

STATE OF NORTH CAROLINA

Wake County

18-SP-2034

In The General Court Of Justice  
Superior Court Division  
Before The Clerk

IN THE MATTER OF:

Name Of Respondent

Kathleen Hartsough Hofeller

CERTIFICATE OF SERVICE  
(INCOMPETENT PROCEEDING)

G.S. 35A-1109

I, the undersigned, certify that I mailed by first class mail a copy of the Notice Of Hearing On Incompetence And Order Appointing Guardian Ad Litem (AOC-SP-201) and a copy of the Petition For Adjudication Of Incompetence And Application For Appointment Of Guardian (AOC-SP-200) to the respondent's next of kin named in the Petition and to other persons designated by the Clerk, at the addresses listed below. This Notice was mailed within five (5) days after the Petition was filed as required by law. The address given below is the last known address of the person listed.

Name And Address Of Person 1

Stephanie Louise Hofeller Lizon  
464 Miller Hollow Road  
P.O. Box 17  
Le Roy, West Virginia 25252

Name And Address Of Person 2

Edwin Giles Peterman  
P.O. Box 15832  
Washington, D.C. 20003

Name And Address Of Person 3

Tracy William Smale (via Email)  
107 Kitakashiwa Park Homes IchibanKan  
13-2 Kitakashiwa Dai  
Kashiwa-Shi, Chiba-Ken, Japan 277-0836

Name And Address Of Person 4

Name And Address Of Person 5

Name And Address Of Person 6

Name And Address Of Person 7

Name And Address Of Person 8

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Date

11/2/18

Date

11/2/18

Signature Of Petitioner Or Attorney

Nickolas B. Sherrill

Signature

Ellen M. Mohr

Name Of Petitioner Or Attorney (Type Or Print)

Nickolas B. Sherrill, Attorney for Petitioner



Assistant CSC  Clerk Of Superior Court

Date My Commission Expires

6/17/18

Administrative Office of the Courts

Legislative Defendants Trial

Ex.064



291624

18 S 002027

STATE OF NORTH CAROLINA

No.

Wake County

FILED

In The General Court Of Justice  
Superior Court Division  
Before The Clerk

IN THE MATTER OF

Name And Address Where Respondent Is Located  
Kathleen Hartsough Hofeller  
2427 Springmoor Circle  
Raleigh, NC 27615

2018 OCT 29 PM 12:05

WAKE COUNTY, C.S.C.

BY

NOTICE OF HEARING ON  
 INCOMPETENCE  
 MOTION IN THE CAUSE  
AND  
ORDER APPOINTING GUARDIAN AD LITEM

County  
Wake

Name And Address Of Attorney Guardian Ad Litem  
  
ERIN RIDDICK  
919 647 9599

G.S. 35A-1107, -1108, -1109, -1112, -1207

State Bar No.

NOTICE

You are notified to appear before the Clerk of Superior Court on the date and at the time and place specified below for a hearing on the attached Petition/Motion. You may file a written response in the office of the Clerk on or before the time set for the hearing.

- A petition has been filed alleging that the respondent is incompetent and requesting that a guardian be appointed. If, at the hearing, the Court finds by clear, cogent and convincing evidence that the respondent is incompetent, an adjudication of incompetence will be entered and a guardian of the person or a guardian of the estate or a general guardian or a limited guardian may be appointed.
- A motion has been filed requesting that the existing guardianship in this matter. If, at the hearing, the Court finds that the guardianship should be modified, an order c

Date Of Hearing 12-13-2018 Time 3:00  AM  PM Place To Appear

Wake County Courthouse  
316 Fayetteville Street  
Special Proceedings, 12th Floor  
Raleigh NC 27601

- A motion for the appointment of an interim guardian has also been made (applies only for Incompetence hearings). You are further notified to appear before the Clerk on the earlier date and at the time and place specified below for a hearing on the motion for the appointment of an interim guardian contained in the attached petition (above is not checked.)

Date Of Hearing On Interim Guardian 11-6-2018 Time 3:00  AM  PM Place To Appear

Wake County Courthouse  
316 Fayetteville Street  
Special Proceedings, 12th Floor  
Raleigh NC 27601

ORDER APPOINTING GUARDIAN A

It is ORDERED that the attorney named above be and hereby is appointed as guardian ad litem to represent the respondent at all stages of this proceeding. The respondent has the right to retain his/her own attorney, at his/her own expense, and if he/she does so, the Court may discharge the guardian ad litem.

Date 10-29-18 Time 12:05  AM  PM Signature *Sherril Couch*  Assistant CSC  Clerk Of Superior Court

INSTRUCTIONS TO PETITIONER:  
This Notice and a copy of the petition must be personally served on the respondent and must be served on the guardian ad litem by any method that complies with Rule 4 of the Rules of Civil Procedure. In addition, within five (5) days after filing the petition, you must mail this Notice and a copy of the petition, by first-class mail, to the respondent's next of kin named on the petition and any other person(s) the clerk may designate (except those person(s) who have accepted notice) and file with the Clerk an affidavit of that mailing or a certificate of acceptance of notice.

INSTRUCTIONS TO MOVANT:  
This Notice and a copy of the motion must be served on the respondent and must be served on the guardian ad litem by first-class mail or any other method that complies with Rule 5 of the Rules of Civil Procedure. In addition, you must mail this Notice and a copy of the motion, by first-class mail, to any person(s) the Clerk may designate, except those person(s) who have accepted notice, and file with the Clerk an affidavit of that mailing or a certificate of acceptance of notice.

WAKE COUNTY SHERIFF'S OFFICE



Sys ID: 291624

RETURN OF SERVICE

I certify that this Notice and a copy of the Petition were received and served as follows:

RESPONDENT

Date Served 11/1/2018 Time Served 1550 AM PM Name Of Respondent Kathleen Hofbauer

By delivering to the respondent named above a copy of the Notice and Petition.

Address Where Respondent Served

2427 Spring Moore Cir

Respondent WAS NOT served for the following reason:

GUARDIAN AD LITEM

Date Served Time Served AM PM Name Of Guardian Ad Litem

Service accepted by guardian ad litem.

Date Accepted Signature Of Guardian Ad Litem

By delivering to the guardian ad litem named above personally a copy of the Notice and Petition. By leaving a copy of the Notice and Petition at the guardian ad litem's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name Of Person With Whom Copies Left Address Where Copies Delivered Or Left

Other manner of service: (specify)

Guardian ad litem WAS NOT served for the following reason:

Date Received OCT 29 2018 Signature Of Deputy Sheriff Making Return M. Pamsh 5621 Name Of Deputy Sheriff (type or print) M. Pamsh 5621 County Of Sheriff DONNIE HARRISON, SHERIFF