

LETTER TO PRESIDENT JUDGE DEL RICCI

On September 1, 2021, after Mother was kidnapped from her home on August 25, 2021 by sister JSH and guardian of person and estate logie, I wrote Del Ricci a letter telling him about the guardianship scam on Mother.

Del Ricci never replied to my letter, just like the next president judge Carlucci did not respond to my first letter to her or Judge Murphy ever respond to my letter that Carlucci sent to her (Murphy). Carlucci sent my second letter I sent to Carlucci to Murphy, but Murphy also never responded. After I sent my second letter to Carlucci, because Carlucci did not respond to my first one, Carlucci simply replied to me she would look into the matter. Carlucci never did anything. I sent Carlucci a third letter, but she has never replied or did anything.

I guess the massive corruption in Orphans Court, that has been going on for many decades, is now boring to those and other judges.

September 1, 2021

Honorable Judge Thomas Del Ricci
President Judge, Montgomery County Court

Dear Judge Del Ricci,

I am asking for your help in this extremely serious matter. The matter involves my 96 year old mother and the recent trial in the Orphans Court by Judge Weilheimer. I am enclosing this letter and some documents that will clearly show how incapacitation is determined and choosing a legal guardian is nothing short of gross incompetence by the court and others, a disaster.

To begin, I am 67 years old and had a 41 year business doing lie detection testing nationwide. A year ago, my 70 year old sister, Jill Herring (JH) tried to get complete control of my mother's finances for her own personal use. I stopped it. On May 17 2021, the day after my mother's 96th birthday, my sister had hired a lawyer and signed papers for the petition to be her legal guardian. JH never discussed this serious action with my mother or myself before she signed the papers, especially since she is our mother. My mother's house is worth about \$350,000 and she has about \$2 million in cash in her Raymond James account. My mother is in fantastic physical, medical and mental health. She does not use a walker or cane. She sees her doctor 3-4 times a year. All of mother's monthly bills are auto paid, she owns her 21 year old car she bought new and the 21 year old house that was built new that never had a mortgage. Mom lives off of just a very small part of the interest her investments make. My mother has never abused or misused her Raymond James money in any way, such as writing weird checks to strangers or writing huge amounts for no reason. Mom has a housekeeper come in only once a month for 2 hours and she goes to the hairdresser once a week. In June 2021, she saw her doctor again and had a once a year blood test. The blood test came back so good, Mom was taken off one of her two very low dosage pills. She now only takes one very low dosage pill for cholesterol. Until May 2021, she still drove her car, no tickets or accidents in 50 years. She stopped driving only because her license expired and she did not do much driving anymore. Many times my mother drove the car with me in it and she had no problems driving. She reads the newspaper every day. She has about a 20% or so problem of instant recall and memory issue. She has about a 25% hearing loss, but does not want a hearing aid. My mother still knows right from wrong and still has common sense. Neither her doctor or JH ever said she should not drive because she still had those abilities. My mother still cooks dinner, does not burn it or undercook it that would cause food poisoning. My mother does not have any of the courts requirements for incapacitation.

Since my father died about 9 years ago, I have been with my mother every day for dinner, about 6 hours each time. That is about 3,000 days or about 18,000 hours. I know my mother better than anyone. She and I have an extremely close and loving relationship all of our lives. My mother had told both her court appointed lawyer Jaskowiak, her court appointed guardian Logie and the court appointed psychologist, Ledakis, many times how much she only loves me and trusts me to take care of her and make any type of decisions (medical or financial) for her when she needs advice before she makes decisions. My mother told them she did not want sister in that way. My sister never wanted me in her life and in fact, when JH lied about me in court many times proves how much JH hates me. JH has never cared for or liked my mother at all. She loved my father and was extremely close to him. He gave her many expensive financial gifts.

About 2 or 3 years ago, JH started to send disgusting emails to people my mother does business with and about me. JH sent many of those letters to my mother's doctor, Kuhar (one enclosed). JH claimed my mother was crazy and I was manipulating her just for Mom's money. The fact is, in 2020, it was JH who had tried to steal money from my mother by trying to trick me into signing an agreement that would have given JH complete control of my mother's money to use any way JH wanted without any interference from me. I refused to sign it. Later, I found that JH, at least twice, had money type assets sent to herself instead of sending them to Mom.

JH spent, I estimate, about \$20,000 or more for a lawyer, to file the petition to be a legal guardian over my mother. JH made up various lies about my mother and stated many lies about me in the petition and in court. JH knew if

she became a legal guardian, she could have absolute control to spend/ invest my mother's money in any way she wanted and make any decisions over my mother, with the Orphans Court to back her up against my objections.

JH continued the guardian action for about 2 months. About that time, I had my lawyer (who I had to fire for incompetence and serious attitude problems) send JH's lawyer (Camp) a 22 item discovery list that would have exposed what JH had done to my mother. The very next day after Camp got my list and told JH, JH dropped her petition because of what those documents would have proven, including diverting financial checks to herself and not paying back a \$100,000 loan from my parents 12 years ago.

Every business has problems. During my 41 year business doing lie detection testing, I have found people selling unreliable gadgets who claim they are lie detectors. As with every product sold, fake ones give the real ones a bad reputation. About 3 years ago, a conman, in Florida, sued me because I have been exposing his 31 year scam on various law enforcement types nationwide. He has sold fake "voice lie detectors" and made up training to about 2,700 departments so far. I estimate he has made about \$100 million in his scam so far. Millions of criminal cases have been ruined and millions of innocent people have been falsely accused. In Pennsylvania, about 73 police departments (3 in Montgomery County) and 6 district attorney offices bought those gadgets at \$10,000 each and training is \$1,400 per person. No independent study has ever said the accuracy of his "voice lie detectors" are any better than about 50%, a coin toss. The scam has been exposed by many news media for 30 years. Because of my information to them, ABC News in 2005 (see included) did a major investigation and put it on TV. Because of my information, in 2019, the Florida attorney generals office opened an investigation on them for fraud, mail fraud, money laundering and others. I have contacted many law enforcement types and others to warn them about the scam. Because I cost the conman many millions of dollars in lost sales by exposing him, in 2018, the conman hired 3 different law firms to sue me to put me out of business. I wasted almost all of my money on a lawyer and then I had to be pro se. Of course, I lost and the judge gave them a \$850,000 judgement in December 2019, even though he said the plaintiff had not provided any proof of any losses. In February 2020, I filed bankruptcy only because of the judgement. The entire amount was discharged in April 2021. I was able to keep my 2 old cars and my 40 year old mobile home. But, for only a very short time because of the petition by my sister.

My bankruptcy lawyer told me not to pay my monthly house lot rent of \$800. When the bankruptcy concluded, I owed about \$11,000. I was going to pay it off to keep my house when my sister dropped her fake petition on my mother and I. Even though my mother got a free court lawyer, we did not know if he was any good. I then hired a lawyer to be sure my mother was getting the best legal help. Because I used my money from the bankruptcy, I lost my house, a car and money. I had no more money for a lawyer and had to proceed pro se. I did the best I could during the trial.

Since my sister dropped out to be a guardian, it was either a total stranger who would make all types of decisions, including medical, financial and life support or me, a brother who she has hated all of her life for no reason. JH spoke many lies during the trial about me and told a few to Ledakis, the court appointed psychologist. JH stated in the petition she called the police and told them I kicked her in the back (copy included) at my mother's house in February 2020. She told them I was a violent person and I was moving in to my mother's house only to take my mother's money. But, JH changed her story in court. In court, JH said I tried to murder her in February 2020 by trying to push her down very steep steps at my mother's house. JH said as I was doing so, I was "laughing in a demonic way" and she "could see my eyes roll back into my head", then she "could see the whites of my eyes". She told more lies. She told Ledakis that my mother and I had a "romantic campaign." She has written letters to Mom's medical doctor of 20 years and to her financial advisors at Raymond James saying my mother was crazy. Because of JH's letters to Raymond James, their legal department said my mother could not make any sizeable money changes without the approval of my sister and I. If we did not agree, then my mother's estate lawyer, Fenstermacher would be the "referee". Clearly, JH is not normal.

Ledakis's so-called "evaluation" of my mother lasted only about 2 hours. He wrote in his report Mom is totally incapacitated. He only spent about 2 hours with her talking and giving her a few paper and pencil tests that he admitted in court had no independent tests to prove their accuracy. How could he come to such a conclusion? There are many, many things people do during the day that require intelligence and brain functions, such as cooking. My mother drove her car until 3 months ago when her drivers license expired and she did not want to renew it. How can a totally incapacitated person, as Ledakis claims my mother is, cook correctly, drive a car with thousands of decisions made every few minutes, etc? Ledakis refused to let me be there during the meeting. I was not allowed to see, evaluate and fact

check his report as the other lawyers were allowed before the trial. I only saw the report at my former lawyer's office for about 2 hours and I could only take some notes. I was not allowed to see Jaskowiak's and Camp's binders before and after the first trial to review before the day 2 of the trial. The 30 page Ledakis report was a extremely poor and extremely flawed report that would soon ruin the life and happiness of a 96 year old woman and her finances forever. Ledakis admitted, by my questioning, the paper and pencil tests he used had no independent studys that proved they were accurate. He admitted he had no idea how accurate his evaluations were. He admitted there were no standards for any of these so-called "evaluations" to determine if a person was incapacitated. He admitted there were no time amounts that had to be met to be a reliable "evaluation". In other words, my mother and many, many others that are not obvious as being incapacitated, have been falsely labeled and had their lives ruined and finances wasted.

Many times Judge Wilheimer yelled at me during the trial because I challenged someone or asked her why my question was not allowed. I was trying to learn what she wanted and allowed. Instead of having a little sympathy for a person in this extremely serious and emotional trial, she chose to be unprofessional in her conduct. Jaskowiak was told several times by my mother she loved me and only trusted me to help her make decisions. Instead of talking to me to help me in court and promote me to the judge to be a guardian for my mother, Jaskowiak yelled at me and accused me of using Mom only to get her money. The fact is, I have always lived on the money I made. I never got a \$100,000 loan to buy a house like JH got and then had \$25,000 of that loan forgiven like my mother did for JH. Judge Weilheimer REFUSED to let my mother be at the trial to speak for herself, even though the Ledakis report said my mother could be there. Judge Wilheimer refused to let me be the guardian. Before the trial was over, Jaskowiak already had a name for a legal guardian. Nobody told me I should have a name in case I was not chosen. When I asked Judge Weilheimer where do I look for a name, she laughed and said "google it". She gave me only 2 days to get a name, but I could not find one in that time so Logie got it.

It makes no sense why I was not chosen, except for the obvious fact the judge did not like me. I have been at my mother's house for 8.5 years, every day for dinner, about 6 hours every day. About 3 months ago, I moved in so now I am there all the time. If she ever needs more care, I am there, for free.. I have taken care of her car repairs, house repairs, trash, filing, grocery shopping, snow shoveling and many others. My mother trusts me to make her life happy and to make all decisions for hospital and end of life care. Why would the court force her to have a totally unknown person on my 96 year old mother and force us to get his "permission" for almost anything we want or have to do pertaining to various day to day matters.

A week ago, Logie told me a nurse was coming to see my mother on Wednesday. At 11:45, Logie showed up with 2 cops. When I answered the door, I was pulled outside by the cops and Logie went in and shut the door. One of the cops said they were taking my mother away. I became unglued. I kept asking why and where was she going. They refused to say. About 5 minutes later, my sister showed up with a bag and went inside. I kept asking where was she going . About 5 minutes later, a tow truck came and took my mother's car away. Again, the cops refused to say anything. Soon after that, I saw my sister's car drive away with my mother. I was not allowed to hug her and say goodbye. Why? About 10 minutes later, Logie came out. I yelled at him where was my mother going and he said she is going to live with JH. I asked him why the car was towed and he laughed and said it was her property. He walked away and said he was going to send me a email. He and the cops left. His email said Mom was staying at JH and I had to be gone in 30 days, no reason was given. My sister sent me a email that said do not communicate with her or stop by or she will call the police. Why would somebody force my mother to live with my sister after the extremely bizarre and crazy comments my sister made in court claiming I was basically turning into the werewolf as I was supposedly trying to kill her and claimed my mother and I were having a "romantic campaign"? Why am I denied the right to talk and see my mother?

That night, I called the local police to do a wellness check. The next day, a cop called and said he saw Mom and she waived at him. He said he did not talk to her. I was very mad because he should have done so. The next day, I get a email from Camp(JH lawyer) who said to Judge Weilheimer she wanted an emergency meeting on Friday because of what happened. I was scared of what that meant so I called the police again to do a wellness check. The dispatcher was extremely rude and unprofessional and told me she knew who I was, my mother was alright and not to call anymore.

On Friday, there were 5 people on the conference call. All 5 of them made lousy insults against me. I finally had to ask the Judge, "When will I be allowed to respond to their lies, I have a right to do so." She responded I had no rights. I asked her when will I see my mother? She said they are working on visitation. Why do I have to have "visitations"?

What did I do? There are no protection from abuse orders. Why am I not allowed to see my mother or call her? Why is everyone refusing to answer me? During the call, Logie said it takes a while for people to get acclimated to their new location. What does that mean? Why is my mother being forced to live with a person she does not like and my mother has told that to Jaskowiak, Logie and Ledakis. Why is Mom being forced to be with someone who does not like her and tried to steal her money and not repaid back a \$75,000 loan from 12 years ago? Judge Weilheimer told me not to call the police again to do a wellness check. She said if I did, I would be charged with harassment. For caring about my mother?

Judge Del Ricci, I am asking you to see the facts as they are. You must stop this huge mistake. Ledakis did not do any type of "evaluation" that had any credibility. He admitted many facts that proved it was not a credible "evaluation". I do not care how much training he claims he had, only 2 hours of talking to someone and giving some paper and pencil tests, that have no independent studies that prove their accuracy, does not prove anything about a person, especially any part of being incapacitated. Judge Weilheimer refused to let my mother come to court so she could tell the court herself how much she loves me and trusts me to take care of her whenever the time comes. My mother was refused the right to be seen by the Judge so the Judge could see for herself how remarkable my mother is.

Will my mother's health and life continued to be put into the hands of a stranger who does not know her or what she wants or needs? A stranger who does not care about her, only how much he can charge her (\$115 per hour) for anything he can think of? Keep in mind, everything I do for my mother does not cost her a penny. Logie even charges for travel time from and to his house in West Chester, about 55 miles away. In traffic or bad weather, he can charge her hundreds of dollars just in travel time. That is not right and cannot be allowed to be done to my mother. I do not trust him at all because he has lied to me many times and has refused to provide documents to prove his "credentials" and his insurance liability for his type of business for several weeks. I want you to meet my mother and see for yourself that she is not incapacitated. According to the Ledakis report, my mother needs full time day care. That is a lie. My mother can live totally on her own. I have seen her 24 hours a day for 3 months since I moved in so I know. I moved in about 3 months ago after I got rid of my house. Logie told me he is giving me 30 days to move out. Why? Is HE going to tell my mother that he ordered me out and she cannot have her son around even though she wants me there? What is the purpose of that? I started to live there full time until I was ordered to move out by Logie. Why should my mother pay money for people just to sit around doing nothing if I am not there? Once I am gone, is Logie planning to junk all of my mother's loved possessions, sell her house and put her into some strange place and have her live in a 1 room apartment? Or, is he going to put her in a expensive retirement home that will waste her savings when she has a free house now to live in? What is the point of those court decisions? They have no logic or intelligence to them.

About 2 months ago, I was told by my former lawyer my mother was going to be allowed to live in her house. Was that a lie? Will she be told if she is going to be forced out of her house and all of her loved things will be trashed? According to the final decree, Logie is allowed to invest her money in any way. Does that include taking out mortgages and her money he feels like just to see if he can be a "investor"? Legal guardians have too much power that is not constantly under someone else's watch and control. The qualifications to be a guardian are not that many. The children of the "incapacitated" person are basically considered non-existent to a guardian.

Why is the Orphans Court ruining my mother's life now, when it was perfect until my sister started this mess by filing the petition only to get money from my mother and then dropping out because documents would have proven she was a thief? When my sister dropped out, the petition should have been thrown out. Could JH have dropped it or did she continue it knowing I would never be chosen so she could get control of the guardian? It is clear, the court and Logie are forcing my mother, against what she wants, to be living with my sister. The same sister who has refused to send me a email telling me my mother is alright or letting me send my mother any messages for almost a week now.

Is this the Orphans Court idea of claiming it cares about old people by making them miserable and wasting their money?

Sincerely,

Arthur Herring III

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