

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

NO. 2021-x2110

IN RE: JANE T. HERRING
AN INCAPACITATED PERSON

PETITION/MOTION FOR RECUSAL OF TRIAL JUDGE
TO THE HONORABLE GAIL A. WEILHEIMER, JUDGE OF THE SAID COURT

Arthur Herring III, an interested party, son of the Incapacitated Person in the above matter, petitions and moves this Court to recuse herself from the trial of the case and in support thereof represents as follows:

1. The court has found the Petitioner's Mother, Jane, incapacitated and has appointed Guardians for the Person and Estate.
2. The court has held the petitioner in contempt of court on 2 occasions. The first contempt order was written by David Jaskowiak, Jane's lawyer appointed by Weilheimer. Jaskowaik never asked Jane, his client, if she wanted any contempt order against her son and him going to prison. A lawyer is obligated to do what his client wants. If he does not want to, he is obligated to quit. That order, dated December 15 2021, sentenced Arthur Herring III to 6 months incarceration for exposing the guardianship scam on his much loved Mother (then 96 years old, now 98). Arthur posted that massive amount of information on his internet news website. Many, many other people have also been victims of those guardianship scams in Montgomery County and nationwide for decades. Arthur's questions to Ledakis (backed up by court transcript, hired by Weilheimer) during the petition hearing to determine incapacitation. After Arthur exposed those "evaluations" were frauds and countless people would sue on behalf of their loved ones being falsely accused of incapacitation, Weilheimer began her vicious attack against Arthur and on his Mother that continues to this day. As it is known, especially by lawyers, any information is protected in the Constitution with the Freedom of Speech, Freedom of the Press and Freedom of Expression. To help protect their scam, Weilheimer and lawyer David Jaskowiak (Mother's lawyer assigned by Weilheimer) had placed a "privacy" blanket on Jane's case so Arthur could not expose how his Mother was being victimized in the scam. That corruption, besides by

Weilheimer, also includes other corrupt judges (past and present) corrupt lawyers, corrupt guardians and corrupt psychologists in the Orphans Court in Montgomery County. That group meets the definition of a racket, what they are doing is called racketeering and is a crime prosecuted under RICO.

3. Jaskowiak claimed he wanted to protect Jane's privacy by filing his contempt order. He is obligated to protect and defend her. But, in court he refused to have her there to speak for herself and he refused to bring in any of the people Mother dealt with (CPA, medical doctors, investment people, check book, bills, etc) to prove Mother never did anything to need a guardian of person or estate. Jaskowiak did not defend Jane because he wanted Jane to be guardianized so the racket could begin looting Jane's money and sell her house to make more money for the racket. In a seminar recently, Jaskowiak brags that he uses contempt of court orders on the other side to get his way. In other words, he uses the court as a weapon and also to make money because he charges the other side for his "time" to create his orders
4. While in prison, Arthur could have been murdered. Weilheimer was well aware of that fact as she was a assistant prosecutor for the Philadelphia D.A.'s office many years ago. But, Weilheimer did not care because Arthur was a threat to their scam. Arthur's prison time was subject to early release if Arthur's 29 page narrative about the scam on his Mother and with Weilheimer, Ledakis and Jaskowiak's names in it was deleted. With no computers in prison for Arthur to delete the information and Arthur not having IT ability, Weilheimer and the racket, in Weilheimer's court, expected Arthur to stay in prison for 6 months. However, Arthur was able to get a friend to delete the narrative from Arthur's news website. Arthur was released from prison about 10 days later.
5. Weilheimer convicted Arthur of a second contempt order, created again by Jaskowiak, on October 7 2022 for violating Weilheimer's same blanket privacy on the scam on Jane, again violating Arthur's Constitutional rights of Freedom of the Press, Freedom of Speech, Freedom of Expression as Weilheimer did in her first contempt order. Again, Jaskowiak never asked his client, Jane, if she wanted a contempt order on her son and him going to prison. Again, Weilheimer knew Arthur could be murdered in prison, but she did not care because Arthur was a threat to the racket's scam. Another violation of rules and conduct by a lawyer. Amazon owns a website called Wayback Machine. It's purpose is that anyone can see any website since the site was created. Amazon archived Arthur's original website with his full narrative and names. When Arthur posted the narrative in mid 2022, he deleted Jane's name and referred to Jane as "Person". He included only a link to the Wayback Machine where the original news site was posted. Weilheimer claimed Arthur "violated the spirit" her order by putting in a link to the

Wayback Machine and put Arthur in prison for 7 days. She fined Arthur about \$5,000 (almost the same as in the first contempt trial) to pay back Jaskowiak for his making the contempt order.

6. Weilheimer continues to punish Arthur in many ways for continuing to expose the scam by the racket in her court and other corrupt judges in the Orphans Court. Weilheimer's actions also results in punishing Jane at 98 years old. Arthur continues to be on a worldwide news show every week exposing guardianship corruption. He uses Weilheimer's name, Jaskowiak's name and many other lawyers, guardians and others in the scam. Arthur's actions embarrass and humiliate Weilheimer. Weilheimer, on a regular basis, retaliates by her unreasonable and unjust decisions and actions on Arthur and his Mother.
7. For example, since November 2022, Weilheimer continues to have paid monitors, hired by Jane's guardian of person, pam blumer and paid for by Arthur, to sit literally next to Arthur and Jane during their 1 hour visits. This was done because for about the past 1.5 years, first by logie and later blumer, have claimed the never named "staff" have claimed after my former 2x a day phone calls (blumer canceled them)with my mother and after my 3x a week visits, logie and blumer claimed the "staff" have said Jane is always upset. But, none of the "staff" ever put their names and claims in their reports and nobody ever asked Jane if that was true. In fact, Jane never refused Arthur's 3x a week visits or my 2x a day phone calls.
8. About March 2022, logie started those lies. Then blumer, about May 2022, said Jane and I could not eat in private in Jane's room. We had to sit in the TV room to eat lunch. The staff was told if they saw me getting my Mother "agitated" they could tell me to leave. They never had to. These monitors have been told by blumer to listen, make notes and write reports later. The problem is, the monitors had been told by blumer to write lies in their reports about what Arthur says during his visits to build a case against him to reduce his visits from 3x a week to none. Blumer's action, as she and her lawyer husband bill, are also part of the racket who are stealing money from the elderly because those elderly people had been falsely accused of being of "incapacitated" based on made up "evaluations" by ledakis and other corrupt psychologists. Weilheimer refuses to allow Arthur to protect himself from lies by allowing a cell phone to record the visits with Jane to prove he does not get Jane "agitated" as those unnamed "staff" reports have claimed for about 1.5 years.
9. About November 2022, blumer hired a monitor called, brandi, to sit with mother and I during our visit. Weilheimer order me to pay her \$75 per visit. Since I have been on

welfare for about 1.5 years because of all the money I have spent for lawyer fees to get Mother home to live, money is extremely tight. Blumer told brandi to listen, make notes and make quotes for reports to be given to blumer. But, Weilheimer has refused to tell me who she is, what her qualifications are to correctly listen, make accurate notes, make accurate quotes to prove brandi can do so for legal purposes. Every one of brandi's reports have been filled with lies about what I said and what happened. Weilheimer refuses to allow Arthur to protect himself from lies by allowing a cell phone to record the visits with Jane to prove what was said. Cell phones do not lie, paid liars do.

10. Arthur is being found guilty only by accusations. The basis of U.S. law is a person is innocent until proven guilty in a court of law and a person has the right to face their accusers. Without signed affidavits by those "staff" people's accusations against Arthur, those claims are only here say. Weilheimer does not believe and/or does not want to follow those laws as a judge.
11. Arthur is considered to be the "enemy" to the racket because he has been exposing their corruption. On the other hand, Arthur's sister, jsh, is gladly accepted by the racket since she was the one who filed the fake petition of guardianship on our mother just to get total control of her Mother and those vast assets. JSH admitted she never thought it was important to ever discuss an action so drastic with her Mother. JSH is directly involved with the racket and is considered by them to be on their side in this scam. The fake reports are made, with Jaskowiak's urgency, to ban Arthur from seeing his mother until she is dead, to never know how Jane is being physically and mentally abused and drugged in the tiny room in the nursing home.
12. Weilheimer refuses to allow Arthur to see the medical records from Einstein Medical hospital and Manatawny Manor. Arthur has discovered Jane is getting unknown drugs now. Einstein Hospital is where Jane had to be kept for 6 weeks and treated for starvation because of the kidnapping by jsh and first guardian Logie, to get Jane out of the house so the racket could sell it to make money for themselves. Jane was forced to stay at jsh's house, tormented, starved, denied to leave or call or see her much loved son, Arthur. That night, Arthur called for a wellness check of his Mother. When he tried to call for a second wellness check the next day, Weilheimer threatened Arthur with contempt of court if he did so.

13. At week 2 being held a prisoner at jsh's house of horrors, Jane had to be taken to the hospital, unconscious, by ambulance, confined to bed for 6 weeks and treated for starvation. While Jane was there, she got daily blood tests (42 times) and daily needles in the stomach (42 times) to prevent blood clots. At week 5, Jane got covid where she could have died. At week 6, logie dumped Jane at Manatawny Manor that had just opened up after a major shutdown for covid.
14. Since October 18 2021, Jane has lived in a very tiny pig pen, in solitary confinement, in a sensory deprived environment, no phone, none of her needed doctor's appointments, not allowed outside into society, not allowed to go home to see her loved possessions of 98 years, not allowed to call her friends or her friends to call her, not allowed to get letters and greeting cards, not allowed to have the food she wants to eat since there are no diet restrictions, not allowed to see ministers, no access to reading material, nobody to talk to because the residents basically do not have the ability to have a conversation, denied Christmas, Easter, Good Friday (3 of the most Christian holidays), no Birthday, no Mother's Day, no Valentine's Day and other visit days with Arthur by blumer. Jane is kept isolated, in a locked down section with people with mental and behavior problems, some of them are on a gurney or have medical equipment hooked to them. Because of that, Jane usually has meals in her room alone, as is her usual days there.
15. Weilheimer continues to act, without any proof, as Arthur has done something terrible to be denied unlimited days and time to be with his Mother. Weilheimer has refused to meet or even see mother to ask what she wants. Jaskowiak has refused to see or talk to Mother more than his one time since Mother has been locked up and denied life's pleasures. Only Arthur has found the many problems that have happened to his Mother. They include the fake "evaluation", the wasted lawyer money, the scam itself to get her money, her house and assets, spending his savings to get Mother back home, medical problems that he proved were in need of medical attention such as her swollen legs that the others have basically ignored for almost 2 years, the many things Arthur has given Jane that have made her happy while she has been locked up and deprived of happiness at now 98, gave her gifts, newspapers and pictures from her home to keep her happy. Jane always looked forward to talking to Arthur on the phone and his visits. Since September 2021, Weilheimer's visits by Arthur have been only 3x a week for only one hour. Logie had allowed unlimited phone calls that Jane always enjoyed, except when the staff would listen in on them or listen at the door when Arthur was there or through the intercom in Jane's room without telling Jane. Blumer stopped the phone calls about June 2022 because of the "staff" claimed the calls were getting Jane "agitated", but never asking Jane if they were.

16. Since August 25 when Jane was kidnapped, based on 16 hour days (8 hours for sleeping) out of a possible 10,480 hours Mother and I could have been together, she and I, because of these barbaric and inhumane conditions on Mother's life by guardians, lawyers and a judge, we have only been able to be together for 215 hours under extremely strict and tight controls and with spies watching and listening to us.
17. POW's have more privileges under the Geneva convention and all convicted prisoner's have more privileges than my Mother has had for almost 2 years. Mother's only crime she was "convicted" of was having a little forgetfulness. Mother was never accused of any mental or behavior problems that said she was a danger or menace to anyone. So how can Weilheimer keep her in solitary confinement and in a sensory deprived environment. Mother is constantly lonely and basically sleeps all day and night. What will the court's own so-called hired "expert", ledakis, say in his upcoming "evaluation" on Jane of how the court has been keeping Jane, like a animal in a cage? What will he say how that confinement and treatment is doing for Mother's memory and health?
18. Does Weilheimer know what my sister did to her Mother for the 2 weeks my Mother was kept in my sister's house of horrors that put Mother through such torment and pain that my Mother had to stay in the hospital for 6 weeks and treated for starvation? If so, why would Weilheimer praise my sister in court about 4 months ago and allow my sister to now have unlimited visits and time? Why did Weilheimer condemn me in almost the same sentence? If Weilheimer does not know what happened for those 2 weeks, why not? Does jaskowiak know? He is Mother's lawyer. Does blumer know? She is Mother's guardian of person. If Weilheimer does know what my sister did to Mother for those 2 weeks and how my sister has been condoning and embracing her Mother's deplorable forced living conditions for the past 2 years where she got covid again and influenza where Mother could have died, why did Weilheimer praise my sister? Is Weilheimer claiming both blumer and jaskowiak do know or do not know what my sister did to her Mother in those 2 weeks. If they knew, WHY are they letting my sister anywhere near my Mother and why are they so close with my sister?
19. Weilheimer has stated many times that mother will never be allowed to go home to her beautiful house that she has lived in for 21 years if Arthur is living there. It had been stated, if Mother comes home, Arthur will gladly find another place to live. So why has Weilheimer refused to let Jane go home? There was never one example given by anyone in the petition hearing that mother needed any guardian or Jane needed to be locked up in solitary confinement away from the world until she dies and denied the love and happiness of her son. Unless, it was for punishment to Arthur because Arthur exposed the fake and made up "evaluations" by ledakis in the guardianship scam. As it was

stated before, jaskowiak never brought in anyone to defend Jane because he wanted her to be guardianized for the racket to exploit financially.

20. ONLY Arthur has found much nicer, much bigger and much cheaper places for Jane to live happily to save Jane money for when she may really need it for her future health and welfare. No sister, no guardian of mother, no lawyers for those guardians, no lawyer for Jane and not this judge has ever wanted Jane to go home to live as she was doing or go to a far nicer and more free place to live as a human being, not as a dog tied to a tree.

21. The information provided in this Petition proves Weilheimer is not capable of being a impartial and fair judge when it comes to any more matters when it comes to Jane Herring's health, welfare, happiness and her freedom. The lack of being fair and allowing the best decisions to be made, even if it means what Arthur should have something shows that Weilheimer cannot remain as the judge for any matters involving Jane or her loving son, Arthur. Weilheimer has allowed her hostility, hate and emotions against Arthur take over any proper legal judgements she might make for the benefit of Jane's life, welfare and her happiness until her death. Weilheimer's obvious hate and bias against Arthur in previous matters proves she only wants the worst for Arthur and will only believe what makes Arthur look guilty. As with other judges that have been removed from cases for biasness or from the bench for their gross incompetence and corruption, in this case a 98 year old woman cannot be allowed to suffer in such deplorable conditions any longer or to be used as a weapon to inflict punishment just because Weilheimer hates him for exposing corruption of the court that is under investigation

WHEREFORE, Petitioner requests that Judge Weilheimer recuse herself.

Submitted by,

Arthur Herring III, Pro se

IN RE: JANE T. HERRING

7

1 for that reason, in addition to the reasons placed in
2 the Court's previous order, that request is denied.

3
4 So the last matter that the Court is
5 going to address is now the second petition for me to
6 recuse myself in this matter. The issue that
7 Mr. Herring complains of in this petition is that
8 because the Court stated previously -- stated on many
9 occasions -- that Jane Herring will never be permitted
10 to return to her residence while Arthur Herring is at
11 the residence exhibited a fixed substantial bias
12 against Arthur Herring in matters pending before this
13 Court and that the Court subsequently evicted Arthur
14 Herring.

15 Simply because the Court makes a ruling
16 against an individual does not justify a basis for
17 recusal. Quite frankly, my life would be much easier
18 if I recused myself from this case. But the Code of
19 Judicial Conduct does not permit me to recuse myself
20 simply because it makes my life easier; it's if there
21 is a bias that exists that would make it impossible for
22 me to be impartial in this matter. And that is not the
23 case.

24 Regarding the statement that Jane
25 Herring will never be permitted to return to her

Case# 2021-X2110-00082e entered at 11:43:07 AM on 08/02/2021 from 08/02/2021 11:43:07 AM. Fee: \$40.00. The filer certifies that this filing complies with the provisions of the Judicial Branch of the State of Tennessee's rules regarding electronic filing of documents.

10/24



Bill Lawrence online.com

Problematic Montco Judge Tapped For Fed Court — Montgomery County Common Pleas Court Judge Gail A. Weilheimer has been nominated by Joe Biden to serve as United States District Court for the Eastern District of Pennsylvania.

The nomination was recommended by Pennsylvania's Democrat senators Bob Casey and John Fetterman.

Judge Weilheimer is involved with the troubling stories regarding family court matter in Montco, including the case inflicted on Arthur Herring.

She is the wife of Philadelphia Inquirer Vice President and Chief General Counsel Larry Weilheimer, and closely connected to Gov. Josh Shapiro.

With Democrat control of the US Senate her confirmation is basically assured.

