

GUARDIANSHIP OF

IN THE COUNTY COURT

CLAUDE LENN BURNS

AT LAW

AN INCAPACITATED PERSON

BOSQUE COUNTY

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 CLAUDE LENN BURNS

An application for APPOINTMENT OF GUARDIAN OF THE PERSON AND APPLICATION FOR DECLARATION OF SPOUSE'S INCAPACITY, filed by CLAUDIA BURNS and WANDA RUTH BURNS has been entered in the records of said Court, cause number G08263 on the 17th day of July, 2023.

Applicant requests that CLAUDIA BURNS and WANDA RUTH BURNS be appointed as Guardian of the Person and Estate of CLAUDE LENN BURNS.

Hearing on said APPOINTMENT OF GUARDIAN OF THE PERSON AND APPLICATION FOR DECLARATION OF SPOUSE'S INCAPACITY will be held on or after 31st day of July, 2023 at the County Courthouse, Bosque County, Texas.

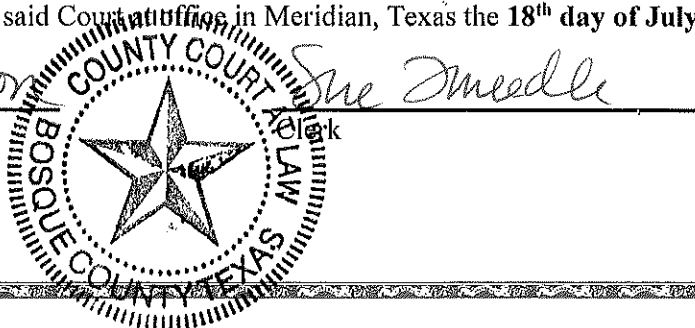
All persons interested in said cause are hereby cited to appear before said Honorable Court at said above mentioned time and place by filing a written answer contesting said request if they so desire.

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

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 18th day of July, 2023.


Tabatha Ferguson
Tabatha Ferguson,
Bosque County Clerk



Sue Zmeedle
Sue Zmeedle
Clerk

OFFICER'S RETURN ON CITATION

Came to hand on the 18 day of July, 2023, at
11:14 o'clock A. M. and executed on the 18 day of July, 2023
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 7/18, 2023, through 7/31,
2023, inclusive.


CONSTABLE
BOSQUE COUNTY, TEXAS

Printed name: Scott Ferguson



No. _____

<p>IN THE GUARDIANSHIP OF</p> <p>CLAUDE LENN BURNS,</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 THE PERSON AND APPLICATION FOR DECLARATION OF SPOUSE'S INCAPACITY

WANDA RUTH BURNS and CLAUDIA BETH BURNS, Applicants, file this Application for Appointment of Guardian of Person pursuant to section 1101.001 of the Texas Estates Code on behalf of CLAUDE LENN BURNS, Proposed Ward, and this application to declare CLAUDE LENN BURNS an incapacitated person and to authorize WANDA RUTH BURNS to have full power to manage, control, and dispose of the entire community estate, as community administrator, pursuant to Sections 1353.001 - 1353.006 of the Texas Estates Code, and would respectfully show the Court the following:

1. Proposed Ward is an adult male, whose birthday is 11/11/1933. Proposed Ward resides at Heartis Senior Living, 5317 Speegleville Road, Waco, McLennan County, Texas, and may be served with citation at that address.

2. Applicant, WANDA RUTH BIURNS, is the spouse of Proposed Ward and resides at 504 E. Avenue A, Valley Mills, Bosque County, Texas. The last three digits of the social security number of WANDA RUTH BIURNS are 518. The last three digits of the driver's license number of WANDA RUTH BIURNS are 273. Applicant would not be disqualified under Sections 1104.351 – 1104.357 of the Texas Estates Code to serve as a guardian. Applicant desires to acquire full power to manage, control, and dispose of the entire community estate, as community administrator, including the part of the community estate that CLAUDE LENN BURNS legally has the power to manage in

the absence of his incapacity, without an administration. The estate of CLAUDE LENN BURNS consists of community property only.

3. Applicant, CLAUDIA BETH BURNS is the daughter of Proposed Ward and resides at 504 E. Avenue A, Valley Mills, Bosque County, Texas. Applicant desires to be appointed guardian of the person of Proposed Ward. The last three digits of the social security number of CLAUDIA BETH BURNS are 798. The last three digits of the driver's license number of CLAUDIA BETH BURNS are 756. Applicant is eligible to receive letters of guardianship and is entitled to be appointed.

4. Guardianship of the person of Proposed Ward is sought.

5. Appointment of Community Administrator is sought.

6. This Court has jurisdiction and venue over these proceedings because Proposed Ward's principal assets are located in Bosque County, Texas.

7. Persons to be served by personal citation pursuant to section 1051.103 of the Texas Estates Code are: CLAUDE LENN BURNS

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

HEARTIS SENIOR LIVING, 5317 Speegleville Road, Waco, Texas 76712

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

10. 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.

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

12. The specific facts that require a guardian to be appointed and Applicant's interest in the appointment are: Proposed Ward has Parkinson disease, Hyperlipidemia and Cerebrovascular disease making him unable to care for himself or his affairs.

13. 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, David J. Fedro, D.O., attached hereto and incorporated in this application as Exhibit A.

14. 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.

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

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

Heartis Senior Living 5317 Speegleville Road, Waco, Texas 76712

17. Applicant is not aware of any person or institution that holds a 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:

WANDA RUTH BURNS, 504 E. Avenue A, Valley Mills, Texas 76689.

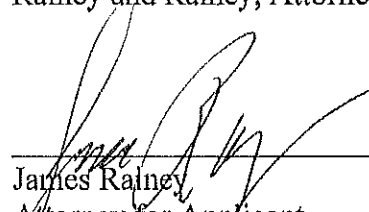
18. Applicant brings this application in good faith and for just cause and requests payment of attorney's fees and expenses from Proposed Ward's estate as allowed by section 1155.054 of the Texas Estates Code.

Applicant prays that notice of this Application be given as required by law; that a hearing on this Application be set; that CLAUDE LENN BURNS be declared incapacitated; that Applicant, WANDA RUTH BIURNS, be given full power to manage, control, and dispose of the entire community estate, as community administrator, including the part of the community estate that CLAUDE LENN BURNS legally has the power to manage in the absence of his incapacity, without an administration; that the Court appoint an Attorney Ad Litem to represent the interests of CLAUDE LENN BURNS; and that the Court enter any other Orders it deems necessary.

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 of Proposed Ward; that letters of guardianship be issued to CLAUDIA BETH BURNS on her 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 and Rainey, Attorneys at Law LP



 James Rainey
 Attorney for Applicant
 State Bar No. 00791473
 E-Mail: james@raineyandraine.com
 3809 West Waco Drive
 Waco, Texas 76710
 Telephone: (254) 752-8644
 Fax: (254) 752-8624

BEFORE ME, the undersigned authority, on this day personally appeared CLAUDIA BETH BURNS, who being by me duly sworn on her oath deposed and said that she has read the above and foregoing Application for Appointment of Guardian of the Person, and that the matters contained therein are within her personal knowledge and are true and correct.



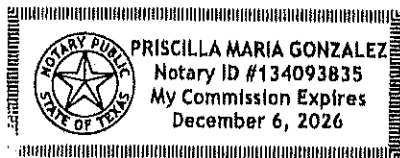
 CLAUDIA BETH BURNS

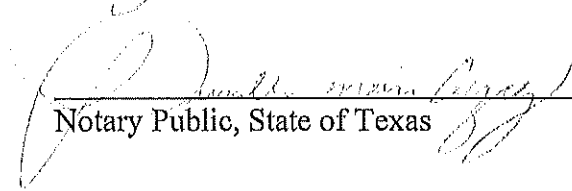
STATE OF TEXAS

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COUNTY OF MCLENNAN

SIGNED under oath before me on July 10th, 2023.





 Notary Public, State of Texas

BEFORE ME, the undersigned authority, on this day personally appeared WANDA RUTH BURNS, who being by me duly sworn on her oath deposed and said that she has read the above and foregoing Application for Appointment of Guardian of the Person, and that the matters contained therein are within her personal knowledge and are true and correct.

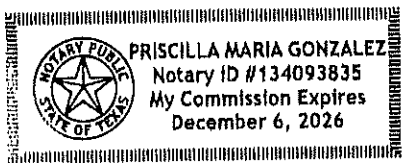
Wanda Ruth Burns
WANDA RUTH BURNS

STATE OF TEXAS

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COUNTY OF MCLENNAN

SIGNED under oath before me on July 10th, 2023.



Priscilla Maria Gonzalez
Notary Public, State of Texas