

STATE OF NORTH CAROLINA

File No.

18 SP 2634

WAKE County

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

FILED

IN THE MATTER OF

Name Of Respondent  
KATHLEEN HARTSOUGH HOFELLER

2018 NOV - 6 5:25

ORDER ON MOTION FOR  
APPOINTMENT OF  
INTERIM GUARDIAN

Name Of Movant (if applicable)  
CHRISTOPHER MORDEN

WAKE COUNTY, CSC

Petitioner For Adjudication of Incompetence  Guardian Ad Litem

G.S. 35A-1114

FINDINGS

I. On Movant's Motion For Appointment Of An Interim Guardian

- 1. A hearing on the movant's Motion for the Appointment of an Interim Guardian was held on this day. From the evidence presented at the hearing, the Court makes the following specific findings of fact:  
(Set forth facts which support conclusion that grounds for immediate intervention exist.)

COURT ADOPTS ALL STATEMENTS CONTAINED IN THE MOTION FOR APPOINTMENT, TO INCLUDE RESPONDENT TRANSFERRING LARGE AMOUNT OF MONEY PURSUANT TO "SCAM" GIFT CARD REIMBURSEMENT TO UNKNOWN PARTIES, CURRENTLY BEING INVESTIGATED BY RALEIGH P.D. AND APS INVOLVEMENT; ESTRANGED DAUGHTER RECENTLY INVOLVED NOW ACCOMPANIED HER TO CHANGE HER POWER OF ATTORNEY IN POSSIBLE ATTEMPT TO REROUTE MONEY BACK INTO OTHER ACCOUNTS TO ENABLE DAUGHTER TO ACCESS IT, MULTIPLE MISSED APPOINTMENTS FOR MEDICAL PROCEDURES AND PRELIMINARY DIAGNOSIS OF DEMENTIA ALONG WITH REPORTS OF MEMORY LOSS

- 2. Based on these specific findings of fact, the Court concludes that there is reasonable cause to believe that the respondent is incompetent, and that:
  - a. the respondent is in a condition that constitutes or reasonably appears to constitute an imminent or foreseeable risk of harm to the respondent's physical well-being, and there is immediate need for a guardian to provide consent or take other steps to protect the respondent.
  - b. there is or reasonably appears to be an imminent or foreseeable risk of harm to the respondent's estate, and immediate intervention is required in order to protect the respondent's interest.
- 3. The Court does not find that grounds exist for the appointment of an interim guardian.

II. On Clerk's Own Motion

- 1. A hearing on a petition for adjudication of incompetence was held on this day and the Court on it's own motion considered the appointment of an interim guardian for the respondent. From the evidence presented at the hearing, the Court makes the following specific findings of fact:  
(Set forth facts which support the determination that appointment of an interim guardian is in the best interests of the respondent.)

(Over)

Legislative Defendants Trial

Ex.067



2. Based on these specific findings of fact, the Court concludes that there is reasonable cause to believe that the respondent is incompetent, and that:
- a. the respondent is in a condition that constitutes or reasonably appears to constitute an imminent or foreseeable risk of harm to the respondent's physical well-being, and there is immediate need for a guardian to provide consent or take other steps to protect the respondent.
  - b. there is or reasonably appears to be an imminent or foreseeable risk of harm to the respondent's estate, and immediate intervention is required in order to protect the respondent's interest.

**ORDER**

It is ORDERED that:

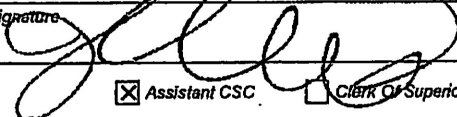
1. the person named below is appointed interim guardian of the  person  estate for the respondent. Upon qualifying, the interim guardian shall have the powers and duties specifically set forth below. These powers and duties shall extend only so long as is necessary to meet the condition necessitating this appointment. In any event, this interim guardianship shall terminate on the earliest of the following: the expiration date specified below, if any; 45 days from the date of this Order; when any guardian is appointed following an adjudication of incompetence; or when the petition in this case is dismissed by the Court.
2. the motion for the appointment of an interim guardian is denied.

<i>Name And Address Of Interim Guardian</i> Wake County Human Services PO Box 46833  Raleigh NC 27620	<i>Relationship To Respondent</i> <p style="text-align: center;">Public Guardian</p> <hr/> <i>Telephone No.</i> <p style="text-align: center;">919-250-3830</p>
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*Powers And Duties Of Interim Guardian*

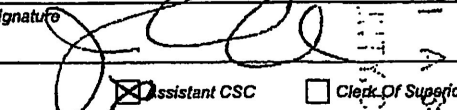
EVERETT BOLTON, 227 WEST MARTIN STREET PO DRAWER 1429 RALEIGH NC 27602, 919-899-9892 is appointed as the Interim Guardian of the Estate for Respondent.

All those powers and duties contained in NC Gen. Stat. 35A for Guardian of the Person and Guardian of the Estate accordingly are granted to the Interim Guardian for 45 days, unless extended or until disposition of the Appointment of Guardian is heard.

<i>Date Of Order</i> 11/06/2018	<i>Signature</i> 
<i>Expiration Date</i>	<input checked="" type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court

**ORDER EXTENDING INTERIM GUARDIANSHIP**

- For good cause shown, it is further ORDERED that the period of interim guardianship set forth in the above Order is extended for as long as continues to be necessary to meet the conditions necessitating this appointment. In any event, this interim guardianship shall terminate on the earliest of the following: the expiration date specified below, if any; 45 days from the date of this Order; when any guardian is appointed following an adjudication of incompetence; or when the petition in this case is dismissed by the Court.

<i>Date Of Order</i> 12/21/2018	<i>Signature</i> 
<i>Expiration Date</i> 2/4/2019	<input checked="" type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court

**CERTIFICATION**

I certify that this Order On Motion For Appointment Of Interim Guardian is a true and complete copy of the original on file in this case.

<i>Date</i>	<i>Name Of Clerk (type or print)</i>	<i>Signature</i>	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC
			<input type="checkbox"/> Clerk Of Superior Court