

CAUSE NO. G08250

GUARDIANSHIP OF

IN THE COUNTY COURT

REBECCA MCGALLIARD

AT LAW

AN INCAPACITATED PERSON

BOSQUE COUNTY TEXAS

STATE OF TEXAS

To any Sheriff or any Constable within the State of Texas:

YOU ARE HEREBY commanded to cause to be posted at the County Courthouse, Meridian, Bosque County, Texas, at the place in or near where public notices customarily are posted, a copy of the following notice:

STATE OF TEXAS

TO ALL PERSONS INTERESTED IN THE WELFARE OF THE PERSON OF REBECCA MCGALLIARD, AN INCAPACITATED PERSON.

An APPLICATION FOR APPOINTMENT OF GUARDIAN OF PERSON AND ESTATE, filed by MARSHALL DALE MCGALLIARD, SR has been entered in the records of said Court; cause number G08250 on the 05/10/2022.

Applicant requests that MARSHALL DALE MCGALLIARD, SR be appointed Guardian of the Person and Estate of REBECCA MCGALLIARD.


Hearing on said Application for Appointment of Guardian of the Person and Estate will be held on or after the 23rd day of May, 2022 at the Bosque County Courthouse, Bosque County, Texas.

All persons interested in said cause are hereby cited to appear before said Honorable Court at said above mentioned time and place by filing a written answer contesting said request if they so desire.

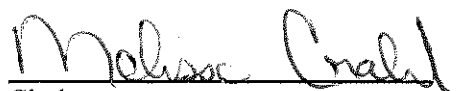
You are notified that you have the right under Texas Estates Code Section 1051.252 (Texas Probate Code Section 632 (j)) to file with the clerk a written request that you be notified of any or all specifically designated motions, applications, or pleadings filed by any person, or by a person specifically designated in your request, relating to the application for the guardianship that has been filed or relating to any subsequent guardianship proceeding involving the ward after the guardianship is created, if any. If you make such a request, you are responsible for the fees and costs associated with furnishing you the documents specified in the request. The clerk may require a deposit to cover the estimated costs of furnishing you with the request notice.

The officer executing this Writ shall promptly post the same and make due return as the law directs.

Given under my hand and seal of said Court at office in Meridian, Texas the 10th day of May, 2022.

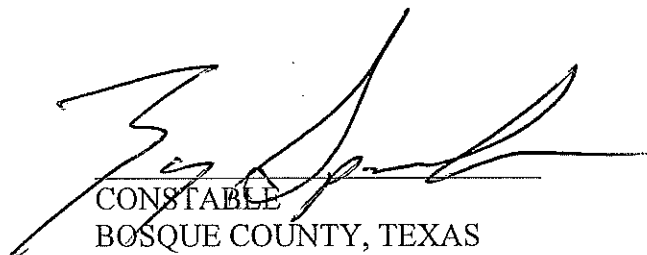

Tabatha Ferguson,
Bosque County Clerk




Clerk

OFFICER'S RETURN ON CITATION

Came to hand on the 11 day of May, 2022, at 9:22 o'clock A M. and executed on the 11 day of May, 2022 by posting a copy of the within citation for ten days, exclusive of the day of posting, before the return day hereof, at the County Courthouse door of Bosque County, Texas, or at the place in or near the said courthouse where public notices customarily are posted, that is from May 11, 2022, through May 23, 2022, inclusive.


CONSTABLE
BOSQUE COUNTY, TEXAS

Printed name: Jay Spackman

No. _____

<p>IN THE GUARDIANSHIP OF</p> <p>REBECCA MCGALLIARD,</p> <p>AN INCAPACITATED PERSON</p>	<p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p>	<p>IN THE COUNTY COURT AT LAW</p> <p>OF</p> <p>BOSQUE COUNTY, TEXAS</p>
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APPLICATION FOR APPOINTMENT OF GUARDIAN OF PERSON AND ESTATE

MARSHALL DALE MCGALLIARD, SR, Applicant, files this Application for Appointment of Guardian of Person and Estate pursuant to section 1101.001 of the Texas Estates Code on behalf of REBECCA MCGALLIARD, Proposed Ward, and shows the Court the following:

1. Proposed Ward is an adult female, whose birthday is 02/12/1944. Proposed Ward resides at 951 CR 482, Spur, Dickens County, Texas, but may be served with citation at 1800 W. 9th Street, Clifton, Bosque County, Texas.

2. Applicant is the spouse of Proposed Ward and resides at 951 CR 482, Spur, Dicken County, Texas. Applicant desires to be appointed guardian of the person and estate of Proposed Ward. The last three digits of the social security number of MARSHALL DALE MCGALLIARD, SR are 638. The last three digits of the driver's license number of MARSHALL DALE MCGALLIARD, SR are 562. Applicant is eligible to receive letters of guardianship and is entitled to be appointed.

3. Guardianship of the person and estate of Proposed Ward is sought.

4. This Court has jurisdiction and venue over these proceedings because Proposed Ward resides in Bosque County, Texas.

5. Persons to be served by personal citation pursuant to section 1051.103 of the Texas Estates Code are: NONE

6. Persons to receive notice by certified mail, return receipt requested, pursuant to section 1051.104 of the Texas Estates Code are:

JERRY ALEXANDER, JR. 2450 FM 1081, Spur, Texas 79370

PAIGE BIZZELL 302 CR 3340, Clifton, Texas 76634

MARSHALL DALE 1440 CR 390, Spur, Texas 79370
MCGALLIARD, JR.

HEATHER MCGALLIARD 1405 Radisson Drive, Hewitt, Texas 76643
WHEELER

LUTHERAN SUNSET 1800 W. 9th Street, Clifton, Texas 76634
HOME

7. Proposed Ward is currently incapacitated to care for herself, and unable to manage her property and financial affairs without a legal guardian of her person and estate. It is necessary and will be advantageous for Proposed Ward to have a guardian of her person and estate appointed to manage, control, protect, and prevent waste of the assets of her estate, and to provide for the care and attention of Proposed Ward.

8. Alternatives to guardianship and available supports and services to avoid the guardianship were considered. No alternatives or supports and services are available to Proposed Ward or are feasible to avoid the need for a guardianship.

9. Approximate values and descriptions of Proposed Ward's property are:

a. Spur Security Bank – Checking \$187.29

b. Homestead \$94,190.00

c. Non homestead real property

10. The requested term of this guardianship is for such time as Proposed Ward's medical condition necessitates the guardianship.

11. The specific facts that require a guardian to be appointed and Applicant's interest in the appointment are: Proposed Ward has been diagnosed with Psychosis, dementia and depression. She is unable to care for herself or manage her own property. Proposed Ward requires 24 hour care.

12. Proposed Ward is totally incapacitated as set forth in the examination and report under section 1101.103 of the Texas Estates Code from Proposed Ward's treating physician, Justin Squyers, M.D., attached hereto and incorporated in this application as Exhibit A.

13. The Court should find Proposed Ward totally incapacitated for all purposes. Applicant requests that the Court's order of appointment include termination of the right of Proposed Ward to vote in a public election, to hold or obtain a license to operate a motor vehicle under chapter 521 of the Texas Transportation Code and make personal decisions regarding residence.

14. No guardianship for Proposed Ward exists in this or any other state.

15. The name and address of the person having care and custody of Proposed Ward and who is required by law to receive notice by certified mail, return receipt requested, is:

Lutheran Sunset Home 1800 W. 9th Street, Clifton, Texas 76634

16. MARSHALL DALE MCGALLIARD, SR. holds a durable power of attorney signed by Proposed Ward.

The names and addresses, to the best of Applicant's knowledge, of Proposed Ward's spouse, parents, siblings, and children or, if none living, of Proposed Ward's next of kin, pursuant to section 1100.001(13) of the Texas Estate Code, are:

JERRY ALEXANDER, JR. 2450 FM 1081, Spur, Texas 79370

PAIGE BIZZELL 302 CR 3340, Clifton, Texas 76634

MARSHALL DALE 1440 CR 390, Spur, Texas 79370
MCGALLIARD, JR.

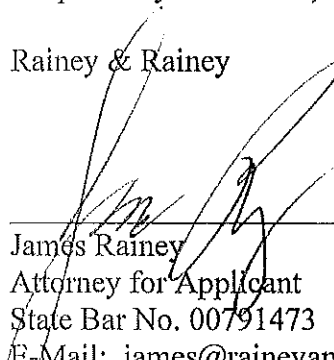
HEATHER MCGALLIARD 1405 Radisson Drive, Hewitt, Texas 76643
WHEELER

17. Applicant brings this application in good faith and for just cause and requests payment of attorney's fees and expenses from Proposed Ward's estate as allowed by section 1155.054 of the Texas Estates Code.

Applicant prays that notice of this application be given as required by law; that Proposed Ward be personally served with citation to appear and answer this application; that an attorney ad litem be appointed to represent Proposed Ward; that on hearing Applicant be appointed guardian of the person and estate of Proposed Ward; that letters of guardianship be issued to MARSHALL DALE MCGALLIARD, SR on his taking the oath or making the declaration and giving bond as required by law; and for all further relief to which Applicant may be entitled.

Respectfully Submitted,

Rainey & Rainey



James Rainey
Attorney for Applicant
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Waco, Texas 76710
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Fax: 254.752.8624

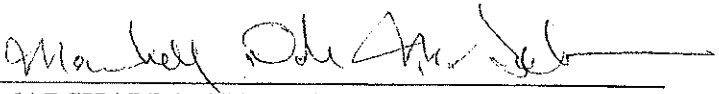
STATE OF TEXAS

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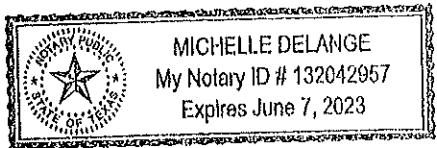
COUNTY OF MCLENNAN

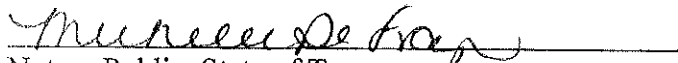
BEFORE ME, the undersigned authority, on this day personally appeared MARSHALL DALE MCGALLIARD, SR, who swore on oath that the following facts are true:

"I have reviewed the foregoing application, it contains a correct and complete statement of the facts and matters to which it relates, and all the contents are true, complete, and correct to the best of my knowledge."


MARSHALL DALE MCGALLIARD, SR

SIGNED under oath before me on 5/6, 2022.




Notary Public, State of Texas