

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY PENNSYLVANIA
ORPHAN'S COURT DIVISION

No. 2021-x2110

In Re: Jane T. Herring
An Incapacitated Person

CERTIFICATE OF SERVICE

I, Arthur Herring III, pro se, hereby certify that service of a true and correct copy of Emergency Petition for judge Weilheimer to Recuse Herself from this Guardianship Case involving Jane Herring (2021-x2110 Because of the Judge's Total Biasness and Unnatural Hatred of Arthur Herring III (Jane's son) for his Exposing the Guardianship Scam on Jane Herring by this Judge and Others in this case and Judge Weilheimer's total Failure and Complete Inability to be an Honest, Ethical and Objective Judge on _____ in the above captioned matter was served by United States Postal Service first class mail on the following persons on

David Jaskowiak, esq, counsel for Jane T. Herring
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Thad Gelsinger, esq, for Pam Blumer, guardian of person
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Dated: 2023

VERIFICATION

I verify that the statements made in the forgoing are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 PA.C.S.A. 4904 relating to unsworn falsification to authorities.

Date

Rev. Arthur Herring III

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 day of upon consideration of the
Emergency Petition for Judge Weilheimer to Recuse Herself for this Guardianship
Case Involving Jane Herring (2021-x2110), it is hereby ORDERED that this Petition
be Granted.

BY THE COURT:

Gail A. Weilheimer

Brittany Camp, Esq.

David A. Jaskowiak, Esq.

Thad Gelsinger, Esq.

Ron Fenstermacher, Esq.

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

EMERGENCY MOTION FOR SUPRESEDEAS STAY OF EVICTION ORDER FOR

ARTHUR HERRING III

Petitioner, Arthur Herring, III, pro se Petitioner (hereinafter referred to as "Arthur") files this Emergency Motion for Supersedeas Stay of Eviction Order of Arthur Herring III. Petitioner is requesting a hearing and a decision by the court.

1. That this Orphans' Court has jurisdiction and venue over the matter of Jane Herring and the Petition Hearing pursuant to 20 Pa.C.S.A. Section 5512.2 and Orphans Court Rule 14.9.
2. The Petitioner is Arthur Herring, III, age 69, presently retired, who resides at 26 Chancery Court, Souderton, Montgomery County, Pennsylvania 18964, and he is the son of Jane Herring ("Jane") as well as a resident of the real property at 26 Chancery Court for approximately two (2) years, where he resided with his mother, Jane Herring.
3. Jane Herring was adjudicated by the Orphans Court of Montgomery County to be incapacitated on August 11, 2021.
4. Jane Herring is currently a 98 year old widow, with two adult children: her very much loved son to her, Arthur (age 69), and a daughter, jsh (age 72).

5. On August 25 2021, Jane (age 96) was kidnapped (taken away, by force, against her will, for monetary gain) by being deceived by jsh and first guardian, Logie. The kidnapping was part of the “Plan” by various people in a racket assigned to Jane as a incapacitation scam to steal Jane’s money and her house.
6. Despite the conclusion of the court’s own hand picked expert, Ledakis, that said Jane could stay at home and since Arthur had been living there and everything was fine, someone ordered the kidnapping of Jane on August 25 2021 as part of the Plan.
7. Despite the Pennsylvania law that says the “incapacitated” Person is supposed to have their wants and wishes fulfilled by the guardian (person and/or estate), the Person is supposed to live in the least restricted way possible and the family is supposed to be totally involved in all decisions in the life, health, welfare and happiness of that Person, NONE of that was ever cared by and carried out by any of Jane’s guardians, care manager and especially by Jaskowiak, court assigned lawyer for Jane.
8. To this day, despite many requests by Arthur to Jane’s first assigned guardian, Logie, court assigned lawyer to Jane, Jaskowiak, jhs’s lawyer, Camp, and to the court as to who approved the “Plan” to kidnap Mother and to begin stealing Jane’s money, take Jane’s much loved possessions and sell her expensive house for their own profit, NONE of those people have ever admitted approving the kidnapping of Jane.
9. After Jane was kidnapped, Jane was forced to stay, as a prisoner, at jsh’s house. Jsh denied Jane to leave to go back home, jsh denied Jane to see Arthur, jsh denied Jane to call Arthur and jsh denied Jane food.
10. That night, jsh sent Arthur a email that if he came to see his Mother, jsh would have him arrested.

11. That same night (August 25, 2021) Arthur called the police for a wellness check because of his extreme concern for his Mother's life. The police claimed Jane was alright, but admitted they never talked to her or met her in person.
12. The next night (August 26) Arthur called police for another wellness check on his Mother, but the police refused to do so.
13. Within 24 hours of being kidnapped, Jane had to be put on antidepressants by jsh and Logie because of Jane's torture, torment and being held a prisoner by jsh.
14. On Day 3 (August 27) Judge Weilheimer, in a phone call with Arthur, told Arthur that if ever called for another wellness check on Jane, she would charge him with Contempt of Court.
15. The same day, Jane's hairdresser, of 16 years, told Arthur when Jane was in for her regular hairdressing appointment, she was shaking, crying and saying "I want to go home, I want to go home".
16. After about two weeks of being held as a prisoner with jsh, Jane denied to leave, denied to see or talk to Arthur, Jane had to be taken to the hospital, unconscious, by ambulance, confined to bed for six (6) weeks and treated for starvation.
17. While there, Jane had daily blood tests (42 times) and daily needles in the stomach to prevent blood clots (42 times). Guardian Logie refused Arthur to see Jane for a total of a month after Jane was kidnapped. He gave no reason for his decision.
18. After about a month, Arthur was finally allowed to see his Mother. His visits to Jane were set at one hour, three times a week for unknown reasons by Judge Weilheimer. Jane made it clear to Arthur she wanted to go home.

19. Arthur saw Jane was not eating the hospital food because it was always cold and she hated the bland taste. With the doctor's permission, Arthur brought Jane all kinds of food she liked and she gobbled it up.
20. Arthur saw his Mother did not have her glasses, so he bought her a pair. To keep his Mother happy, every visit Arthur brought Jane roses, gifts, newspapers, cards, food. Arthur bought his Mother a watch because there was no clock in her room.
21. About week 5 in the hospital, Jane got covid where she could have died. Arthur was not allowed to see her for 10 days, but he still dropped off food, newspapers, roses and other gifts for his Mother to eat and to have to make her happy.
22. After Jane got over covid, Logie dumped Jane into a very low rated and a extremely tiny room in a nursing home that had just reopened after months of massive covid infections. Covid infections still exist at Jane's nursing home.
23. After Jane was dumped at the nursing home by Logie, Arthur got his Mother a refrigerator so his mother could have milk, fresh food and snacks, ice cream, juices, etc. Arthur saw she had torn and tattered bedspread, urine stained sheets, urine stained towels, missing sheets at times, a dead rodent and many other horrible and disgusting things that even a sleazy motel would not have.
24. Despite Arthur's many, many attempts to fix problems pertaining to Jane's happiness, health, welfare and life at the nursing home, all efforts have been denied (by one or more) by past and current guardians, their lawyers, deb klock (care manager hired by Logie and kept on by current guardian blumer) and Jane's court assigned lawyer, jaskowiak. No reasons given by any of them why they wouldn't correct those problems.

25. Within a year of being at the nursing home, the nursing home again had a covid shutdown and Jane got covid again where she could have died. Months after that, the nursing home again shut down for a major influenza shutdown. Jane got influenza where she could have died.
26. According to various studies, about 39% of all covid deaths happen in nursing homes.
27. Jane has not been allowed any access to the outside world, no useful TV channels, no telephone to use, no access to any newspapers or magazines (unless Arthur brought them) for almost two (2) years in Jane's extremely restricted and tiny locked in section of Manatawny Manor.
28. Jane has been basically kept in solitary confinement, in a sensory deprived environment, being denied the needed human contact to enjoy life, her health and happiness in her later years at her present location.
29. Since being involuntarily placed into the nursing home, Jane has been deprived of everyday activities that made Jane happy when she lived at her very large, beautiful, 3 bedroom, 3 bath home, in a private gated community of 21 years and with her much loved possessions of 98 years.
30. Arthur has tried, for almost two years, to get Jane back home to enjoy the life Jane had before jsh and logie kidnapped her. During that time Arthur has found his Mother many much nicer, much bigger and much more cheaper places to live. But, none of Jane's guardians, their lawyers, care manager or Jaskowiak want her to leave the dump. They all have refused to discuss Jane leaving. No reasons given.
31. Pennsylvania law says how guardians must respect the wishes and wants of their clients and have the clients decide how their lives should be. Guardianships are to keep the lives of those people as close as it was before guardianship and to include the families at all times.

32. POW's get more privileges under the Geneva Convention than Jane does with the guardians, their lawyers, care manager and Jaskowiak.
33. Jane still does not get the same privileges that people in prison get have who have committed all types of serious and horrible crimes.
34. Jane and Arthur have always had an extremely close and loving Mother/Son relationship during their lives. They made each other's lives better and much happier.
35. Jane has made it very clear to all who listen that she only totally trusts and strongly depends on Arthur for her health, welfare and happiness to make sure everyday matters are proceeding correctly, especially after her husband died in 2013 and since her forced placement at Manatawny Manor for the past two years.
36. Since Jane was kidnapped from her Souderton residence on August 25, 2021, Jane has only been allowed to see her loved son for 1 hour, 3 times a week.
37. Jane and Arthur used to enjoy lunch together in the privacy of Jane's room at Manatawny Manor starting shortly after Jane was placed there. They would talk about matters of Jane's choice and she had concerns about.
38. Arthur would bring Jane roses, newspapers, magazines, gifts, snacks and ice cream for Jane and others to enjoy.
39. Arthur brought Jane two different cell phones to use, but each one was stolen by the staff. A permanent phone rather than a cell phone would enable Jane and her friends to speak whenever they wish and would also benefit Jane for her happiness, mental wellbeing and in case she needed medical attention again. Jane has fallen three times because the floors are slippery and in case Jane needed medical attention. The staff is almost never

at their desk near Jane's room, so any call for help by Jane, day or night, would be useless.

40. Since Jane was placed at her location in October 2021, Arthur would always call his Mother twice every day to talk and to discuss problems that upset Jane living there. The Manatawny Manor desk phone was the method of contact after the cellphones were stolen. Jane had to stand at the staff desk and could only talk for a very short time.
41. About June 2022, Jane's current guardian of person, Blumer, stopped all phone calls by Arthur or Jane to each other.
42. About May 2022, Jane and Arthur were told by Blumer they had to eat lunch in the TV room while being watched by the Manatawny Manor staff causing Jane to be upset because the staff kept watching and listening to their private conversations. Blumer claimed the never named staff said Arthur was getting Jane "agitated" by his visits.
43. About November 2022, Guardian Blumer forced Arthur to pay a monitor \$75 per visit to sit next to Jane and Arthur because of "claimed" accusations, by never named people, that Arthur got Jane "agitated" by his visits and phone calls. Blumer told Arthur if he did not pay, he could not visit his Mother. Forcing Arthur to pay money was an extremely heavy burden on Arthur because he was on an extremely limited income of welfare.
44. About February 2023, those visits were reduced to only 2 visits a week for 1 hour per visit and Arthur still had to pay a monitor to sit next to Jane and Arthur.
45. Based on a possible 16 hours a day of being with her son (8 hours for sleeping), from August 25, 2021 to June 1, 2023, out of a possible 10,768 hours Jane could have been with Arthur, Jane has only been allowed to see Arthur for 215 hours over two (2) years at her age of 98 by the guardians, Jaskowiak and the court.

46. All medical and psychological studies have proven loneliness, sadness and lack of exercise cause both severe medical and health problems and cause a dramatic loss of cognitive abilities.
47. Petitioner and Jane do not understand why he cannot see and visit with his Mother any time, for as long as they want and go where they want during the day since NO proof has ever been given why those type of visits cannot be.
48. After being extremely and extensively monitored, watched and listened to since May 2022, all reports, by both monitors sitting next to Jane and Arthur, have proven Arthur has NEVER been any type of threat to Jane and NEVER caused Jane to be “agitated” as Blumer has claimed various “staff” people, who were NEVER named by blumer and NONE of them ever said so in any of their reports and NEVER were brought into court by blumer, her lawyers or jaskowaik since Jane has been at Manatawny Manor.
49. At NO time has anyone ever asked Jane if she got “agitated” by Arthur in any way. Jane NEVER refused any of Arthur’s phone calls and NEVER refused ANY of Arthur’s visits. As a matter of fact, in a Zoom call to the court several months ago, one of those monitors, Brandi, stated all of Arthur and Jane’s visits were loving and happy.
50. The basis of law in the U.S. is that a person is innocent until proven guilty in a court of law and a person has the right to face their accusers. Arthur has been convicted only by Blumer’s empty accusations , just here say. Blumer was NEVER at any of those supposed situations and NEVER got anyone to testify from the “staff”. Blumer’s husband is a lawyer and he should have told her about hear say.
51. Jaskowiak, guardians and their lawyers, REFUSED Arthur the right to protect himself from various lies by the never named “staff” that have made Arthur look dangerous for almost 2 years to be with Jane in her room, talking to her on the phone, walking Jane down the hall and even with the food Arthur

used to bring Jane. Under Logie, the staff were told to listen in on Jane and Arthur's phone calls, listen at Jane's door and also through the intercom system in Jane's room when Arthur was in Jane's room or when Arthur used to call Jane.

52. The court, guardians, their lawyers and jaskowiak have refused Arthur the monitors (hired by Blumer) their abilities to listen accurately, take notes accurately and make accurate quotes for legal purposes pertaining to their claims of what Arthur supposed to have said or did not say during a visit. Only highly trained stenographers can do such work. Their "reports" have always been handwritten, never typed, and hardly readable because of their poor quality handwritings.
53. Arthur has had to state over and over the monitor's reports constantly had lies in them to make Arthur look bad. By increasing the number of reports containing lies about Arthur, the Plan by guardians, their lawyers, jaskowiak and the court wanted to eventually ban Arthur from ever seeing his Mother again as a punishment for exposing the scam on his Mother and many other victims by those people.
54. Arthur has said many times to the lawyers and guardians to use a simple, non-intrusive, cell phone to record those visits with his Mother. Using a cell phone would be free for Arthur. Cell phones never lie with their information.
55. About 5 months ago, the court praised jsh and allowed jsh to visit Jane as often as she wanted and for any length of time. Is this court aware of what torture and torment jsh put Jane through for two weeks and because of that, Jane had to spend six weeks confined to bed, getting blood tests, other very painful tests and got covid where Jane could have died? But, jsh was "rewarded" with no restrictions of visits.
56. Arthur has been constantly harassed, for over 1.5 years, with here say gossip, without a bit of substance to it, causing both Arthur and Jane mental anguish, especially at Jane's sensitive age of 98. That here say gossip has cost Arthur very

expensive legal bills, wasted time and expensive monitor fees that Arthur cannot afford.

57. Arthur has spent a lot of money, for the past two years, to see Jane at the nursing home, for gas, gifts, flowers, newspapers and magazines. Arthur has to travel a great distance to see Jane in the nursing home, instead of Jane being at her home where Ledakis said she could live without problems as long as Arthur was there.
58. Guardian Blumer, in 2022, canceled Arthur's Christmas, Thanksgiving and other visits with Jane, no reason given. In 2023, Blumer canceled Easter, Good Friday, Valentines Day, Jane's birthday and Mother's Day for Arthur and his Mother, no reason given. Those very Christian, personal and happy days missed cause extreme sadness for both Jane and Arthur, especially at Jane's tender age of 98.
59. All records from the hospital and from Manatawny Manor have always been denied to Arthur to know about his Mother's condition. Jane has always wanted and given permission to others for Arthur to have all information about her.
60. Arthur has always proven he has and will continue to love and care for his Mother as much as possible and will always protect her from harm, no matter where or how it happens.
61. It was only Arthur who called for wellness checks after Jane was kidnapped by jsh, called paramedics within a day after Mother's legs became extremely swollen, continued to complain about the lack of care to Jane's legs, bought Jane no-slip socks after Jane fell, keeps trying to get Jane a medic alert necklace like she had for many years but was canceled by Logie, keeps trying to get a phone in her room so her friends can call her and she can call them, get Jane to her original doctors for Jane's health and more.

62. It has only been Arthur that continues to try to keep Jane mentally happy and as active as possible so Jane's physical and mental health does not deteriorate. Arthur knows and has been told by Jane many times she wants to go back home to live, which is still quite possible, so she can continue to live as active as she was two years ago before Jane was forcibly taken away from her house and her life as she had been living it. Jane wants to continue to enjoy her daily life and her very much loved possessions before she either dies or becomes physically or medically disabled.
63. About 3 months ago, Arthur could not afford his paid visits with Jane, which has caused her much sadness and emotional distress being there all by herself in her room. Jane does not know why, at her advanced age, why the son she loves deeply and the son she thought loved her does not want to see her. Jane is not told why Arthur is not allowed to see her or call her because he just does not have the money to pay monitors to see her.
64. Arthur has PROVEN that he, being with his Mother, after about 5 months of 3 paid visits a week of being watched and listened to by 2 different monitors sitting next to him, before that for about 5 months of being very closely watched and listened to by staff in the TV room and before that being listened to by the staff at Jane's door, on the phone with Arthur and through the intercom in Jane's room during Arthur's visits, Arthur has proven, beyond any doubt, ANY claims, of ANY type of "agitation" to his Mother, since such accusations were first started by person or person's unknown, has only been at best empty hearsay by mean spirited staff. Jaskowiak, guardians and their lawyers know here say has no value in a court of law and at best is just old ladies gossip. Any such distribution of such empty here say is slander and deframation of character.
65. Jane NEVER requested Arthur to leave, NEVER denied him visits and NEVER refused any of Arthur's twice a day phone calls. The fact is, no one EVER asked Jane if Arthur was getting her upset in any way. Jane was constantly telling Arthur about the problems the staff and the place was causing her, including

constantly stealing from her room. Jane knew she could depend and trust Arthur to take care of her and any problems she was having.

66. Arthur is requesting all restrictions on him now, pertaining to visits with Jane, be totally removed. Restrictions include removing all limits of how many days Arthur can be with his Mother, all restrictions of time with his Mother and where Arthur can take his Mother during the day. Arthur will be allowed to call his Mother again any time. There will be no more paid or unpaid monitors. Day and time restrictions were removed from jsh several months ago by this court. The court has been fully aware of what jsh had done to Jane while being held in captivity by jsh.
67. Jane will ALWAYS retain the right to deny either child visits and phone communications.
68. By spending unlimited time with Arthur, going and doing most of the activities Jane used to do before guardianship, there would be unlimited benefit to Jane for her physical health, mental health, memory and most importantly, her happiness at age 98. All studies have proven sadness and loneliness causes severe harm and decrease to cognitive abilities to people with memory issues.
69. Petitioner is requesting Jane have a permanent telephone in her room, a medic alert system (which Jane had at home) and removal of any food restrictions that Blumer put in place on Jane about 9 months ago, without any justification. Those foods that Blumer denied Arthur to give to Jane, Jane is/was fed every day at Manatawny Manor. Jane was NEVER on any diet restrictions and Jane NEVER had any food allergies.
70. Arthur voluntarily did not give Jane any food since about September 2022, but the swelling in Jane's legs never reduced, in fact her legs got much worse. Arthur was the only one who noticed it and filed a police incident report about it. Thus, proving to all, Arthur's lunches and other food he gave Jane NEVER caused Jane's legs to swell.

71. Arthur noticed and reported, on a regular basis, to the director of Manatawny Manor and to his former attorney that the staff and Blumer were not enforcing the directions of the house doctor who directed them to put compression socks and a special crème on Jane's legs every day. Such cheap and empty accusations (lies) against Arthur that he caused Jane's legs to swell were started by Logie about December 2021 and have been continued by Blumer only to create a negative image of Arthur to be used against him in various ways.
72. In addition, the other lie that has been constantly stated by Blumer, her lawyer, Logie and the never named "staff" that has been used against Arthur for punishment, is that Arthur gets his Mother "agitated" after his visits or his phone calls he used to have with his mother, before Blumer canceled the phone calls about May 2022.
73. The fact is, there are several commercials on TV that sell various pills that are for people with alzheimers and have agitation from alzheimers. Therefore, ALL of the claims made against Arthur as causing any such "agitation" to his Mother, but NEVER proven in any way, MUST stop. Again, no body ever asked Jane if Arthur got her "agitated".
74. Those lies of blaming Arthur's food causing Jane's legs to be swollen and claims of causing "agitation" to Jane by others, have been used against Arthur and his Mother. Both he and his Mother have been severely punished because of those lies by Weilheimer, Jaskowiak, Pam Blumer, her lawyer Gelsinger and Camp.
75. Arthur has NEVER been formally charged, at any time, with any "agitation" type offense to his Mother. If he was, he would have had the chance, under U.S. law, to face his alleged accusers and had a formal hearing/trial in court where Arthur would have been able to have Jane there as his witness to confirm

Arthur NEVER did anything to cause Jane distress and would have other witnesses and various types of documents to prove his innocence.

76. Since no such hearing/trial ever took place, because no person ever stepped forward to say so or even put their accusation on any reports and under oath, than this entire fairy tale called “agitation” must stop and be trashed forever.

77. The fact remains, that any “agitation” Jane had and has now, can certainly be blamed on what was done to her by others: guardians, lawyers, court and jsh, who started the entire guardianship scam on my Mother just so jsh could get her mother’s money and house for herself. Those type of attempts had been before by jsh and current guardian of estate Fenstermacher, but Arthur stopped them.

78. “Agitation”? What 96 year old woman or man would want to be kidnapped from their large, beautiful, 3 bedroom, 3 bathroom house, in a private gated community for the past 21 years, from their beautiful possessions of 98 years, living extremely happy and healthy every day, then kidnapped for no reason, forced to stay at her daughter’s house who she does not like, denied to leave, denied to see or call her son, put through 2 weeks of torture and torment by the daughter, after about 2 weeks had to be taken by ambulance, unconscious, to the hospital, confined to bed for 6 weeks, treated for starvation, not allowed to see or call her son for a month, given daily blood tests (42 times), given painful daily needles in the stomach to prevent blood clots (42 times), gets covid where she could have died, then dumped into a very low rated nursing home that had just reopened from a major covid outbreak, gets covid again because of another covid outbreak where she could have died, gets influenza from a influenza outbreak where she could have died, forced to live in a very tiny room, kept in solitary confinement, in a sensory deprived environment, has not been allowed outside for almost 2 years, has not been allowed to see their doctors for about 2 years, not allowed to have a phone in her room, not allowed to see or call her loved son on a regular basis, not allowed to have ministers to see her, not allowed access to any reading material (unless her son brought

them), not allowed phone calls to and from her friends, not allowed to see her home and her loved possessions, etc? “Agitation”? I wonder why?

79. As per any possible conflict of Arthur’s visits and jsh’s visits with Jane, a simple email by jsh to Camp as to when and what time jsh wants to see Jane, then Camp would send that email to Arthur. Such a procedure would protect both sides from any type of interference from the other. Any claims, by jsh, of Arthur being with Jane at the wrong time must be documented on a cell phone video by jsh as proof, nothing less for an accusation. Arthur has proven, beyond any doubt, how much he loves and cares for his Mother and how much he wants to be with his Mother, for almost 2 years. Records from computers at Einstein and Manatawny Manor would prove how often jsh wanted to see her Mother.

80. This emergency matter of visitation must be heard as soon as possible because of my Mother’s extreme age and for her happiness and welfare.

Respectfully submitted,

Arthur Herring III, pro se