS clinic and facilities that would be able to give a higher level of support to her. I did not hear if it was Mr. Anchondo making the decision or if Ms. Johnson was making the decision for her to stay here in Williston to get the Divide County inheritance.

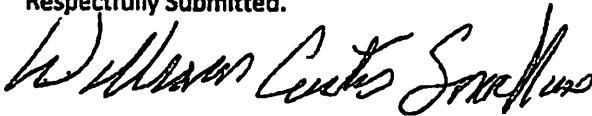
For control of her back pain, Ms. Johnson had been given oxycodone after her second hospitalization and on February 2, she came to see my Family Medicine Resident Doctor, Dr. Sohail Shariff, to discuss getting a refill of her oxycodone. Dr. Shariff and I had been told about her ALS diagnosis and current displays of muscle weakness shortly after she had been prescribed oxycodone. After discussion about this with Dr. Marburger, we had decided that it was too dangerous to continue to use opioid pain medicine with her breathing muscles becoming weaker. After hearing about Mr. Anchondo's behavior with Dr. Marburger, and anticipating a negative response from him if we told him that we would not be renewing the oxycodone, we asked the Williston Police Department to have an officer available in case Mr. Anchondo acted out during the visit. As he entered the exam room with Mrs. Johnson in her wheelchair on February 2, he was able to observe 2 officers in the room next door and we had a calm interaction. We again explained the course of the illness with her becoming weaker and losing her ability to move and potentially needing a Bipap machine and then a ventilator to breathe. We said that we would not renew the oxycodone because it posed a danger to her breathing, We reiterated that here in Williston, we did not have people with a lot of experience with treating and supporting ALS patients but that to get care going, she needed to get the testing that had been scheduled for her.

Mr. Anchondo asked what could be done about her pain and we recommended lidocaine patches. Our pain control doctor did not feel that it was appropriate to put injections into the spine of someone with ALS, we told them, worried that this would spark negative behavior again from Mr. Anchondo, as he had exploded in a phone conversation that had delivered that information earlier. We emphasized that we thought she should be admitted to a nursing facility where she could receive more care. He stated that he and Christine had talked and that she did not want to go, that going to a nursing facility meant that she would not be able to see her family or him. He asked her to tell us what she wanted and she supported what he said. He remarked that he would rather feed her more whiskey to help her. He had a side conversation with Ms. Johnson about how she needed to sip slowly with the straw and she asked about getting a bigger supply of Ensure liquid protein drink. Mr. Anchondo made a rather cryptic remark to the effect "Christine and I have a plan, we aren't telling anyone what the plan is, though... We ended the interaction by giving them the dates and times of the tests, urging them to keep the appointments.

Today February 3, the nurse who made the appointment for the breathing test was contacted by the respiratory therapy department that Ms. Johnson did not show up for the test. Calls were made to their motel room, and no one answered. Our Clinic nurse did a health and welfare check on them, and found Christine alone in the room, alive and saying that Mr. Anchondo had gone to do some business. She did not seem concerned that she had missed her breathing test...

It is very apparent to me the Mr. Anchondo is acting in a negligent manner in leaving her alone with no other support in the hotel room, she is unable to go the bathroom by herself. He is obstructing her access to medical phone calls and he is not taking her to important testing that she needs. His cryptic remark about his plan with her makes me wonder if there is some kind of mercy-killing/suicide pact. He has driven her family members away and isolated her. He is feeding her alcohol addiction. He is not assisting her sufficiently in the physical support that she needs. He is also seeking to become her power of attorney rather than her daughter.

Respectfully Submitted.

A handwritten signature in black ink, appearing to read "William Curtis Small MD". The signature is fluid and cursive, with the last name "Small" being particularly prominent.

William Curtis Small MD FAAFP
Associate Professor of Family Medicine
UND Minot Family Medicine Residency
Williston Rural Track Program.



Specialty Clinic
20/20 Professional Center
1500 14th St. West Suite 300
Williston, ND 58801

P 701.774.7500
CHISTAlexiusHealth.org

Re: Christine Johnson, date of birth [REDACTED]/1958

Based on my visit with Christine Johnson on February 1st, 2021 and communication by her other health care team members, I have grave concerns about her care.

Optimal care for her condition includes access to several resources that are not available in Williston, ND including electrical wheelchair assessment and a respiratory device BIPAP. These resources involve require equipment and somebody trained in that equipment. I have tried to explain this to her and her caregiver Anthony Nachondo. She would be better served in a community that had these resources available, particularly in the absence of transportation. She had the opportunity to return to Las Vegas with the assistance of her children, where she could attain optimal care. They have an ALS clinic where the multidisciplinary care she needs could be provided. I tried to get a sense of her understanding, but Mr. Nachondo repeatedly interfered with that conversation by loudly interrupting with insults, accusations and vague and/or unrealistic demands directed towards myself. I question her decision making about her health care given that she is choosing to stay in situation where her needs are not being adequately met instead of accepting opportunity to go where they can be. Unfortunately, I cannot make an adequate determination of her understanding.

I'm very concerned about Mr. Nachondo's influence over Ms. Johnson's understanding about the care she is getting and care she needs. Specifically, during visit on February 1st, he accused me of lying when I clarified prognosis. He claimed that at a previous visit, I told her that her life expectancy was 4 months. He claimed that I made this very specific comment about her life span, which I didn't and wouldn't. It is completely unreasonable to expect a specific (number of months) prediction as prognosis of condition is variable. I recognized that he may have misunderstood, but my concern mounted when Mr. Nachondo looked to Ms. Johnson and asked if I indeed made that very specific prediction. She nodded in agreement. This is an example of her accepting his untruths about her health.

I'm also concerned that she does not have access to the resources that are available in Williston due to Mr. Nachondo's behavior toward people intending to provide her care. There is documentation that local home health providers will not go to her home due to Mr. Nachondo behavior. Therefore, a valuable resource to assess safety, function and improve quality of life is not available to her because of his intimidating behavior. There is documentation that respiratory team members have called to schedule her for her breathing test, and he would not let them talk to her. He hung up on them. He was thus barring her from getting an important diagnostic test to assess her respiratory status. At our visit on February 1st, an appointment for that test was communicated to Mr. Nachondo and Ms. Johnson, and they agreed to come for that appointment. They did not arrive at that appointment.

At our visit on February 1st, I confronted Mr. Nachondo about how his behavior toward health care team members is interfering with her care. He acknowledged no wrong doing, claiming that they needed to be "called out". He claimed that I have no right to make recommendation about her living situation because that is personal. I explained that her living situation is very relevant to her health. He made to direct response to that. From my perspective, he has been systematically alienating Ms. Johnson from healthcare team members that have been trying to provide her care.

Sincerely,

Tessa Marburger, MD
Neurologist

CHI St. Alexius Health Williston Medical Center Specialty Care
1500 14th St W Ste. 300,
Williston, ND 58801
Phone: (701) 774-7500 Fax: (701) 774-4193

MRN: 3618800

Encounter Date: 12/30/2020 3:00PM

Address:
CHRISTINE JOHNSON
2324 2nd Ave W
Rm 122
Williston, ND 588013412

DOB: [REDACTED] 1958
Home: (701) 572-8371
Work: (702) 665-1634

To whom it may concern,

I am a neurologist who has evaluated Christine Johnson and have diagnosed her with amyotrophic lateral sclerosis (ALS) also known as Lou Gehrig's disease. As a result of her condition, she is dependent for activities of daily living. Her condition has progressed over last 5 months and is anticipated to continue to progress requiring increasing levels of assistance.

Signatures

Electronically signed by : Tessa Marburger, M.D.; Dec 30 2020 4:46PM CST

(Author)

RECEIVED

DEC 30 2020

MMHSZ Stanley Office

MOUNTRAIL MCKENZIE HUMAN SERVICE ZONE

Vulnerable Adult Protective Services

Serving Regions 1 & 2

Bottineau, Burke, Divide, McHenry, McKenzie, Mountrail,
Pierce, Renville, Ward, Williams

Cell: (701) 629-5393

Fax: (701) 628-3175

Office: (701) 628-2925

Email: kmfenster@nd.gov

PO BOX 39, STANLEY, NORTH DAKOTA 58784-0039

Date: 02/05/2021

FULL NAME: Christine Johnson

DOB: [REDACTED]/1958

Address: 2324 2nd Ave W Rm. 122, Williston, ND 58801

I completed a face-to-face visit with Christine Johnson and her significant other Anthony "Tony" Anchondo on 1/25/21 @ 10:29am. Christine and Tony are currently living out of room 122 at the Super 8 Motel in Williston and have been there since late 2020. They are currently living off of her Social Security income and have utilized other agencies or family to get help paying the weekly fee for living there.

Upon my presence initially, I was met with Tony yelling at me through the door and his behavior very abrasive as I tried to get initial contact with Christine. Tony eventually let me into the room so that I could visit with Christine but refused me to have privacy with her during our conversation; Tony also took advantage of talking for Christine throughout our whole conversation and not giving her the ability to answer all of my questions on her own. Tony proceeded to berate my professionalism and called me a liar numerous times throughout my conversation with Christine.

Prior to my face-to-face visit, I was involved with a meeting amongst her medical professionals that have been working with her since 2020. Dr. Marburger and Dr. Small both explained her current diagnosis of ALS, also known as Lou Gehrig's Disease and the hardships they have faced with the lack of resources in our community as well as the disrespectful behavior shown by Tony at her appointments or via phone. Both doctors made it clear to myself and others involved that Christine's decline in health will only progress and that in order for her to get the treatment or further testing she needs done, she would need to look at relocating out of Williston. They also informed me that Respiratory Therapy has had numerous difficulties in trying to visit with Christine via phone or get any appointments lined up for her for some testing; they are greeted with Tony yelling at them and hanging up. Christine has capacity to be making her own decisions and has been informed multiple times of the lack of resources in our area or agencies refusing to work with her now due to Tony's behaviors; this is a concern and I question if she truly knows how dire her situation is with her disease and the rapid decline in her health.

During our conversation, I asked Christine numerous times if she was open to relocating or if she was open to nursing home cares being there are no services willing to come into the motel to work with her or with Tony; she would look to Tony after every question before saying "no". Her only reasoning was she didn't want to not be able to see family or Tony and it was not a guarantee with the pandemic if she would be able to have visitors in a nursing home. Tony was very adamant that they wanted to get into an apartment in Williston and when I questioned why

they felt it was so imperative to remain in Williston being they have no familial ties to the area; I was informed that they were trying to work on getting the inheritance Christine initially came up to claim from her grandfather. Tony stated that since they have been up in North Dakota they haven't been able to do anything due to Christine dealing with medical issues which contradicts his previous statement.

It was troubling to watch Christine laying in the bed because she cringed in pain every time Tony would reposition her and she started to choke on three different occasions due to her swallowing issues. Christine's health has rapidly declined since I saw her in 2020 and she was not able to physically do anything without assistance from Tony. I have concerns in this regard for her health because she is at the point where she needs more assistance and resources than what she is receiving from Tony in their motel room. It's also concerning as well when Tony leaves Christine all by herself in the room for an undisclosed amount of time; during this time, Christine is not able to do anything for herself and if she doesn't have the only cell phone, she is incapable of calling out for help should something go wrong.

I do feel that Christine is needing more help than what our local resources can provide and I do not feel that she is making sound medical decisions for herself to help improve the quality and quantity of life she has left. I am concerned with Tony's behaviors and how he conducts himself during appointments that the few resources we do have in town will either be unavailable or inadequate to what Christine's current needs are. I do feel that an Emergency Guardianship would be the best during this time to have family with a sound mind help Christine make decisions that will affect her medically as well as respect Christine's wishes for the little time she has left.



Kayla Fenster, HSPA III
Vulnerable Adult Protection Worker

To file a North Dakota vulnerable adult report, call 1-855-462-5465 Option 2 or file online at <https://fw2.harmonyis.net/NDLiveIntake/>

Thomas E. Kalil (ID #06918)
Kalil Law Firm, PLLC
1802 13th Ave W
P.O. Box 2355
Williston, ND 58802-2355
(701) 572-0395
tom@kalillawfirm.com
Attorney for Petitioner

Civil No. 53-2021-PR-00052

IN THE DISTRICT COURT OF WILLIAMS COUNTY, NORTH DAKOTA

**In the Matter of the Guardianship and Conservatorship
of Christine Bertina Johnson f/k/a Christine Weiderman f/k/a Christine Haugsdal
an Allegedly Incapacitated Person**

ORDER APPOINTING EMERGENCY GUARDIAN AND CONSERVATOR

[¶1] The Court having reviewed Section 30.1-28-10.1 N.D.C.C., and having considered the Petition and other matter, makes the following findings:

[¶2] The Court has jurisdiction over this matter based on Christine Bertina Johnson's permanent residence in Williams County, North Dakota.

[¶3] Petitioner, as an employee of the Mountrail Williams Human Service Zone, Vulnerable Adult Protective Services, is familiar with Christine Bertina Johnson and her case file.

[¶4] Christine Bertina Johnson is 62 years of age and currently lives in Williston, North Dakota.

[¶5] As a result of her mental and physical condition, Christine Bertina Johnson is unable to look after herself and her own affairs.

[¶6] An emergency exists in that Christine Bertina Johnson's health, safety and personal affairs are at risk in light of this inability to properly handle her affairs.

[¶7] Christine Bertina Johnson has no other guardian or conservator. Jennifer Weiderman and Robert Weiderman are willing and able to serve as emergency guardian and conservator of Christine Bertina Johnson.

[¶8] Pursuant to the authority granted under Section 30.1-28-10.1 N.D.C.C., Jennifer Weiderman and Robert Weiderman shall be appointed as emergency co-guardians and co-conservators of Christine Bertina Johnson f/k/a Christine Weiderman f/k/a Christine Haugsdal and Emergency Letters of Guardianship and Conservatorship shall be issued to them which allow them to act independently of the other.

[¶9] The Court orders that the Williams County Sheriff's Office immediately locate Christine Bertina Johnson and remove her from the Super 8 Motel, Room 122, 2324 2nd Ave W, Williston, ND 58801.

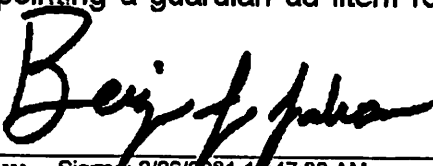
[¶10] The Court further orders that the Williams County Sheriff's Office be provided with a copy of this Order and that they employ any and all necessary means to retrieve Christine Bertina Johnson immediately through whatever lawful means are available to law enforcement, and that she

be placed in the care of the guardians appointed herein, or any party they may designate.

The Letters and Order must be served upon the Ward within 48 hours of the date of the Order. A hearing on the petition for ex parte emergency appointment of petitioner shall be held within 10 days.

BY THE COURT:

The petitioner shall immediately file an order appointing a guardian ad litem for the Ward.



Williams County District Court Judge



Williams County District Court Judge

STATE OF _____)
COUNTY OF _____) ss

I, **Jennifer Weideman**, hereby accept the duties of Co-Guardian and Co-Conservator of the person of Christine Bertina Johnson, an incapacitated person, and will perform my duties according to law.

Dated this ____ day of February, 2021.

Jennifer Weideman

STATE OF _____)
COUNTY OF _____) ss

I, **Robert Weideman**, hereby accept the duties of Co-Guardian and Co-Conservator of the person of Christine Bertina Johnson, an incapacitated person, and will perform my duties according to law.

Dated this ____ day of February, 2021.

Robert Weideman

Thomas E. Kalil (ID #06918)
Kalil Law Firm, PLLC
1802 13th Ave W
P.O. Box 2355
Williston, ND 58802-2355
(701) 572-0395
tom@kalillawfirm.com
Attorney for Petitioner

Civil No. 53-2021-PR-00052

IN THE DISTRICT COURT OF WILLIAMS COUNTY, NORTH DAKOTA

In the Matter of the Guardianship and Conservatorship
of **Christine Bertina Johnson f/k/a Christine Weiderman f/k/a Christine Haugsdal**
an Allegedly Incapacitated Person

AMENDED EMERGENCY LETTERS OF GUARDIANSHIP AND CONSERVATORSHIP

**TO: JENNIFER WEIDERMAN AND ROBERT WEIDERMAN, CO-GUARDIAN AND
CO-CONSERVATOR OF CHRISTINE BERTINA JOHNSON, AN INCAPACITATED
PERSON**

[¶1] In the District Court of Williams County on the 26th day of February, 2021, Jennifer Weiderman and Robert Weiderman were appointed to be the emergency Co-Guardian and Co-Conservator of Christine Bertina Johnson f/k/a Christine Weiderman f/k/a Christine Haugsdal.

[¶2] Jennifer Weiderman and Robert Weiderman, as Co-Guardian and Co-Conservator has the authority for Christine Bertina Johnson f/k/a Christine Weiderman f/k/a Christine Haugsdal in each of the following areas:

	<i>Full</i>	<i>Limited</i>	<i>None</i>
Place of residence	X		
Education and/or training	X		
Legal matters	X		
Vocation	X		
Financial matters	X		
Medical treatment	X		

[¶3] These Emergency Letters of Guardianship and Conservatorship are valid for ten (10) days from the date of this Order, or upon further Order of the Court. Each co-guardian and co-conservator may act independently of the other.

Signed: 2/1/2021 1:48:47 PM
BY THE COURT:



Williams County District Court Judge

STATE OF MAINE)
) ss
COUNTY OF CUMBERLAND)

I, **Jennifer Weiderman**, hereby accept the duties of Co-Guardian and Co-Conservator of the person of Christine Bertina Johnson, an incapacitated person, and will perform my duties according to law.

Dated this 26th day of February, 2021.

/s/ Jennifer Weiderman
Jennifer Weiderman

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

I, **Robert Weiderman**, hereby accept the duties of Co-Guardian and Co-Conservator of the person of Christine Bertina Johnson, an incapacitated person, and will perform my duties according to law.

Dated this 26th day of February, 2021.

/s/ Robert Weiderman
Robert Weiderman

Thomas E. Kalil (ID #06918)
Kalil Law Firm, PLLC
1802 13th Ave W
P.O. Box 2355
Williston, ND 58802-2355
(701) 572-0395
tom@kalillawfirm.com
Attorney for Petitioner

Civil No. 53-2021-PR-00052

IN THE DISTRICT COURT OF WILLIAMS COUNTY, NORTH DAKOTA

In the Matter of the Guardianship and Conservatorship
of **Christine Bertina Johnson f/k/a Christine Weiderman f/k/a Christine Haugsdal**
an Allegedly Incapacitated Person

ORDER APPOINTING GUARDIAN AD LITEM

[¶1] The Petition of Kayla Fenster, for the appointment of Jennifer Weiderman and Robert Weiderman as Co-Guardians and Co-Conservators of Christine Bertina Johnson f/k/a Christine Weiderman f/k/a Christine Haugsdal, alleged to be an incapacitated person, having come before the Court, and it appearing that the alleged incapacitated person is not represented by legal counsel of her own choice, Jeff Nehring and/or Hernando Perez, of Williston, North Dakota 58801, is hereby appointed to represent said alleged incapacitated person in the proceedings before the Court, and shall have the powers and duties of a guardian ad litem. The duties of the Guardian Ad Litem are as follows:

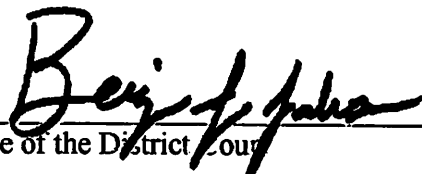
[¶2] Interview the proposed ward. The interview can be by phone or video conference due to the COVID-19 restrictions.

[¶3] Explain the guardianship proceeding to the proposed ward in the language, mode of communication, and in terms that the proposed ward is most likely to understand, including the nature and possible consequences of the proceeding, the right to which the proposed ward is entitled, and the legal options that are available.

[¶4] Represent the proposed ward as a Guardian Ad Litem. If the appointed attorney or other

attorney is retained by the proposed ward to act as an advocate, the attorney shall promptly notify the Court, and the Court may determine whether the attorney should be discharged from the duties of Guardian Ad Litem.

BY THE COURT
Signed: 6/26/2021 2:19:34 PM



Judge of the District Court

REGISTER OF ACTIONS

CASE NO. G-21-055340-A

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

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§

Case Type: **Guardianship of Adult General - Person & Estate - Summary**
 Subtype:
 Date Filed: **08/23/2021**
 Location: **Department B**
 Cross-Reference Case Number: **G055340**
 Supreme Court No.: **83912**

PARTY INFORMATION

Guardian of Person and Estate	Kelly, Karen 515 Shadow LN Las Vegas, NV 89106	Female	Lead Attorneys Matthew D. Carling <i>Retained</i> 702-419-7330(W)
Petitioner	Boyer, Esq., Kim 10785 W. Twain Avenue, Suite 210 Las Vegas, NV 89135		Kim Boyer <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		Katie Anderson <i>Retained</i> 702-386-1537(W)

EVENTS & ORDERS OF THE COURT

09/23/2021 **All Pending Motions** (11:30 AM) (Judicial Officer Marquis, Linda)
Citation... Opposition to Petition for Appointment of Guardian over Adult.

Minutes

09/23/2021 11:30 AM

- 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.

Parties Present

[Return to Register of Actions](#)

Heather S. Smith

CLERK OF THE COURT

OAI

**DISTRICT COURT
CLARK COUNTY, NEVADA**

In the Matter of the Guardianship
of:

Christine Johnson,

Protected Person(s)

Case No.: G-21-055340-A

Department: B

Return Hearing:

October 21, 2021

at 2:30 PM

ORDER TO APPOINT INVESTIGATOR

This matter has been reviewed by the Court. The Court, having jurisdiction of the subject matter, finds an investigation is required in this matter.

IT IS HEREBY ORDERED:

1. The Court appoints the following as investigator in this matter:
Kate McCloskey, State Guardianship Compliance Officer, or
designee
201 S. Carson Street, Suite 250
Carson City, NV 89701-4702
Phone: 775-684-1783
Fax: 775-684-1723
2. The State Guardianship Compliance Officer shall conduct an investigation into the Protected Person's personal circumstances including, but not limited to, the Protected Person's medical and psychiatric/psychological condition, care and maintenance, educational status, placement, and financial status.

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3. Specifically, the State Guardianship Compliance Officer shall obtain the APS records and court files from North Dakota (case number 532021TR00052) and Clark County relative to the Proposed Protected Person.
 4. Upon presentation of this Order to any hospital, medical care facility, health care provider, educational institution, human service agency, financial institution, or other agency or individual providing placement, care, treatment, services, or benefits to the Protected Person, including records of protected health information under the provision of the Federal Health Insurance Portability and Accountability Act of 1996, the State Guardianship Compliance Officer shall be authorized to access, review, and/or copy any record relating to the Protected Person, within the scope of this investigation.
 5. The State Guardianship Compliance Officer shall file a written report with the Court, documenting the results of this investigation. The investigative report shall be sent to the parties in this matter, by the State Guardianship Compliance Officer.

20 IT IS SO ORDERED.

21 Dated this 27th day of September, 2021

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24 46B EA3 841E A97E
25 Linda Marquis
26 District Court Judge
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28

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

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5
6 In the Matter of the Guardianship CASE NO: G-21-055340-A
of:
7 DEPT. NO. Department B
8 Christine Johnson, Protected
Person(s)
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order to Appoint State Investigator was served via the court's
13 electronic eFile system to all recipients registered for e-Service on the above entitled case as
listed below:

14 Service Date: 9/27/2021

15 Katie Anderson kanderson@lacs.n.org

16 Matthew Carling cedarlegal@gmail.com

17 Kimli Nguyen knguyen@lacs.n.org

18 Kim Boyer kimboyer@elderlawnv.com
19
20
21
22
23
24
25
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27
28

**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

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 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.

PRINT DATE:	10/15/2021	Page 1 of 2	Minutes Date:	October 15, 2021
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

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: October 21, 2021 2:30 PM Citation to Appear
RJC Courtroom 10A
Marquis, Linda
Christensen, Karen
Stengel, Tanya

October 21, 2021 2:30 PM Opposition
RJC Courtroom 10A
Marquis, Linda
Christensen, Karen
Stengel, Tanya

October 21, 2021 2:30 PM Hearing
RJC Courtroom 10A
Marquis, Linda
Christensen, Karen
Stengel, Tanya

PRINT DATE:	10/15/2021	Page 2 of 2	Minutes Date:	October 15, 2021
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

REGISTER OF ACTIONS

CASE NO. G-21-055340-A

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

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Case Type: **Guardianship of Adult General - Person & Estate - Summary**
 Subtype: **Summary**
 Date Filed: **08/23/2021**
 Location: **Department B**
 Cross-Reference Case Number: **G055340**
 Supreme Court No.: **83912**

PARTY INFORMATION

Guardian of Person and Estate	Kelly, Karen 515 Shadow LN Las Vegas, NV 89106	Female	Lead Attorneys Matthew D. Carling <i>Retained</i> 702-419-7330(W)
Petitioner	Boyer, Esq., Kim 10785 W. Twain Avenue, Suite 210 Las Vegas, NV 89135		Kim Boyer <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		Katie Anderson <i>Retained</i> 702-386-1537(W)

EVENTS & ORDERS OF THE COURT

10/21/2021 **All Pending Motions** (2:30 PM) (Judicial Officer Marquis, Linda)

Minutes

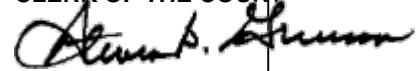
10/21/2021 2:30 PM

- 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

Parties Present

Return to Register of Actions



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**DISTRICT COURT
CLARK COUNTY, NEVADA**

In the Matter of the Guardianship

of:

Christine Johnson,

Protected Person(s)

Case No.: G-21-055340-A

Department: B

Return Hearing:

November 4, 2021

at 10:30 AM

AMENDED ORDER TO APPOINT INVESTIGATOR

This matter has been reviewed by the Court. The Court, having jurisdiction of the subject matter, finds an investigation is required in this matter.


IT IS HEREBY ORDERED:

1. The Court appoints the following as investigator in this matter:
Kate McCloskey, State Guardianship Compliance Officer, or
designee
201 S. Carson Street, Suite 250
Carson City, NV 89701-4702
Phone: 775-684-1783
Fax: 775-684-1723
2. The State Guardianship Compliance Officer shall conduct an investigation into the Protected Person's personal circumstances including, but not limited to, the Protected Person's medical and psychiatric/psychological condition, care and maintenance, educational status, placement, and financial status.

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3. Specifically, the State Guardianship Compliance Officer shall obtain the APS records and court files from North Dakota (case number 532021TR00052) and Clark County relative to the Proposed Protected Person.
 4. Upon presentation of this Order to any hospital, medical care facility, health care provider, educational institution, human service agency, financial institution, or other agency or individual providing placement, care, treatment, services, or benefits to the Protected Person, including records of protected health information under the provision of the Federal Health Insurance Portability and Accountability Act of 1996, the State Guardianship Compliance Officer shall be authorized to access, review, and/or copy any record relating to the Protected Person, within the scope of this investigation.
 5. The State Guardianship Compliance Officer shall file a written report with the Court, documenting the results of this investigation. The investigative report shall be sent to the parties in this matter, by the State Guardianship Compliance Officer.

20 IT IS SO ORDERED.

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DISTRICT COURT JUDGE (GAR)
LINDA MARQUIS
October 21, 2021

1 NEO

2 **DISTRICT COURT**
3 **CLARK COUNTY, NEVADA**

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

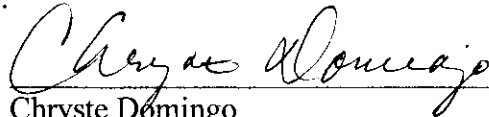
Case No.: G-21-055340-A
Department B

6 **NOTICE OF ENTRY OF ORDER**

7
8 TO ALL INTERESTED PARTIES:

9 **PLEASE TAKE NOTICE** that an Amended Order was entered in the above-
10 entitled matter on October 21, 2021, a true and correct copy of which is attached hereto.

11 Dated this 21st day of October, 2021.

12 

13 Chryste Domingo
14 Judicial Executive Assistant to the
15 HONORABLE LINDA MARQUIS

16 **CERTIFICATE OF SERVICE**

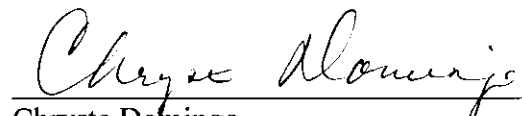
17 I hereby certify that on the above file stamped date:

18 ☒ E-Served pursuant to NEFCR 9 on October 21, 2021, or placed in the folder(s) located in
19 the Clerk's Office of, the following attorneys:

20 Kim Boyer, Esquire
21 Katie Anderson, Esquire
22 Matthew D. Carling, Esquire

23 ☒ I mailed, via first-class mail, postage fully prepaid, the foregoing NOTICE OF ENTRY
24 OF ORDER to:

25 Christine B. Johnson
26 c/o Facility Licensed in the State of Nevada
27 Address Confidential

28 

Chryste Domingo
Judicial Executive Assistant to the
HONORABLE LINDA MARQUIS



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**DISTRICT COURT
CLARK COUNTY, NEVADA**

In the Matter of the Guardianship

of:

Christine Johnson,

Protected Person(s)

Case No.: G-21-055340-A

Department: B

Return Hearing:

November 4, 2021

at 10:30 AM

AMENDED ORDER TO APPOINT INVESTIGATOR

This matter has been reviewed by the Court. The Court, having jurisdiction of the subject matter, finds an investigation is required in this matter.


IT IS HEREBY ORDERED:

1. The Court appoints the following as investigator in this matter:
Kate McCloskey, State Guardianship Compliance Officer, or
designee
201 S. Carson Street, Suite 250
Carson City, NV 89701-4702
Phone: 775-684-1783
Fax: 775-684-1723
2. The State Guardianship Compliance Officer shall conduct an investigation into the Protected Person's personal circumstances including, but not limited to, the Protected Person's medical and psychiatric/psychological condition, care and maintenance, educational status, placement, and financial status.

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3. Specifically, the State Guardianship Compliance Officer shall obtain the APS records and court files from North Dakota (case number 532021TR00052) and Clark County relative to the Proposed Protected Person.
 4. Upon presentation of this Order to any hospital, medical care facility, health care provider, educational institution, human service agency, financial institution, or other agency or individual providing placement, care, treatment, services, or benefits to the Protected Person, including records of protected health information under the provision of the Federal Health Insurance Portability and Accountability Act of 1996, the State Guardianship Compliance Officer shall be authorized to access, review, and/or copy any record relating to the Protected Person, within the scope of this investigation.
 5. The State Guardianship Compliance Officer shall file a written report with the Court, documenting the results of this investigation. The investigative report shall be sent to the parties in this matter, by the State Guardianship Compliance Officer.

20 IT IS SO ORDERED.

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DISTRICT COURT JUDGE *LGK*
LINDA MARQUIS
October 21, 2021

Submitted confidentially to the Court:
Confidential Report of Investigator
(Bates Numbers **AA 0168 - 0207**)

REGISTER OF ACTIONS

CASE NO. G-21-055340-A

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

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Case Type: **Guardianship of Adult General - Person & Estate - Summary**
 Subtype: **Summary**
 Date Filed: **08/23/2021**
 Location: **Department B**
 Cross-Reference Case Number: **G055340**
 Supreme Court No.: **83912**

PARTY INFORMATION

Guardian of Person and Estate	Kelly, Karen 515 Shadow LN Las Vegas, NV 89106	Female	Lead Attorneys Matthew D. Carling <i>Retained</i> 702-419-7330(W)
Petitioner	Boyer, Esq., Kim 10785 W. Twain Avenue, Suite 210 Las Vegas, NV 89135		Kim Boyer <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		Katie Anderson <i>Retained</i> 702-386-1537(W)

EVENTS & ORDERS OF THE COURT

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)

Minutes

11/04/2021 10:30 AM

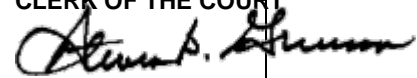
- CITATION TO APPEAR REGARDING PETITION FOR APPOINTMENT OF CLARK COUNTY PUBLIC GUARDIAN AS A GENERAL GUARDIAN OF THE PERSON AND ESTATE... OPPOSITION TO PETITION FOR APPOINTMENT OF GUARDIAN OVER ADULT.. RESPONSE TO OBJECTION TO PETITION FOR APPOINTMENT OF CLARK COUNTY PUBLIC GUARDIAN AS A GENERAL GUARDIAN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

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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.

Parties Present

Return to Register of Actions



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 **Order Establishing Guardianship of the Person
and Estate and for Issuance of Letters of Guardianship** was entered in the above-captioned
matter on November 4, 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 5, 2021, I sent a true and correct copy of **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

Steven D. Grierson

GOAGS
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
DATE: 11/04/21 @ 10:30am

<input type="checkbox"/> Death	<input type="checkbox"/> Age of Majority	<input type="checkbox"/> Restoration of Competency	<input type="checkbox"/> Order Terminating Guard or
<input type="checkbox"/> Settled / Withdrawn:	<input type="checkbox"/> Without Judicial Conf/Hrg	<input type="checkbox"/> With Judicial Conf/Hrg	<input type="checkbox"/> Alternative Dispute Resolution
<input type="checkbox"/> Other Manner of Disposition	<input type="checkbox"/> Dismissed - Want of Prosecution	<input type="checkbox"/> Involuntary (Statutory) Dismissal	<input type="checkbox"/> Default Judgment
<input type="checkbox"/> Transferred	<input type="checkbox"/> Close Case?		

**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

The Court, having reviewed the Petition of Kim Boyer for the Appointment of Clark County Public Guardian as General Guardian of the Person and Estate of CHRISTINE JOHNSON, 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
18
19
20
21 Submitted by:

22 **CARLING LAW OFFICE, PC**

23 *Matthew D. Carling, Esq.*
24 Matthew D. Carling, Esq.

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

26 Nevada Bar No.: 007302

27 *Attorney for Karen Kelly,*

28 **CLARK COUNTY PUBLIC GUARDIAN**

CGP

REGISTER OF ACTIONS

CASE NO. G-21-055340-A

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

§
§
§
§
§
§
§

Case Type: **Guardianship of Adult General - Person & Estate - Summary**
Subtype:
Date Filed: **08/23/2021**
Location: **Department B**
Cross-Reference Case Number: **G055340**
Supreme Court No.: **83912**

PARTY INFORMATION

Guardian of Person and Estate	Kelly, Karen 515 Shadow LN Las Vegas, NV 89106	Female	Lead Attorneys Matthew D. Carling <i>Retained</i> 702-419-7330(W)
Petitioner	Boyer, Esq., Kim 10785 W. Twain Avenue, Suite 210 Las Vegas, NV 89135		Kim Boyer <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		Katie Anderson <i>Retained</i> 702-386-1537(W)

EVENTS & ORDERS OF THE COURT

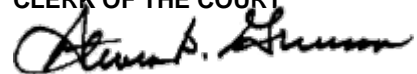
11/09/2021 **Minute Order** (3:15 PM) (Judicial Officer Marquis, Linda)

Minutes

11/09/2021 3:15 PM

- 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)

[Return to Register of Actions](#)



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.**

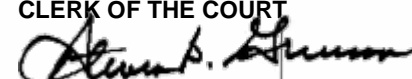
26 Nevada Bar No.: 007302

27 *Attorney for Karen Kelly,*

28 **CLARK COUNTY PUBLIC GUARDIAN**

Linda Marquis

DISTRICT COURT JUDGE
LINDA MARQUIS



1 **LEG**
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**

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17 * * * * *

18
19 In the Matter of the Guardianship of:
20 CHRISTINE JOHNSON aka CHRISTINE
21 WEIDERMAN, an Adult Protected Person.

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

LETTERS OF GUARDIANSHIP

<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

22
23 On November 4, 2021, an Order of the Court was entered appointing KAREN KELLY,
24 Clark County Public Guardian, as General Guardian of the Person and Estate of CHRISTINE
25 JOHNSON aka CHRISTINE WEIDERMAN, an adult. The named General Guardian, having

1 duly qualified, is hereby authorized to act, and has the authority and shall perform the duties of
2 such General Guardian.

3 In testimony of which I have this date issued these Letters and affixed the seal of the
4 court.

5 STEVEN D. GRIERSON
6 CLERK OF THE COURT
7

8 By _____
9 Deputy Clerk Date

10 **OATH**

11
12
13 STATE OF NEVADA)
14) ss:
15 COUNTY OF CLARK)
16

17 I, KAREN KELLY, residing at 515 Shadow Lane, Las Vegas, Nevada 89106, whose
18 mailing address is 515 Shadow Lane, Las Vegas, Nevada 89106, solemnly affirm that I will
19 faithfully perform according to law the duties of Guardian and that any matters stated in any
20 petition or paper filed with the Court are true of my own knowledge or if any matters are stated
21 on information and belief, I believe them to be true.

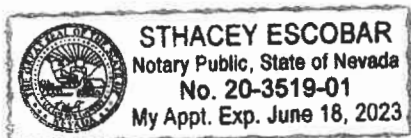
22 I declare under penalty of perjury under the law of the State of Nevada that the foregoing
23 is true and correct.

24 EXECUTED this 21st day of September, 2021.

25 Karen Kelly
26
27 KAREN KELLY,
28 Clark County Public Guardian

29 SIGNED AND SWORN before me on
30 this 21st day of September, 2021.

31 Stacey Escobar
32 NOTARY PUBLIC
33



1 **LEG**
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:
20 CHRISTINE JOHNSON aka CHRISTINE
21 WEIDERMAN, an Adult Protected Person.

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

LETTERS OF GUARDIANSHIP

<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

22
23 On November 10, 2021, an Order of the Court was entered appointing KAREN KELLY,
24 Clark County Public Guardian, as General Guardian of the Person and Estate of CHRISTINE
25 JOHNSON aka CHRISTINE WEIDERMAN, an adult. The named General Guardian, having

1 duly qualified, is hereby authorized to act, and has the authority and shall perform the duties of
2 such General Guardian.

3 In testimony of which I have this date issued these Letters and affixed the seal of the
4 court.

5 STEVEN D. GRIERSON
6 CLERK OF THE COURT
7

8 By _____
9 Deputy Clerk Date

10 **OATH**

11
12
13 STATE OF NEVADA)
14) ss:
15 COUNTY OF CLARK)
16

17 I, KAREN KELLY, residing at 515 Shadow Lane, Las Vegas, Nevada 89106, whose
18 mailing address is 515 Shadow Lane, Las Vegas, Nevada 89106, solemnly affirm that I will
19 faithfully perform according to law the duties of Guardian and that any matters stated in any
20 petition or paper filed with the Court are true of my own knowledge or if any matters are stated
21 on information and belief, I believe them to be true.

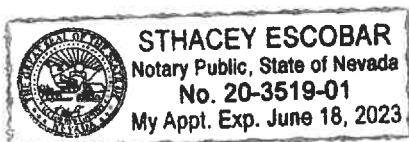
22 I declare under penalty of perjury under the law of the State of Nevada that the foregoing
23 is true and correct.

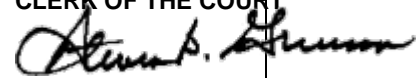
24 EXECUTED this 21st day of September, 2021.

25 Karen Kelly
26 KAREN KELLY,
27 Clark County Public Guardian
28

29 SIGNED AND SWORN before me on
30 this 21st day of September, 2021.

31 [Signature]
32 NOTARY PUBLIC
33





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 type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Person & Estate	<input checked="" type="checkbox"/> GENERAL GUARDIANSHIP <input type="checkbox"/> Person <input type="checkbox"/> Estate <input checked="" type="checkbox"/> Summary Admin. <input checked="" type="checkbox"/> Person & Estate
<input type="checkbox"/> SPECIAL GUARDIANSHIP <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin. <input type="checkbox"/> Person & Estate	<input checked="" type="checkbox"/> NOTICES/SAFEGUARDS <input type="checkbox"/> Blocked Account Required <input type="checkbox"/> Bond Required <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@lacsnc.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

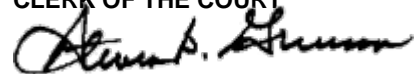
Matthew D. Carling, Esq.

MATTHEW D. CARLING, ESQ.

Nevada Bar No.: 007302

Attorney for Karen Kelly,

CLARK COUNTY PUBLIC GUARDIAN



1 **GOAGS**
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4 Nevada Bar No.: 007302
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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)

<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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21 Submitted by:

22 **CARLING LAW OFFICE, PC**

23 *Matthew D. Carling, Esq.*

24 **MATTHEW D. CARLING, ESQ.**

25 Nevada Bar No.: 007302

26 *Attorney for Karen Kelly,*

27 **CLARK COUNTY PUBLIC GUARDIAN**
28

Linda Marquis

DISTRICT COURT JUDGE
LINDA MARQUIS

1 **NOAS**

Katie Anderson, Esq.

2 Nevada Bar No. 15153C

3 kanderson@lacs.nv.gov

4 **LEGAL AID CENTER OF**

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725 E. Charleston Blvd

5 Las Vegas, NV 89104

Telephone: (702) 386-1537

6 Facsimile: (702) 386-1537

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

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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@lacs.nv.gov

725 E. Charleston Blvd

Las Vegas, NV 89104

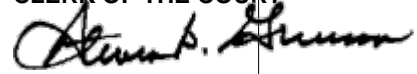
*Attorney for Christine B. Johnson, aka Christine
Weideman, Adult Protected Person*

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None.

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Matthew D Carling	cedarlegal@gmail.com
Kate McCloskey	NVGCO@nvcourts.nv.gov

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11 *Attorney for Christine B. Johnson, aka Christine B. Weideman, 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. Weideman.

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. Weideman, 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

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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.

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15 *Attorney for Christine B. Johnson, aka*

16 *Christine Weideman, Adult Protected Person*
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