

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

NO. 2021-X2110

IN RE: JANE T. HERRING, AN ALLEGED INCAPACITATED PERSON

ORDER

AND NOW, this 11th day of April, 2023, upon consideration of the attached correspondence received from Arthur Herring and in light of this Court's Order requiring Arthur Herring to have supervised visits with Jane Herring for which he does not have the ability to pay for and for which he will not permit payment to be made by the Guardian of the Estate as an advance on his inheritance, the Court requests Arthur Herring, III agree to participate in a neuropsychological evaluation. This evaluation will assist the Court in determining Arthur's ability to comply with Court Orders and whether supervised visits remain necessary. The costs of this evaluation shall be borne by Montgomery County. The evaluation shall be conducted by a licensed neuropsychologist who has not previously conducted an evaluation in this matter. The Court will consider licensed neuropsychologists proposed by Arthur Herring or counsel to conduct this evaluation. Arthur shall inform the Court, no later than April 19, 2023, via email to Judicial Assistant, Karen Copestick, if he is willing to participate in this evaluation.

BY THE COURT:



GAIL A. WEILHEIMER J.

Order e-filed April 11, 2023:
Brittany J. Camp, Esquire
David A. Jaskowiak, Esquire
Victor Meitner, Esquire
Thad Gelsinger, Esquire
Ronald Fenstermacher, Jr., Esquire



tomlinher1925@tutanota.com

Wed, Apr 19, 2023 • 15:43

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Wed, Apr 19, 2023 • 15:43

From

tomlinher1925@tutanota.com

To

Karen Copestick <karen.copestick@montgomerycountypa.gov>

Cc

Vmeitner <vmeitner@meitnerlaw.com> Rfenstermacher Esq <rfenstermacher.esq@gmail.com>

Tgelsinger <tgelsinger@barley.com>

Bcc

Tomlinher1925 <tomlinher1925@tutanota.com>

Reply to Order April 11 2023

Response to Order of April 11 2023

Upon reading the Order, it seems quite clear that those various persons, who have been involved in this personal and financial fraud of guardianship upon my Mother starting in May 2021, never attended Law 101. That class explained the basis of law in the US: 1. A person has the right to face their accusers; 2. A person is innocent until proven guilty in a court of law; 3. There are two sides to every story; 4. The court is never to be used as a weapon, i.e: Contempt of Court charges, SLAPP, etc; 5. The Bill of Rights.

The most important question must be asked to the various guardians, their lawyers, care manager, lawyer for Mother, psychologist (who claims he gave an "evaluation" to mother to determine "incapacitation") and to the judge herself: How is Mother better off now medically, mentally, physically, financially and her happiness under the ownership of those people Mother is forced to pay than BEFORE those people began their scam on her in May 2021?

Clearly, the answer is NOT at all. In fact, Mother is, much, much worse under their ownership and control. But, THEIR financial status is much, much better because of them owning Mother and her assets. That may soon include her large 3 bedroom, 3 bathroom house in a private gated community if my eviction is allowed. Nationwide, the sale of a victim's house by corrupt guardians and others in a racket is done the same way. As it is basically defined, a racket is a group of people working together to commit crimes, their action is called racketeering and the law prosecuting it is called RICO. The way the racket sells the house is they hand pick the realtor, he sells the house very, very cheap to a friend, then the house is resold later at full value and the profit is divided amount the racket. The

family will never know they lost all of that money. The eviction of me, the sale of her house and trashing all of her loved possessions is NOT what my mother wants and she has it made clear to others. The eviction of me was signed off by Mother's trust lawyer of 21 years and her guardian of estate of 10 months, Fenstermacher. But, in court several months ago, Fenstermacher admitted he has not talked to her or seen her for about 2.5 years. Does Fenstermacher know that a lawyer and a guardian have obligations and requirements to their client to fulfil the clients wants and wishes, as does also Mother's court assigned lawyers and guardians? So far, all of those people have refused to ask Mother what SHE wants, but have certainly enjoyed feeding off of Mother's ATM machine. Those same feeders are allowing Mother to live in solitary confinement, at poverty level, in her tiny cage. Mother is a human being, not a animal. Is this what those people think guardianship should be to the victim and to their families? It must be pointed out that I have offered and still offer that I will pay the court recorded amount of operating costs for the house of \$16,500 a year to live at Mother's house, as she wants me to until she dies. It also must be reminded to those involved that many times I have found much, much nicer places and much cheaper places for Mother to live where she can have her own furniture and other possessions where she can be extremely happy until her death. But, those places have always been denied by her various "owners" Fenstermacher, Blumer, gelsinger, Jaskowiak. Why? Their required function as her guardians and lawyers is to Mother's wellbeing and happiness, NOT how much money they can steal from her with made up billing hours. For the record, at NO time was any contract ever signed that allowed Logie or pam blumer to hire all the extra people (lawyers, care manager, monitors) they wanted and Mother would have to pay for them. But, Ms. Weilheimer has always signed off for those invoices for those people to be paid. Only Logie and blumer were hired. If they hired people, they would have to pay them as part of their business assets, not by my Mother or me. Again, maybe these people also missed the class on contract law.

Allow me to quote a section from the official website of Montgomery County from the section about guardianship and guardians. It says: "The role of either guardian (person or estate) is to represent the rights and best interests of the incapacitated person. The guardian should honor the expressed wishes and preferences of the incapacitated person to the greatest extent possible. Guardian must always act in the best interests of the incapacitated person". Compare those requirements to the actions and conduct of the current guardians, their lawyers and lawyers (past and present), care manager Klock and by this judge to my Mother since this scam started in May 2021. Do they come close, in any way, of serving my mother or just themselves and their wallets?

To date, in this guardianship scam, none of those five previous mentioned facts of U.S. law have ever been applied, whether by this judge, various lawyers, various guardians and the director of Manatawny Manor. I am referring specifically to the constant accusations of

me "agitating" my Mother either during my visits or phone calls with Mother since September 2021. In the guardian playbook, it is called "demonizing" any person who loves the person and wants their person to have the best and live in the best way under guardianship. The guardian will see them as a threat to his ownership of his property and will make up lies about them to eventually deny the family all visits to the victim, including husbands and wives, sons and daughters to their parents, etc. Those never proven accusations of me "agitating" my mother, by the guardians, judge, lawyers that have been made by never named and never brought into court "staff" people at Manatawny Manor to be questioned, have been the basis of denying me unlimited visits and phone calls with Mother since she was kidnapped (taken away, by force, against her will, for monetary gain) from her house by her daughter and Logie on August 25 2021. In addition, those same never proven accusations continue to force Mother (98 years old May 16) to live in a locked down section, in a tiny cage, in basic solitary confinement, in a sensory deprived environment, denied her doctor's appointments, denied to go outside, denied a phone to call or get calls, denied food she likes to eat (despite no diet restrictions) and denied the same rights and abilities that a person in prison has for any type of crime (including murder) they were convicted of and even those rights POW's have as human beings. Those same lawyers, guardians, lawyers for guardians and the judge are using those same baseless accusations against me by that unknown staff (if they ever made them) to further deny Mother to go back to her large 3 bedroom, 3 bathroom home of 21 years, in a private gated community, with all of her loved and cherished possessions and denying Mother the basic rights of life, liberty and pursuit of happiness as stated in the Declaration of Independence. In plain English, allowing Mother to live her life the way she wants to have and with dignity until she dies.

Her current guardian of person, pam blumer, admitted in court recently she only sees Mother once a month. The scam makes money by a corrupt judge first hires a corrupt lawyer for the victim, then the judge hires a corrupt psychologist who will use a fake "evaluation" to claim the victim is "100% incapacitated", the corrupt lawyer to the victim will hire a corrupt guardian for the victim, then the guardian then hires many people, including lawyers and others as part of their "team" just to further drain the victims money. Each one hired then kick backs money to the person who hires them to basically do nothing. How can Blumer think she knows what is happening to mother with only a short visit once a month? For example, my mother's legs have been extremely swollen for about 15 months. Result? I was blamed for them because I brought food to mother for only 3 times a week lunches we used to have. Mother was getting 20 meals at week by the nursing home. mother was never on any diet restrictions. I proved it was not my fault because I did not bring her any food for 3 months and her legs had become even more swollen. What did blumer do? Nothing. She simply had the house doctor say for mother to keep her legs elevated and

TED socks on. But, the staff almost never had them on. How can blumer claim she should be a guardian of someone's life and health if she only sees the person for only a few minutes once a month? According to Mother, she only gets about one hairdresser appointment a month or so. Why? My mother is very self conscience of her looks. For over 40 years, she would go to the hairdresser every week. Is it too much trouble for blumer to have my mother get a hairdresser appointment every week?

The fact is, there has never been any examples, not even one example cited, that Mother needed any guardian because of something Mother had actually done by the former Petitioner herself, the court's own hand picked psychologist Ledakis (who used his admitted made-up, never independently proven accurate "evaluation" and admitted in court he cannot prove he ever gave either of his two "evaluations" to Mother), no such examples given by this judge or by the court appointed lawyer for Mother, Jaskowiak. In fact, both the judge and Jaskowiak have constantly refused to bring Mother in to court to speak for herself during and after the petition hearing or to accept Mother's letter of 2022 requesting changes. The fact is, about the same time Mother wrote the letter, Jaskowiak said on a Zoom call with the judge and the other lawyers (I was invited to be in my ex-lawyer's office to hear the call), Jaskowiak claimed he met mother at the nursing home, Jaskowiak claims she said she liked food, her room and the people. So, Jaskowiak is saying Mother knew what she liked and wanted. Then WHY was Mother's letter (written about the same time as Jaskowiaks claimed visit with Mother) why was the letter not claimed to be real of Mother's wishes and wants, mainly she wants to go home, she wants a new lawyer, she wants me to live there with her and she wants to come to court to tell the judge what she wants? Mother has rights that no one wants to admit to because it would not serve THEIR purpose in their scam on Mother. If she has no rights, than can she be beaten up? Can she be raped? Can she be forced to do manual labor? Can she be forced to prostitute herself and give the money to her guardian or lawyer? The fact is, Mother's court appointed lawyer, Jaskowiak, constantly refuses to do what he was required and obligated to do as her lawyer: defend and protect Mother, his client. against guardianship and later defend and protect her wants and wishes. By Jaskowiak ignoring his client's wishes and wants, that is called malpractice. Jaskowiak only had to bring in the people Mother dealt with every year, her financial and investment people, bank and her medical doctors to prove she did not need any guardian. Jaskowiak refused during the petition hearing and at other times to bring in those people into court. Why? It has become extremely clear: Jaskowiak WANTED Mother to be guardianized for his and others financial benefit. It can be easily and accurately stated with Jaskowiak as her lawyer, Mother never had a lawyer. Jaskowiak certainly had the time to use the court as a weapon against me by filing two Contempt of Court charges against me WITHOUT ever asking his client, my Mother, is she wanted them to be filed. Those charges resulted in me being in prison twice (week each time), in general

population, where I could have been murdered. Why did he do that? Did he think his client, my mother, would not care if I was murdered? WTH? I was revealing information about the various financial crimes on my mother and her forced "imprisonment" in her tiny cage in this guardianship scam, Jaskowiak and others wanted to protect their scam and the looting of Mother's money. As a matter of fact, my ex-lawyer told me about a seminar Jaskowiak was in several years ago about guardianship where Jaskowiak bragged that he uses Contempt of Court charges on a regular basis just to get his way. See Law 101 mentioned above about not using the court as a weapon.

Those baseless accusations of me "agitating" Mother after our phone calls or after our visits were made by those same lawyers, guardians and judge who they claimed were made by the never named and never presented in court staff persons from Manatawny Manor. The baseless and false claims were only made to further the rackets cause. Their purpose was to get me out of the way so they could protect their money making scam on Mother, as they have done to many other victims based on fake, made up, and worthless "evaluations". These claims others said were made by staff people (if they ever existed) have claimed for the past 1.5 years my mother gets "agitated" after my phone calls and after my 3x a week visits I had with my mother since September 2021. It has been proven, both Logie and pam blumer had told the staff to get information about what I was discussing with my Mother by listening on the phone calls Mother and I had and by listening at Mother's door when we had lunch together. Their actions clearly violated various constitutional rights of both Mother and me. The various guardians, lawyers for them, lawyer for Mother seemed to have told the staff to spy on us and we caught them doing so. The staff never had their jobs to do? If pam blumer thought Mother was being "agitated" then why didn't blumer pay for a monitor as part of her business expenses? Instead, she charged me for HER merely thinking such lies without any hard evidence? Or, was blumer simply trying to drain my bank account with lies because I was a threat to the racket and her income? Maybe she was thinking I got Logie to quit, I could do the same to her and to her lawyer husband she originally hired after she was promoted by Jaskowiak. Her lawyer husband works at a very large law firm and had hired other lawyers at his firm as part of the scam to get more money from my Mother. WTH?

First, for those accusations to be considered in any way true, one would have to completely ignore the fact my mother and I have always had a very close and loving relationship with each other. It is still not too late to simply ask my Mother if we have such a relationship. Second, an educated person would simply ask has Mother EVER been asked, by ANY one involved in this matter, if I ever said or did anything to make her "agitated" when I visited her or talked to her on the phone? So far, nobody has ever asked Mother. Why not? Third, if I was getting Mother "agitated" either during or after our phone calls or during or after my visits, Mother had the ability and the right not take my phone calls since

she does not have a phone in her room and must be given one by the staff and Mother could also refuse my visits with her. Pam blumer's own hired "monitor" brandi, admitted in court that our visits were always happy and loving. Then why was I forced to continue to pay for those monitor visits? The original purpose of Mother and me being forced to only visit in the TV room in front of staff, about 20 feet away from us and started by the various guardians, was to make sure I did not "agitate" mother and if so the staff could tell me to leave. I was never told to leave at any time by either the staff or the hired "liar" brandi who was told by Blumer to make things up in her reports about what I said or did do. At some point, those fake reports would be used to deny me forever visits with my mother until her death, which is exactly what Jaskowiak has wanted from the beginning of this guardianship scam. Of course, Jaskowiak again never asked my Mother what she wants, as his client. Why? As I had predicted, about 7 weeks ago, at a visit hearing, Weilheimer reduced my brandi monitored and paid for visits by me from 3 a week to only 2 paid visits a week. It must be noted that Weilheimer and Gelsinger (lawyer for Blumer) have refused to allow the qualifications of this monitor to be known to make legal notes and quotes to be submitted in court. Why? What are they hiding about her? If Blumer thought I was getting mother "agitated" in any way, why didn't SHE ask my mother? She never has. If Blumer suspected I did so, why am I forced to "prove" my innocence? As Law 101 says, a person is innocent until PROVEN guilty in a court of law. No charges, by anyone, have ever been brought against me.

If Blumer thought the staff was telling her the truth, why didn't Blumer have THEM take a lie detection test and pay for it out of her money to prove the claims by the staff? Blumer never has. Why? During that same visit hearing 7 weeks ago, just before Weilheimer reduced my visits, she praised my sister and said my sister did not need any restrictions as to time or amount of visits with my mother. My sister has hated my mother basically all of her life and she was the one who filed the petition only to get control of my mother's house and vast assets. My sister has tried to do that several times with the help of Fenstermacher since my father died many years ago. Fenstermacher was the one to file a petition for guardianship to get what she wanted and even told her to use the law firm down the hall from him. My sister never cited one example in her petition or in court (as no one else ever did) that my mother needed to have a guardian. That is where the trial had to stop. Instead, a made up "evaluation", exposed in court by me as being a fraud, was used to say Mother had to have a guardian.

Is Weilheimer aware of how my sister and Logie kidnapped my Mother on August 25 2021, dragged her away to my sister's house, forbid Mother to see me or call me, threatened me with arrest if I went to see my mother, within 1 day mother was put on anti-depressants because Mother wanted to go home, 2 days later, Mother's hairdresser of 16 years said mother was shaking and crying saying "I want to go home, I want to go home",

after 2 weeks at sister's house, Mother had to be taken to the hospital, by ambulance, unconscious, spent 6 weeks confined to bed and treated for starvation, (Logie claimed Mother only fainted because of dehydration), Mother had 42 blood tests where Mother's arms were black and blue, she had 42 needles in the stomach to prevent blood clots, at week 5 got covid, then Logie dumped mother into the dump Manatawny Manor that had just opened up after months long shutdown because of covid where she got covid again and later influenza. Does Weilheimer recall where she threatened me with contempt of court because I wanted to have a second wellness check on my Mother after she was kidnapped by my sister and Logie? By praising my sister 7 weeks ago, is Weilheimer saying she never knew what my sister did to my Mother in just two weeks whose gross elder abuse of my mother is documented, but baseless accusations against me are considered facts? Why did Weilheimer make a court order, while my mother was in the hospital, as to visiting hours for me of only 3, 1 hours visits a week? Why was I refused to take my mother out during the day for unlimited time to go to places and to go home to live and enjoy her possessions and her life? Because 3 weeks earlier, I had exposed a person in their racket, Ledakis, that his "evaluation" as being only a fraud that was falsely accusing elderly people, including my mother, as being incapacitated, then guardianized and then the looting of their estate would begin.

The most important question must be asked: Who ordered the kidnapping of my Mother? As Ledakis said in his report, Mother had no problems with her daily activities (eating, dressing, toilet, hygiene, etc), Mother could stay at home and with me living there for over a year, everything was going fine. Weilheimer, Jaskowiak and Camp (sister's lawyer) read the Ledakis report and they knew it said Mother could stay at home and it was fine I was living there at my mother's request.. So, why was Mother kidnapped? Why did Logie email me a eviction notice that night? Was there any court order by Weilheimer to kidnap Mother? No. Did Jaskowiak order my mother's kidnapping? If not, since Jaskowiak was Mother's lawyer, when he found out she was kidnapped, why didn't he order Logie to take mother back home. Did Jaskowiak know how my sister was tormenting Mother at sister's home? I believe he did. If Weilheimer did not order the kidnapping and she knew Ledakis said mother could stay at home, why didn't Weilheimer order Mother back home after she was kidnapped? These are major criminal offenses. Why was the eviction done by logie the night of Mother's kidnapping? The nationwide playbook in these guardianship scams is to get the victim into a nursing home, sell off the valuable assets and then sell the home as I described earlier. As the expression in the guardianship scam goes: Litigate, isolate, medicate, steal the estate. So far, the racket has followed the playbook.

The racket has learned, as much as I love my mother, she is not the big carrot the racket thought she was for them. I will not play their game of taking a totally worthless "evaluation" as Weilheimer wants to "prove" what? I cannot list all of the things I have done

to protect my Mother and make her life and health the best it can be, to get her back home and to make her as happy as possible since this scam began. I have spent and still owe many tens of thousands of dollars. I have proven, over 5 months, THEIR handpicked puppet monitor, who even said in court several months ago that my visits with Mother were always happy and loving. So, why does this charade of me having to have a paid monitor continue to be pursued by those in the racket? Their claims are dead, get over it. I exposed in court those "evaluations" have no independently proven accuracy. If I were to be so stupid as to do this "evaluation" to prove something, any so-called results will be manipulated to the racket's benefit to further reduce or deny my visits with my Mother until she dies. I will not allow the taxpayers of Pennsylvania to pay for such a fraud. I will not be a fool to pay a monitor for visits, who was hired by Blumer only to write lies in her report for the benefit of the racket to push me away from ever seeing my Mother because I refuse to be a part of the racket and steal from my Mother as others have, to this day. Neither Jaskowiak, Weilheimer, Blumer or Gelsinger have wanted to disclose the qualifications of their so-called legal "expert". That was also in Law 101. During the hearing about 7 months ago, I told my ex-lawyer to tell Jaskowiak that instead of a paid monitor, a simple cell phone set up would record my visit and also would protect me from their hired people making up lies about my. Jaskowiak said it would violate my mother's privacy. WTH? But having a 300pound person, with body odor sitting 4 feet from us making notes, is NOT violating both of our privacy? If refusing to take their bait of some "evaluation" means I cannot see my mother and she cannot see me when any day she could die, then that will be for my Mother and I a lifetime of pain and suffering. However, juries in both civil and criminal trials will see clearly what the people in the racket did to my Mother and to many of their other elderly victims. How can any lawyer or guardian sink so low as to allow a 98 year old woman to think that her son may not love her anymore and does not want to see her because those in the racket have denied ALL forms of communication to her for the sole purpose of forcing me to do what they want as they mentally, physically, medically and financially abuse her. Such sick and pathetic people. As I said at the very beginning, a person is innocent until proven guilty in a court of law and the person has the right to be brought before their accusers. So, WHERE are those people making their claims of "agitation" to my Mother by me? Why have none of those people ever stepped forward for the past 1.5 years? Why not simply ask my mother if I get her "agitated in any way?"


If those "staff" people do not exist, then I demand my Mother go back home to live now, I be allowed to live with her as she has always wanted and still does, I demand full, unlimited time with my mother until Mother goes home, a full apology in writing by all of those in this racket (including Weilheimer), all of my mother's money refunded that were wasted on lawyer fees for all matters, all guardian fees refunded, "evaluation" fees, the full value of her car that Logie took, all of my legal fees refunded, all of the current guardians

and lawyers fired and new ones appointed by a independent person to be decided. Not only does the gross financial abuse of Mother must be rectified, but the deterioration of mother, both physically and her memory can never be restored because Mother is and has been ignored by her past and present guardians, their lawyers and Mother's court appointed lawyer, Jaskowiak, who all of them totally ignored the welfare and happiness of their client.


If my message has not been made extremely clear so far, this court and the racket can take their worthless "evaluation", wrap it up in the feces from the rectum it came from and shove it back into that same rectum. None of you ever produced these "staff" people who claimed they saw my Mother agitated because of me for 15 months, so the case is closed. Legally it is called slander and deframation of character if those same people continue to accuse me of such disgusting behavior and to deny me unlimited time with my Mother that she wants to do what she wants at any time. Any civil action by me because of these false allegations will expose the same players named to both civil actions and judgements and also to criminal prosecutions.

Reverend Arthur Herring III

Copestick, Karen

 Thu, Apr 20, 2023 - 09:18

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 Tue, Apr 25, 2023 - 21:45