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CAUSE NO. 456059

IN THE GUARDIANSHIP OF
MURIEL LUBA MINTZ,
AN INCAPACITATED PERSON

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IN THE PROBATE COURT
NUMBER _____ OF
HARRIS COUNTY, TEXAS

APPLICATION FOR APPOINTMENT OF
PERMANENT GUARDIAN OF THE PERSON AND ESTATE

prev filed

Post 1 Per by IN 3/8/17
1 per in
3/27/2017

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES, Donald M. Mintz ("Applicant"), and makes and files this Application for Appointment of Guardian of the Person and Estate of Muriel Luba Mintz, a person in need of a guardian ("Proposed Ward") pursuant to Section 1101 of the Texas Estates Code, and would respectfully show the Court the following:

I.

That Proposed Ward is a female who is 92 years of age, having been born on September 5, 1924. The Proposed Ward currently resides at Clarewood House located at 7400 Clarewood Drive #518, Houston, Harris County, Texas 77036. The Proposed Ward is not presently under a guardianship in Texas or any other state. The Proposed Ward is the mother of Applicant.

II.

Notice is being given as required by Section 1102 of the Texas Estates Code to the following people:

Patrick Pheifer
Executive Director of Clarewood House
7400 Clarewood Drive
Houston, Texas 77036

Barbara Ann Mintz Latham
Relationship: daughter
1022 Northwick Drive
Pearland, Texas 77584

Estelle Claire Mintz Johnson Nelson
Relationship: daughter
1333 Eldridge Parkway, Apt. 816
Houston, Texas 77077

The Proposed Ward's natural parents are deceased.

The Proposed Ward does not have any siblings.

The Proposed Ward is not married.

III.

Applicant's address is 3519 Yupon Street, Houston, Texas 77006. Applicant desires to be appointed Guardian of the Person and Estate of Proposed Ward. The Proposed Ward's Estate consists of bank accounts containing approximately \$108,764 and a revocable living trust containing approximately \$116,000. Although the Proposed Ward is not the Trustee of this Trust, she does have the power to appoint its assets or demand distributions. Applicant is not ineligible by law to act as Guardian.

IV.

Applicant is requesting a full and permanent guardianship of the person, with complete power and authority. In accordance with §1101.001 of the Texas Estates Code, alternatives to Guardianship have been considered, but due to the extent of the Proposed Ward's disabilities, no alternatives were found feasible or that could be pursued in lieu of guardianship. Furthermore, Applicant seeks to take away Proposed Ward's rights to operate a motor vehicle, vote in a public election, make decisions regarding marriage, and make decisions regarding residence

V.

This Court has venue over these proceedings because **Muriel Luba Mintz** resides in this county.

VI.

The Proposed Ward lacks the necessary capacity, as provided by the Texas Estates Code, to provide food, clothing, or shelter for herself, to care for her own physical health or manage her own financial affairs.

VII.

Applicant requests that the Court appoint **Donald M. Mintz** as Guardian of the Person and Estate of **Muriel Luba Mintz** to see to the care of all of Proposed Ward's personal and physical needs and manage all of Proposed Ward's financial affairs and the assets of her Estate.

Therefore, Applicant prays that:

Notice of this Application be given as required by law;

The Court appoint an attorney ad litem to represent the Proposed Ward's Person and Estate;

A hearing on this Application be set;

Donald M. Mintz be appointed Guardian of the Person and Estate of **Muriel Luba Mintz**, a person in need of a guardian;

The Court Order appointing **Donald M. Mintz** as Guardian be effective upon his taking Oath and giving a bond as required by law;

Upon the Guardian's qualification, the Clerk of this Court shall issue Letters of Guardianship to **Donald M. Mintz**; and

The Court enter any other Orders it deems necessary.

Respectfully submitted:

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Attorneys for Applicant

**Certified pursuant to T.E.C. §1054.201*

AFFIDAVIT

STATE OF TEXAS

COUNTY OF HARRIS


- *
- * KNOW ALL MEN BY THESE PRESENTS THAT:
- *

I, **Donald M. Mintz**, Applicant, having been duly sworn, hereby state on oath that the foregoing *Application for the Appointment of Permanent Guardian of the Person and Estate* is a true and complete statement.

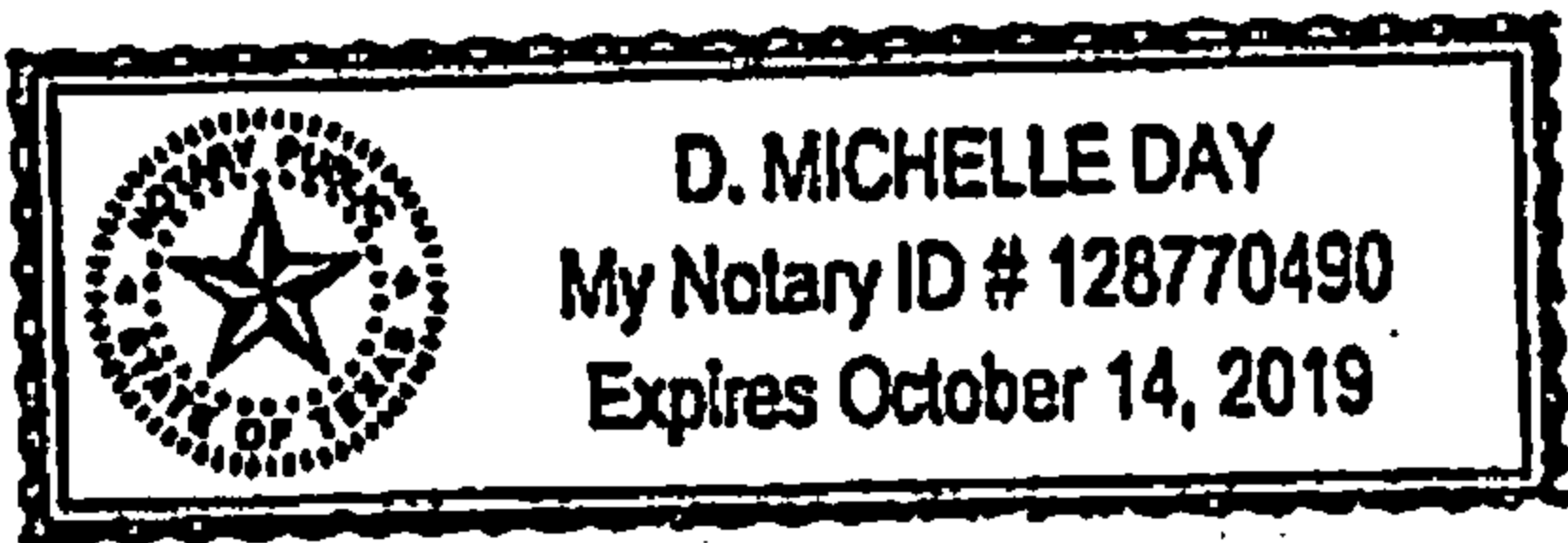


Donald M. Mintz

SWORN TO AND SUBSCRIBED BEFORE ME by **Donald M. Mintz** on this 8th day of March, 2017, to certify which witness my hand and seal of office.



Notary Public, State of Texas



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