



Clark County Public Guardian

515 Shadow Lane, Las Vegas, NV 89106
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Office: 702-455-4332 | Fax: 702-455-4797 | ClarkCountyNV.gov

March 7, 2024

Sharon Compton Guardian Services, Inc.
11356 Flintwood Street NW
Coon Rapids, MN 55448

The Guardianship of: Gary J. McWilliams
SSN: xxx-xx-9551 DOB: 12/01/1950

To Whom It May Concern:

Please be advised, the Clark County Public Guardian is the Protective Agent/ court appointed legal Guardian of the Person and Estate for the protected person referenced above. Attached for your records are copies of the Order Establishing Guardianship and Letters of Guardianship.

Mr. McWilliams is the legal owner of real property located at 1156 Lincoln Ave., St. Paul, MN 55105. As the legal guardian for Mr. McWilliams, the Clark County Public Guardian's Office has retained the services of Sharon Compton Guardian Services, Inc. 11356 Flintwood Street NW Coon Rapids, MN 55448, telephone number 763-229-6906.

Sharon Compton Guardian Services, Inc. has authority to perform various services on behalf of the Clark County Public Guardian, including, but not limited to, entering and securing the above real property, hiring a locksmith to change the locks, hiring contractors for repairs and/or maintenance, inventorying personal property, obtaining appraisals for the real property and personal property, which may include transporting said items to an off-site independent appraiser and communicating directly with any Homeowner's Association or County/State office to correct any violations.

If you should have any questions regarding this matter, please do not hesitate to contact this office, Monday through Thursday, 7:30AM to 5:30PM.

Respectfully,

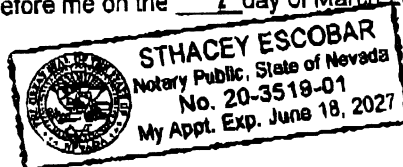

KAREN KELLY
Clark County Public Guardian

STATE OF NEVADA)

COUNTY OF CLARK)

This instrument was acknowledged before me on the 7th day of March 2024 by Karen Kelly.


NOTARY PUBLIC



1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA

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6 In the Matter of the Guardianship
7 of:
8 Gary McWilliams, Protected
9 Person(s)

CASE NO: G-23-057959-A
DEPT. NO. Department F

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order Appointing General Guardian - Person & Estate was served via
13 the court's electronic eFile system to all recipients registered for e-Service on the above
entitled case as listed below:

14 Service Date: 10/25/2023

15 Kate McCloskey

NVGCO@nvcourts.nv.gov

16 Donna Kingman-Silva

dkingman-silva@nvcourts.nv.gov

17 Katie Anderson, Esq.

kanderson@lacs.org

18 Matthew Carling (CCPG)

cedarlegal@gmail.com

19 Karen Virgen

kvirgen@lacs.org

20 Jesse McWilliams

Nighthawk7771@Outlook.com

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1 **GOAG**
2 **CARLING LAW OFFICE, PC**
3 **MATTHEW D. CARLING, ESQ.**
4 Nevada Bar No.: 007302
5 703 S. 8th Street
6 Las Vegas, NV 89101
7 (702) 419-7330 (Office)
8 (702) 446-8065 (Fax)
9 CedarLegal@gmail.com
10 *Attorney for Karen Kelly,*
11 **CLARK COUNTY PUBLIC GUARDIAN**

12
13 **DISTRICT COURT**
14 **FAMILY DIVISION**
15 **CLARK COUNTY, NEVADA**

16 * * * * *

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18 In the Matter of the Guardianship of:
GARY McWILLIAMS, an Adult Protected
Person.

Case No.: G-23-057959-A
Dept. No.: F
DATE: 10/25/2023

19
20 **ORDER APPOINTING THE CLARK COUNTY PUBLIC GUARDIAN**
21 **AS SUCCESSOR GUARDIAN OF THE PERSON AND ESTATE AND FOR**
22 **ISSUANCE OF LETTERS OF GENERAL GUARDIANSHIP**
23 **(GENERAL ADMINISTRATION)**
24

<input type="checkbox"/> TEMPORARY GUARDIANSHIP	<input checked="" type="checkbox"/> GENERAL GUARDIANSHIP
<input type="checkbox"/> Person	<input type="checkbox"/> Person
<input type="checkbox"/> Estate	<input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin.
<input type="checkbox"/> Person & Estate	<input checked="" type="checkbox"/> Person & Estate
<input type="checkbox"/> SPECIAL GUARDIANSHIP	<input checked="" type="checkbox"/> NOTICES/SAFEGUARDS
<input type="checkbox"/> Person	<input type="checkbox"/> Blocked Account Required
<input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin.	<input type="checkbox"/> Bond Required
<input type="checkbox"/> Person & Estate	<input checked="" type="checkbox"/> Public Guardian Bond
	<input type="checkbox"/> Adult Protected Person Passed Away

25
26 **BE IT REMEMBERED** that the Court, having reviewed this matter, the same having come
27 before the above-entitled Court on October 25, 2023, and it appearing to the satisfaction of the

1 Court that proper Notice of Hearing of this matter has been duly given in the manner required by
2 law, and good cause appearing therefore:

3 **ORDERED, ADJUDGED AND DECREED** that a Guardianship of the Person and Estate
4 of GARY McWILLIAMS, Protected Person, shall continue. Karen Kelly, Clark County Public
5 Guardian, is appointed to act as Successor Guardian of the Person and Estate of GARY
6 McWILLIAMS and the Clerk of the Court is ordered to issue Letters of Guardianship;

7 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that pursuant to NRS
8 152A.250 and 162A.800 any previous Powers of Attorney executed by the Adult Protected Person
9 or prior Guardianship instruments prepared on behalf of the Adult Protected Person are suspended
10 at this time. Additionally, all representative payees are hereby relieved so that the Clark County
11 Public Guardian may secure any pay sources for the Protected Person;

12 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Karen Kelly, Clark
13 County Public Guardian, have authority to notice parties within the second degree of consanguinity
14 by publication if addresses are not available;

15 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, to carry out the
16 function of Guardian of the Person and the Estate of GARY McWILLIAMS, Karen Kelly, Clark
17 County Public Guardian, is vested with all the powers set forth in NRS Chapters 159 and 253 as
18 required to carry out Guardianship duties;

19 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Karen Kelly, Clark
20 County Public Guardian ("CCPG"), is appointed to act as Guardian of the Person and Estate of
21 GARY McWILLIAMS and that pursuant to NRS 253.160:

1 1. Upon taking office, a public guardian shall file with the county clerk a general bond in
2 an amount fixed by the board of county commissioners payable to the State of Nevada with sureties
3 approved by the board of county commissioners. The premium for the bond shall be paid from the
4 general funds of the county and be conditioned upon the public guardian's faithful performance of
5 his or her duties;

6 2. The general bond and oath of office of a public guardian are in lieu of the bonds and
7 oaths required of private guardians; and

8 3. The oath and bond of an elected or appointed public officer designated public guardian
9 or designated to execute the powers and duties of the public guardian pursuant to paragraph (b) or
10 (c) of subsection 2 of NRS 253.150 are in lieu of the bonds and oaths required of private guardians.
11 The court may require such a designee to execute a separate bond for any guardianship in the
12 manner prescribed in NRS 159.065;

13 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the CCPG is the
14 Protected Person's personal representative for purposes of the Health Insurance Portability and
15 Accountability Act of 1996, Public Law 104-191 and any applicable regulations. The CCPG is
16 authorized to obtain and is permitted to receive any and all medical records and information
17 concerning the past and present condition and historical treatment of the Protected Person,
18 including, but not limited to, medical charts, examination reports and notes, which are or may be
19 lodged with any persons, family members, government agencies, businesses, medical providers,
20 physicians, hospitals, care facilities, institutions and/or third parties;

21 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the CCPG be
22 authorized and directed to close and/or freeze as well as take possession of any and all assets of

1 the Protected Person, including, but not limited to, funds on deposit in accounts bearing the
2 Protected Person's name with any and all banking and/or brokerage institutions;

3 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the CCPG be
4 authorized and directed to open, inventory and take possession of the contents of any and all safe
5 deposit box(es) in the name of the Protected Person;

6 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Karen Kelly, Clark
7 County Public Guardian, is hereby given full access to all historical and current financial
8 information for the above-named Protected Person for investigative purposes. Such information
9 shall include, but not be limited to, statements, cancelled checks, withdrawal authorizations and
10 other information from banks, financial institutions, brokerage or mutual fund firms, the United
11 States Social Security Administration, the Department of Veteran's Affairs, any pension source
12 and/or other persons and agencies which have engaged in transactions concerning the financial
13 affairs of the Protected Person, whether said accounts or records reflect the name of the Protected
14 Person individually or with one or more other persons;

15 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the CCPG has the
16 authority to expend reasonable funds, not to exceed \$300.00 per year, providing the Protected
17 Person's estate is financially stable and the request is appropriate under the circumstances, for the
18 purchase of gifts for the Protected Person and on behalf of the Protected Person so that the
19 presentation of gifts and exchanging of gifts with friends and/or relatives can be enjoyed by the
20 Protected Person, pursuant to NRS 159.125 and 159.113;

21 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that should funds
22 become available, the Guardian is granted authority to invest the Protected Person's assets pursuant
23 to the provisions of NRS 159.113(l)(a) and(h) and NRS 159.117(1)(a). Should funds become

1 available, the Protected Person's assets shall be invested in accordance with an Investment
2 Recommendation developed by the registered investment advisor, Prudent Investors Network,
3 Inc., ("PIN"), a copy of which will take into consideration the Protected Person's age and normal
4 life expectancy, physical condition, current and potential needs and expenses and all other sources
5 of income;

6 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that should funds
7 become available, the PIN set-up fee of \$125.00 along with a management fee based upon account
8 size, according to the schedule summarized in the Investment Recommendation shall be approved
9 and the Guardian shall be granted authority to exercise discretionary control over the assets within
10 the Protected Person's portfolio in managing not only the returns, but also the investment risks;

11 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that pursuant to NRS
12 159.344(3) the CCPG reserves the right to seek payment of attorney's fees and costs from the
13 guardianship estate based upon the following factors:

14 (a) Counsel for the CCPG is compensated from the Clark County General Fund and in
15 most cases compensation for counsel is based upon a flat fee; should fees and/or costs in this matter
16 be deemed extraordinary to the extent that said fees and/or costs exceed the flat fee compensation,
17 the CCPG and/or its attorney may file a separate petition explaining the need for additional fees
18 and costs that exceed the flat fee arrangement;

19 (b) Pursuant to NRS 7.125, the hourly billing rate for counsel is \$100 per hour and for
20 office staff including paralegals and law clerks is \$50 per hour. These rates are applied when the
21 guardianship estate does not have enough funds to pay for extraordinary fees and costs.
22 Extraordinary fees and costs are paid from the Clark County General Fund;

1 (c) Should the guardianship estate have funds to pay for fees and/or costs the CCPG and/or
2 its attorney may file a separate petition requesting payment of fees and costs from the guardianship
3 estate. The hourly billing rate for counsel is \$350 per hour, \$100 per hour for law clerks, \$75 per
4 hour for paralegals, and \$50 per hour for secretaries;

5 (d) The services of the attorney are necessary to further the best interests of the Protected
6 Person because the matter is unusually complex and cannot be resolved in the normal course.

7 (e) Upon notice of entry of this order, all persons entitled to notice shall be served pursuant
8 to NRS 159.034 and 159.047;

9 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the CCPG may
10 immediately destroy the personal property of the Protected Person without notice if:

11 (a) The CCPG determines that the property has been contaminated by vermin or biological
12 or chemical agents;

13 (b) The expenses related to the decontamination of the property cause salvage to be
14 impractical;

15 (c) The property constitutes an immediate threat to public health or safety;

16 (d) The handling, transfer or storage of the property might endanger public health or safety
17 or exacerbate contamination; and

18 (e) The value of the property is less than \$100 or, if the value of the property is \$100 or
19 more, a state or local health officer has endorsed the destruction of the property;¹

¹ Pursuant to AB 130, Section 32 which amends NRS 159.1515 with the language stated herein.

1 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED AND THE PARTIES**
2 **ARE PUT ON NOTICE** that the CCPG may sell or dispose of personal property of the Protected
3 Person that has a total value of less than \$10,000 by providing notice of intent to sell or dispose of
4 the property by certified mail to the Protected Person, their attorney and the persons specified in
5 NRS 159.034 and sale or disposal will be made within 15 days after such notice is received if no
6 party objects thereto;²

7 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that pursuant to NRS
8 253.240 the Public Guardian's services rendered without cost to the protected person shall be
9 allowed as a claim against the estate of the protected person upon approval of the court. Pursuant
10 to NRS 159.105, the Public Guardian may pay from the guardianship estate such claims against
11 the estate without complying with the provisions of NRS 159.107 and 159.109. Copies of claims
12 paid will be provided immediately to the protected person's attorney or to the protected person if
13 unrepresented and a copy will be filed with the court. The Public Guardian will account for the
14 payment of claims pursuant to NRS 159.105 in the next required accounting;

15 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** if necessary, Petitioner
16 is authorized and the Las Vegas Metropolitan Police Department, other law enforcement agencies
17 or paramedics should be directed to remove the Protected Person from their residence to transport
18 them to a medical facility;

19 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Protected Person
20 has a mental defect (lacks capacity to contract or manage their own affairs) and pursuant to NRS
21 159.0593 and 18 U.S.C. 922 is prohibited from possessing a firearm and that a record of the order

² Pursuant to AB 130, Section 32 which amends NRS 159.1515

1 establishing this guardianship should be transferred to the Central Repository for Nevada Records
2 of Criminal History, along with a statement that the record is being transmitted for inclusion in
3 each appropriate database of the Nevada Instant Criminal Background Check System;

4 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that a General
5 Acknowledgement covering all guardianships to which the Clark County Public Guardian may be
6 appointed by the Court has been filed and, pursuant to NRS 159.073(2), Petitioner be exempted
7 from having to file an acknowledgment in this case;

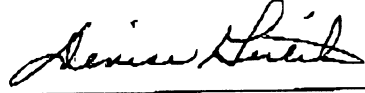
8 **IT IS FURTHER ORDERED** that Karen Kelly, as Clark County Public Guardian, and
9 all deputies, as employees of local government, shall present their Clark County government-
10 issued photo employee identification for all purposes and records mandating individual
11 identification, and shall not be required to provide personal identification or information including,
12 but not limited to, a driver's license, social security number, date of birth, or personal home
13 address. 31 CFR §103.22(d)(2)(II), of the USA PATRIOT ACT, provides that transactions
14 between a financial institution and a State or political subdivision of a State (County) are exempt
15 from requirements to provide personal information. A financial institution's Customer
16 Identification Program ("CIP") may call for certain verification steps with regard to the
17 government unit, regardless of the regulatory exemption. If your CIP also mandates that you
18 obtain identity information from the agent/employee accessing an account, the financial institution
19 shall make allowances for these situations and permit the government employee to provide
20 information from a government-issued ID rather than the standard SSN, DOB and residential
21 address normally required³; and

³ See <https://www.bankersonline.com/ga/government-agentsemployees-exempt-cip>

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED for such other and further relief as the Court may deem just and proper in the premises.

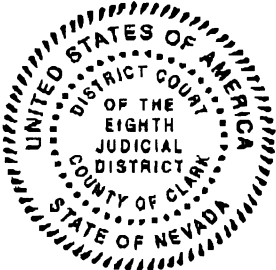
Dated this 25th day of October, 2023



**98A 56B BA47 3241
Denise L. Gentile
District Court Judge**

Submitted by:
CARLING LAW OFFICE, PC
Matthew D. Carling, Esq.
MATTHEW D. CARLING, ESQ.
Nevada Bar No.: 007302
Attorney for Karen Kelly,
CLARK COUNTY PUBLIC GUARDIAN

November 6, 2023



**CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))**