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STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF DAKOTA

FIRST JUDICIAL DISTRICT

In Re the Guardianship of,
Charles Paul Helmer,
Ward.

File No. 19HA-PR-16-658
Probate Hearing

The above-entitled matter came on for hearing before Shawn M. Moynihan, Judge of District Court, at the Dakota County Judicial Center, Hastings, Minnesota, on March 23, 2017.

A P P E A R A N C E S

Lori Guzman, Attorney at Law, appeared on behalf of Mother, Ann Marie Fuller.

Lisa Bayley, Attorney at Law, appeared on behalf of the Ward.

1 THE COURT: Guardianship of Charles Helmer,
2 19HA-PR-16-659.

3 Appearances, please.

4 MS. GUZMAN: Your Honor, Lori Guzman appearing
5 on behalf of Ann Fuller, seated to my right.

6 THE COURT: Good morning.

7 MS. BAYLEY: Lisa Bayley on behalf of Charles
8 Helmer, who is not present today due to his stay in a
9 hospital.

10 THE COURT: This matter is before the court on a
11 petition for guardianship. I do note that the County
12 previously had filed an objection but withdrew it
13 recently.

14 Ms. Bayley.

15 MS. BAYLEY: Your Honor, if I may. There's --
16 there is some history to this case. I think we were
17 originally before the court last October and that we
18 continued it to today's date because Charles had a
19 commitment that was set to expire next week, I believe.
20 In the meantime, the commitment has been extended another
21 six months. I don't have the final date. I think it's
22 in October sometime.

23 I did speak with Ms. Nystrom yesterday and she
24 confirmed that the County had withdrawn its objection.
25 Given that there's a commitment in place, she wasn't sure

1 about the need for the guardianship but also thought
2 there wasn't any reason to object to it at this point.

3 And I spoke with Charles several times over the last
4 week and he's very much in favor of his mother being his
5 guardian.

6 THE COURT: Ms. Guzman, anything else to add?

7 MS. GUZMAN: No, Your Honor. We are concerned
8 about when the commitment is over that Charles has some
9 help from his mother to make sure he stays compliant with
10 all his medical orders.

11 THE COURT: Since the County withdrew their
12 objection, we will proceed and I will appoint Ann Fuller
13 as the guardian for Charles.

14 And, Ms. Fuller, just remember, you have to file that
15 personal well-being report every year and you need to
16 stop at the window to make sure they have your current
17 address and some other information to give those folks as
18 well.

19 MS. FULLER: All right.

20 THE COURT: Thank you.

21 MS. GUZMAN: Your Honor, on the order I show
22 that Charles appeared personally. If you want to make
23 that adjustment.

24 THE COURT: Thank you.

25 MS. BAYLEY: Your Honor, one further thing.

1 There isn't a physician statement in this matter, but we
2 certainly understand that the court has access to the
3 commitment file. And I believe that originally that was
4 made part of the basis for the petition, so --

5 THE COURT: Thank you, Ms. Bayley. I will adopt
6 the statements made in the petition. I don't show that
7 there was a visitor's report, either.

8 MS. BAYLEY: I -- I had one from last --

9 THE COURT: I'm sorry. There is one from last
10 October.

11 MS. BAYLEY: Right.

12 THE COURT: Thank you. Just a second. And the
13 court visitor does support the petition.

14 So I will adopt that as well as a basis for my
15 decision.

16 Anything else, Ms. Guzman?

17 MS. GUZMAN: No, Your Honor.

18 THE COURT: Ms. Bayley?

19 MS. BAYLEY: Nothing further, Your Honor.

20 THE COURT: All right. Thank you.

21 (Adjournment of Proceedings)

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CERTIFICATE OF REPORTER

I, Peggy J. Etchison, District Court Reporter in and for the First Judicial District, do hereby ***certify that the foregoing pages are, to the best of my ability, a true and correct transcript of my stenographic notes in the proceedings held before Shawn M. Moynihan, Judge of District Court, at the Dakota County Judicial Center, Hastings, Minnesota.

Dated this 14th day of April 2021.

/s/PEGGY J. ETCHISON, RMR
District Court Reporter
Dakota County Judicial Center
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1560 West Highway 55
Hastings, Minnesota 55033

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Shawn M. Moynihan, Judge of District Court, at the Dakota
County Judicial Center, Hastings, Minnesota.

Dated this 1day of April 2021.

/s/PEGGY J. ETCHISON, RMR
District Court Reporter
Dakota County Judicial Center
Chambers 117
1560 West Highway 55
Hastings, Minnesota 55033

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