

FIVE YEARS IN A JOHN GRISHAM BOOK
CANDICE SCHWAGER

My name is CANDICE LEONARD SCHWAGER. I am over the age of 21, competent to execute this affidavit in all ways and have never been convicted of a felony or crime involving moral turpitude. I certify that all statements made herein are true and correct based upon my personal knowledge. I am a Texas attorney, licensed since 1998 and admitted to practice before the Southern District of Texas Federal Court. I have twice been certified attorney ad litem by the State of Texas, most recently in August of 2017. I have practiced guardianship law since 2012, special education law under the mentorship of prior Texas Education Agency Hearing Officer and Mediator of Section 504 Rehabilitation Act of 1973 and Individuals with Disabilities in Education Act cases, James Holtz, who served the State of Texas as one of five hearing officers for 26 years beginning in 1982, and am currently taking Dr. Karin Huffer's ADA certification course for attorneys and judges for the second time.

Prior to becoming a lawyer, I studied a pre-med curriculum at the University of Texas from 1989- 1992, changing majors to study psychology in 1992, receiving a Bachelor's of Arts degree from the University of Houston in 1994. While attending U of H, I was a member of Psi Chi Honor Society and Golden Key Honor Society. From 1994-1997, I attended South Texas College of Law, where I served as Asst. Case Note and Comment Editor of the Law Review, Brief Writer for Dean Gerald Treece's Varsity moot court team's Vanderbilt competition, and published a treatise on the Uniform Commercial Code with Professor W. David East, director of the Transactional Law Clinic. I graduated Cum laude My pre-med and psychology emphasis, along with personal experience having a child with special needs and grandparent with dementia, along with my work with children with special needs in education and the elderly in guardianship, study of the ADA and disability law uniquely qualifies me to conclude that Harris County has a pattern and

practice of discrimination against the elderly and adults with developmental disabilities that violates the ADA, Section 504 of the Rehabilitation Act and other civil rights laws. Without exception 100% of the cases in which I have been involved in Harris County guardianship have involved guardian ad litem and attorney ad litem, who were unqualified with respect to the disabilities the proposed wards or wards suffered and federal laws that are supposed to protect them.

My observations with Legislation proposed and enacted in the last two sessions in Texas along with personal experience arguing Sherry Johnston's complaint against guardian Ginger Lott before the Judicial Branch Certification Commission and Guardianship Review Board, along with communications and/or appearances before all 4 Harris County probate/guardianship judges and personal communications with Chief Probate Judge Guy Herman—have convinced me beyond any semblance of doubt that Texas' guardianship system violates federal law with respect to the disabled and their families. I have personally notified Judge Christine Butts, Judge Rory Olsen and Judge Lloyd Wright that patterns and practices of Harris County guardianship violate Title II of the Americans with Disabilities Act of 1990 and amendments of 2008 (now also 2016, intended to reaffirm the comprehensive protections the Act was intended to supply). My clients have testified before the Texas Senate State Affairs Committee and I have written Senators personally about violations of Texas and Federal law to no avail. I have witnessed countless advocates testify before lawmakers in Texas and the result has been minimal, ineffective change that does not appear to comport with the Bill of Rights of the United States Constitution or ADA.

LAWLESSNESS & ATROCITIES I HAVE SEEN

I have questioned under oath--one of the top probate, trust and guardianship attorneys routinely appointed by Harris County Judges, who writes Board Certification exams and has written legislation in guardianship in the past, serving on guardianship

committees in a trial where she was charged with determining an autistic adult's best interest only to learn at the time of trial that she was incompetent to testify under Texas Rule of Evidence 702 as to what interests might be. I have also questioned an attorney routinely appointed as guardian ad litem for elderly wards with Alzheimer's Disease or Dementia under oath and discovered that she did not understand the difference.

I have questioned physicians under oath in guardianship cases as well only to discover that one doctor routinely appointed, Dr. Christopher Merkl, admitted to not performing appropriate incapacity examinations, but instead "getting together" with an attorney and agreeing on the individual's diagnosis and another routinely appointed physician, Dr. Mark Kunik, who provided a shocking article entitled "money follows the person," which was already obvious to me in the context of guardianship.

I witnessed an autistic adult be sold to the highest bidder, an unqualified parent who had a history of child abuse instead of a superbly qualified parent who lacked the funds to pay the attorney ad litem and guardian ad litem \$15,000 or more for a bond that was not legal until 15 months after the order was entered. The case was appealed to the First Court of Appeals of Texas but Don Ford's law firm did not even get the facts right or pertinent statutory provisions that controlled the outcome. His malpractice seemed calculated to protect Judge Olsen instead of the autistic young man who ended up with a \$100,000 price tag on his head.

I have witnessed two elderly women die as my emergency injunctions and other desperate pleadings filed in an attempt to save their lives--were DENIED amidst threats of sanctions and jail to me if I did not stop putting evidence on the record and/or calling out corrupt lawyers and fiduciaries to each Judge, which created a duty to investigate at a bare minimum, but not one of the did and the reason appeared obvious--having knowledge of malfeasance would fare worse for them than demonstrating negligence or even gross negligence, two motions to remove the guardian now in federal court in a wrongful death

suit with Judge Butts were ignored as well as three motions for jury trial, with Howard Reiner noting there was a well-established record of me 'throwing myself on the mercy of the court' and DENIED or threatened too. Scorched earth retaliation tactics spanning from the probate court to district attorney's office were used in a pattern and practice of racketeering by violating the civil rights of the disabled for profit.

I have been repeatedly threatened in violation of the law and intimidated under color of state law for doing nothing more than standing up and zealously representing my clients. From one judge swinging a folder at my face inches from my nose, threatening he designed my jail cell and was sending me to jail 10-15x, mocking and humiliating me, attorneys threatening my personal wellbeing, to misplaced malicious motions for sanctions, contempt and frivolous bar grievances, intimidation is the rule not the exception.

Two attorneys encouraged a probate judge to “turn up the volume” and sanction me severely up to \$100,000 because “I was not getting the message.” The message I received was “get out” as one prior probate Judge, Judge Max Higgs told me, the attorneys and judges did not want the status quo disturbed. This sanction is being appealed for the second time because the First Court of Appeals determined my clients lacked standing to assert it. I was not present at the sanctions hearing due to high blood pressure and my physician’s advice that I get into bed immediately and calm down at the risk of having a stroke. My co-counsel objected to the lack of evidence, consisting of nothing but unauthenticated hearsay, but it was admitted anyway. The sanction was issued because Judge Wright lost his temper, believing I filed an amendment to our pending 1983 lawsuit, calling him a co-conspirator, when I had no knowledge that the pleading amendment was filed the day before my hearing and had no part in drafting it.

Every case I have been involved in Harris County has violated the rights of the disabled egregiously and taken them hostage without due process or equal protection of law. The 2014 Estates Code states that guardianship shall be "administered" like decedent's

estates. In other words, the disabled are deemed chattel and treated accordingly. Families are threatened against trespassing because Harris County deems people their property. The Constitution is routinely ignored as are the statutes in the code governing guardianship and hearings are not held nor does the ward get the chance to appear before every human right and dollar is stripped from them.

ANDREW STEPHEN KEITH AUTISTIC 20 7EAR OLD:

My first case in Harris County probate involved the sale of an autistic young man to the highest bidder, Andrew's abusive father Randall Keith. His motive is that his is a millionaire many times over and he refuses to pay child support for life because it was cheaper to put Andrew in an institution to be warehoused. His temporary guardian wrote the bond statute that became effective in 2014, but asked Olsen for a \$30,000 bond to be paid IN 2012 BEFORE IT WAS LEGAL. His own temporary guardian had an immediate conflict of interest and was willing to violate the mother's constitutional right to open courts. I fought for free 2 1/2 years in a war zone and have not won this case yet, but I am not giving up either.

Fatima Breland told us on day one that neither she nor Linda Goehrs would be retaining ANY EXPERTS because SHARON did not have any money. I was appalled given. Section 665A says the county pays all costs if the proposed ward is indigent and argued that Harris County should be funding experts and attorneys' fees, particularly if Judges were going to allow attorneys they appoint to violate Harris County fee guidelines for indigent cases by billing 2-4x the maximum hourly rate of \$125.00.

Judge Olsen then sarcastically remarked, "Wouldn't it be nice if Harris County had the money?" He looked at me with contempt and aside from his humongous ego that requires constant affirmation and cannot tolerate being challenged or on-upped, I have no explanation— unless he knew he was committing a crime by trying to enforce that bond

after the Legislature rejected it three times, believing parents / children of the disabled shouldn't have to fund their own attorney's fees along with the person in question. In the middle of this case, after Linda Goehrs created the mess that kept us briefing and arguing for six months, I learned that she was the author of section 1052 in the Estates Code, which was scheduled to take effect 1/1/14.

That resolved any remaining confusion or doubt I had and I suddenly knew that they were all "in on it." I asked myself early in the case, "Am I wrong? Why is everyone fighting me so hard?" Duh! I spent six months making a record of a crime—in which Olsen tried to sell Andrew by enforcing the bond and throwing my client out on that basis. Linda suddenly announced that she heard the bill passed in early April of 2013, though she failed to say the effective date was not for 8 more months. Nevertheless, Olsen backed off and said he was not going to issue a ruling regarding the bond. That should have been my victory as far as Sharon's ability to remain in the case as an applicant for guardianship of her disabled son. But, Olsen immediately found a sham to hang his hat upon and dismiss Sharon's guardianship application 10 months premature. I reminded him that Section 681 permits her to remain in the case even if she owed a debt to Andrew, which she did not.

She owed a couple thousand dollars in child support to Randall, if at all and that's what Olsen used as a "sham" rationale to throw her out when the true reason he was chomping at the bit to get rid of Sharon was his disgust and contempt towards her for having debts that remain unpaid as she is placed in a financial stranglehold to the point of hardly being able to breathe, much less fight. For 15 years, Randall had apparently threatened or bribed everyone in his path in family court. I would not have believed it if I did not witness it first-hand. My autism expert arrived and suddenly knew nothing about autism, as she held an affidavit that Fatima Breland created 9 months prior without any notification to me that she was manipulating my expert and tampering with my witness to change her testimony. This woman had clearly accepted a bribe or been threatened and I knew better than to ask her any questions.

Linda Goehrs did not read the summaries of 864 pages of Andrew's medical records I provided or a two-year stream of emails about child abuse, as I hoped against hope that a light bulb would turn on. She's had 2 ½ years to do so. So, did his lawyer, the attorney ad litem. Linda testified that she did not allow us to take Andrew to speech therapy because his incompetent abusive father said, "it was a waste of time" and she "did not understand autism." Linda committed crimes against Andrew by not providing medically necessary speech therapy, ordered by the family court judge. Apparently, she did not read the 10 years of family court files I sent to her and summarized. I gave her a pile of school and medical records 1 1/2 feet high I could not disqualify or qualify the attorney or temporary guardian because the judge never understood they weren't qualified under the rules of evidence. And at the end of the day, I ended up representing Andrew and my client in a system that cared only about money and we had insufficient funds to beat the system. I lost and Andrew is a hostage because these reckless incompetent people think they are competent and have no idea what they have just done. I do and I am horrified. Now Sharon cannot file any more court actions or she will "never see Andrew again."

When the case began, I prayed Charles Bearinger would stick with us. He volunteered pro bono when his rate is \$700/hour. I offered him to Linda and Fatima and they did not call him on the phone or to trial. I could not call him because he was afraid to testify. Charles is Board Certified in Special Education and Psychology/Counseling with a combined total of more than 50 years of experience. The case was tragic and I fear for Andrew's life because Randall once told his older son, who got away, "no one will hear you cry for help now." Imagine Andrew's nightmare. and summarized them all. Were they read?

The Houston Press wrote a lengthy feature over a decade ago, entitled "Judging Rory", detailing the contempt Olsen has garnered from the mental health community by his blasé, but routine discarding of indigent residents who are mentally ill and need

treatment, as a growing number of elderly mothers and fathers WITH WEALTH are taken against their will into guardianship, where their rights are terminated, rendering them “legally dead” if that were possible under the US Constitution. Families are threatened and banned from visiting to cover up neglect, while assets of their estates and trusts are consumed in mere months by IMMORAL, UNETHICAL LAWYERS AND FIDUCIARIES seeking to profit off of their suffering. I SAW THIS WITH MY OWN EYES WHEN ANDREW WAS SOLD WITH NO BOND ON THE BOOKS.

CAUSE NO 380624: WILLIE JO MILLS, DECEASED

My second case ended more horrifically than any outcome I could even imagine. I begged for the Judge to intervene and provided a mountain of evidence to the lawyers and judge in the case, pleading for them to save her life--suggesting that I suspected foul play. I was given just one opportunity to present evidence before Judge Butts in December of 2013-- via motion for TRO and Temporary Injunction and for removal of Ginger Lott, who was "slid" into the role of guardian in a fraudulent scheme to deprive my clients of the mere opportunity to object, knowing they sought appointment. To my shock, I discovered that Willie Jo Mills was placed in guardianship by a contract between fiduciaries and attorneys who were charged with her best interests and/or REFUSING to consent to guardianship and zealously advocating for her right to live in the community as outlined by Olmsted vs. L.C., a landmark U.S. Supreme Court case, holding that States violate Title II of the ADA by unnecessarily segregating the disabled in nursing homes, instead of integrating them into their communities and providing supports and services to fill any gaps.

The Rule 11 Agreement that sealed Willie Jo's fate was executed by David Dixel, temporary guardian, Howard Reiner (attorney ad litem appointed to defend her), Larry Mills (the son who pursued guardianship, advocating for medical procedures that were more likely to kill her than resolve any health problems she suffered, and her daughters, who were "held over a barrel" of duress by Reiner and Dixel, (and Larry Mills), who

assured them they could spend virtually everything they owned and they still would not win.

The MOST EGREGIOUS, OUTRAGEOUS part is NOBODY signed on behalf of Willie Jo Mills so she was presumed competent and no evidence ever overcame that presumption. Five experts had widely disparate opinions re: Willie Jo's competency ranging from mild to severe, calling into question all 5. No evidentiary hearing was ever held before the Judge granted permanent guardianship of Willie Jo's person to Dixel and took all of Willie's estate without due process of law, nullifying all of her very carefully executed years prior in the event she ever became incapacitated. With durable and medical powers of attorney, advanced directives, a DNR, designation of guardian in the event of need--naming Sherry and Cindy, and everyone involved fully aware that a district court judge had just issued an injunction against Mills for taking his mother's estate and funds, the result was inescapably that her daughters would be appointed but that didn't occur.

No doctor ever testified in court subject to Rule 702 of Evidence and the reports were hearsay and completely inconsistent with one another. Unsworn statements are not evidence and the discrepancy in the 5 disparate reports mandated that the doctors testify before the Judge could ever find clear and convincing evidence of any contention concerning Willie Jo's health and competency. There was no clear and convincing evidence, so the attorneys met and negotiated for Willie Jo's placement, agreeing to David Dixel serving. The Court got it backwards. Willie Jo was presumed competent in the law, but never actually treated that way. Her attorney was charged with zealously resisting guardianship or minimally, ensuring that her wishes were honored and double crossed her instead. As the case spun out of control far beyond "emergency" to illegal threats to me to get out or else, multiple near death close calls in which Willie Jo became gravely ill and her "guardian" refused to lift a finger, having the audacity to turn away the fire department / EMS when they only wanted to check on Willie Jo to confirm she needed immediate hospitalization.

Sixteen years of litigation experience while working for the top lawyers in the State of Texas did nothing to prepare me for the bloodbath, scorched earth retaliation, threats, and "hostile work environment" replete with criminal acts that shocked my conscience to the point of feeling traumatized. I recall Sherry telling me that Dexel, Lott (her attorney Ditto), Reiner, Clarinda Comstock (GAL turned associate judge) and Judge Butts were going to kill her mother, truly feeling it was deliberate. I could not even fathom anyone slowly and painfully torturing an innocent 86-year-old woman, particularly given she had an estate worth approximately \$2 million that they could continue billing to their hearts' desire--provided she lived. I simply could not imagine any motive, benefit or reason why anyone would essentially murder, neglect, and abuse Willie Jo Mills--a question I still struggle with every time I think of horrific her death was for Sherry, Cindy, Betty Jo, Willie Jo, and even me.

Three days before her death, I went to Emeritus Kingwood to meet her for the first time--having been notified that death was imminent. I will NEVER FORGET the horror as long as I live because it was so patently obvious that GINGER LOTT and the co-conspirators covering up criminal activity--were pumping her full of Haldol, Morphine and Valium / Psychotropic cocktails to kill her, but Willie Jo just would not die. I walked out of her room almost as soon as I walked in, horrified because I knew she was blind and terrified, not recognizing unfamiliar voices in her room. I don't know if I have ever seen anyone so frightened in my entire life.

Was this somehow payback for Sherry testifying to recuse Olsen in Andrew's case? He made the point of coming into the court and telling us he had breakfast with judge Butts and it was going to be a good day and that's the day it all fell to pieces in her cases when we're winning before. I felt horrible. This was pay back to Sherry Johnston for daring to testify against Rory Olsen and expose the threats he had made against me, Kevin and his outrageous inexcusable abuse heaped on me with liberal doses of humiliation for

challenging him with my special education expertise, completely unaware of his utter incompetence with respect to disabled young adults. As the head judge responsible for overseeing critical mental health issues, with some even life threatening, the realization that he knew nothing about special education or autism left me dumbfounded.

427298, RUBY PETERSON,
DECEASED (Probate Court 1)

Don Corleone might as well be in charge because lawlessness abounds and it did not take long for me to discern the rules to this “game”. The first rule is Crane Caton wins. I learned the Crane Caton wins rule in trial number 3 in the case of Ruby Peterson, deceased. From the beginning of this tragic case, the two court appointees, Jill Young and Russ Jones’ absolute lack of concern for the life of Ruby Peterson was sickening—and became an outrage when the two sat around with their hands out, waiting to be paid \$100,000 for killing Ruby and filing joinders with everything Sarah Pacheco filed. Suddenly, the Courts’ use of ad litem began to have a far more ominous than benevolent purpose. First and foremost, I have yet to witness one attorney actually represent their client—the proposed ward—when the invitation to collude was implied and they took it long ago, hook, line and sinker. In every guardianship I have tried, I carried the load to represent my client and the proposed ward because the attorney ad litem did absolutely nothing.

In July of 2014, I filed an application for emergency TRO and Temporary Injunction to save the life of Ruby Peterson. After 4 days of testimony, establishing that she was being falsely imprisoned and assaulted via illegal chemical restraints (Seroquel, FDA black box warning), the injunction was summarily denied. The emergency that took Ruby’s life was Seroquel, which is NOT to be given to elderly patients with dementia—particularly if they had cardiac complications, which Ruby did. Despite my pleas, the Court ignored Ruby’s screams for help and she died January 2015 after being ill a mere three days. In the life of

an elderly individual, three days can be fatal. I can hardly describe the emotional suffering her children (my clients) have endured. I was sickened to see lawyers sit around waiting to be paid after not even pretending to comply with their duties as ad litem.

Russ Jones, the attorney ad litem and Jill Young, the guardian ad litem, did nothing for Ruby but mock her suffering, children and me as they taunted and threatened Ruby's "real lawyers" and the only doctor who cared enough to try to save her life— with TRESPASS AND ARREST. The expert retained by Sarah Pacheco, Dr. Chris Merkl, testified on the stand that he was retained to create a legal document stating that Ruby was incompetent (when the Code says she is presumed competent and the doctor admitted not knowing the law). Dr. Merkl testified that he "just get gets together with Sarah Pacheco and decides people are competent or incompetent, stating that a few occasions, Sarah had the idea that no guardianship was needed, so he found them competent and SARAH was perfectly happy with that. I have no doubt she was. Our Doctor was extremely qualified and the Judge almost did not let him see her. He denied subsequent visits to follow up on Meryl's gross negligence of not treating Ruby's cardiac insufficiency, which caused death. The heart problems also caused her to fall—with one fall at Silverado Senior Living almost fracturing her skull. Dr. Merkl did a fellowship in Cardiology. He also testified he and Dr. Lallana were looking to see if the cause of Ruby's confusion was her heart. Dr. Merkl knew it was but did not treat it because Sarah decided Ruby was never getting out.

Ruby wanted to disown Sarah's client from inheritance and so she was locked up and my clients were treated by the police and told they would be arrested if they came back, when all they did was bring a power of attorney on the premises to get her out of lock down as she asked them to. Ruby asked her sons to hire two lawyers and they complied. The two lawyers were Phil Ross and I—threatened and sanctioned for daring to challenge the system. Ruby's guardian ad litem, Jill Young, was appointed to determine what Ruby's "best interests" but refused to do her job—even after I pointed out via several motions that she was not doing her job, but aligned with Sarah Pacheco. Jill never once even spoke to me

or Phil Ross, regarding Ruby. Jill blocked my email address along with Sarah because I pointed out to the Judge how Sarah was lying to him. Jill sat with the Defendant, Carol Ann, giggling like sorority sisters. Sold out to Sarah, Jill categorically refused to even hear a contrary point of view.

We retained a forensic psychiatrist, Dr. John Tennyson, who wrote a 9-page expert report concerning Ruby's heart problems and dementia. Had Jill merely read it, she could have summoned a Cardiologist and saved Ruby's life. But, she wasn't interested in knowing what any other expert said—well aware that she wasn't an expert. Far from it, Jill Young, a school teacher, admitted she knew nothing about dementia or powers of attorney. Carol Ann was exploiting Ruby's finances with a power of attorney and Jill thought that made it a "power of attorney" account. When I asked her on the stand why she believed without further investigation what

Dr. Merkl opined, she said "because I have worked with him many times." She refused to even read our expert report because she "didn't have time" to read 9 pages. Apparently, her lawyer was too engrossed in the book he read during our emergency hearing to care either. At one point, my cross exam became almost painful in terms of exposing her ignorance and the Judge interrupted me, stating on the record his stipulation that "Jill is not an expert." I responded, "I know that. I'll represent that I'm not an expert but I know this and so should she." In other words, how do you make a decision on someone's best interest if you don't even understand their disability—or care? You cannot.

So, what I see in every case are greedy lawyers who care only about getting paid and going to play golf, while the disabled suffer. Jill testified that she never bothered to read our expert's report and now I know why—it did not matter. Jill's mind was made up before I ever filed the lawsuit. She was sold out to Sarah Pacheco. Evidence of this became clear when she filed joinders in every motion Sarah filed. Ruby's lawyer Russ Jones did the same thing. I predicted to the Judge that every motion Jill and Russ would file would

go along with Sarah Pacheco and really wondered at that point why I had to fight 4 lawyers in every case to save the life of a disabled person only to watch them die and the lawyers get paid? It's the worst nightmare you can imagine because before probate court, I never lost one case except my son's special education case, which was similarly "rigged" before I ever began.

THE SYSTEM DESIGNED TO PROTECT KILLS

Ruby was presumed competent until proven incompetent by a jury trial that never came and she died being falsely imprisoned and assaulted with dangerous drugs. Ruby was drugged by Seroquel which is fatal for heart patients and denied a pacemaker which would have saved her life. Apparently, that was not the goal. Dr. Merkl testified under oath that it's okay to lie to elderly patients to get them to take drugs that are dangerous for them. Her son testified that "if you got to lie, you got to lie. Bill Clinton did it."

We tried to introduce the fraudulent Will and Testament of Fannie Bell, David Peterson's aunt—when we were accused of witch hunting. If the shoe fits? David Peterson, Ruby's son, admitted as he bragged to his sisters and brothers that he stole his cousin's inheritance by having a disabled aunt with dementia change her will at 98 for \$300. RUBY PETERSON's medical records (entered into evidence by her own lawyer) demonstrate false imprisonment and repeated assaults—crimes. Ruby was found screaming and crying to leave SILVERADO or drugged to the point of being passed out in her wheelchair and not once did any of DEFENDANTS' five+ lawyers and guardian ad litem deem their crimes problematic!

Russ Jones mocked Ruby as he entered her records and sealed her fate—and left for golf. Her lawyer threatened our doctor with arrest for trespass and never read the medical records he introduced into evidence against his own client because they had instance after instance of falls for the low blood pressure and blood pressure low, high and everywhere

because it was not regulated. No one cared who treated her. She died in 6 months and the Judge punished me \$15,000 for blogging and asking for help because I brought on too much publicity to get her out of Silverado Senior Living—where they were killing her.

Within six months of the Court's denial of my EMERGENCY TEMPORARY INJUNCTION, RUBY DIED! RUBY PETERSON DIED OF NEGLECT WHILE SURROUNDED BY MEDICAL CARE PROVIDERS. Ruby's COURT APPOINTED lawyer charged with representing what she wanted told the Court that Ruby's screams to go home were apparently the screams of a woman desiring her "childhood home" with no credentials to make such a ludicrous, self-serving statement. Why would Ruby's lawyer threaten a Doctor from seeing his own client or some guardian ad litem not care what a doctor thought? Keeping Dry Tennyson away probably killed her. How can experienced probate lawyers be so ignorant? RUBY PETERSON was a person in need of protection while in the protection of Harris County probate courts. RUBY was isolated in a predictably lethal combination of circumstances. Ironic is the fact that the entire system designed to protect RUBY killed her. Res Ipsa Loquitur: In the absence of proof, with res Ipsa loquitur- the person who had custody, control, and possession of Ruby is presumed to have done it. SUGARLAND POLICE—those entrusted with her protection protected her from a Doctor. Ruby was Little more than the Property of Harris County and was not even in guardianship ever because she died first in the protection of the guardianship program. The Code kind of agrees, so it's a civil matter.

Absurd results: the lawyer that Ruby told hire was sanctioned for making too much noise to get her out of Silverado! I went to probate court and everyone died or was held hostage. It wasn't a nightmare. It was real. Jury trials are denied because as Sarah Pacheco put it, "the Constitution doesn't apply in probate court" that is— unless the right to privacy is concerned to hide exploitation of the ward.

I have seen tragedies and egregious violations of criminal and civil federal statutes every time and not once, the right result. Not one person was protected from anything but good medical care and their money.

If I had to describe my experience, it would be akin to waking up in a John Grisham psychological thriller, where people are getting kidnapped or murdered all around me and I am thinking hard as to what my next move will be—like insane chess with murderers and thieves. One wrong move could cost you. The work is not fun but I cannot stop trying. I cannot understand how decent people can do this to one another, but then, I am dealing with lawyers

SIGNED ON THIS 15TH DAY OF DECEMBER, 2017

Candice Schwager

CANDICE SCHWAGER