

Please keep in mind that **no counsel was appointed for either proposed conservatee despite their both having requested it in July of 2020**, as documented in the court investigation report. They have had no one (other than myself) looking out for their civil rights as vulnerable adults in California.

How do I know that the Public Defender was never appointed for the Keller's despite their request and the recommendation of the court investigator? **Because the PD's office told me when I called them in December.** In fact, the **PD's office said they had been returning all of the copies of the court papers that were served on them back to the court** – since they weren't assigned to the case. Seriously! Shouldn't that be a clue to the court that the appointment was never done?

In any case...

The attorney involved in this case, Chris Johnson Hamer, drew up two legal nomination documents that gave custody and control of both Mom and Ron (person and estate) **to the attorney's client.** The attorney knew at the time they did this that both of the Keller's were incapacitated by Alzheimer's (Mom) and probable Parkinson's and related dementia (Ron) – a GC 335 Capacity Declaration for Barbara had already been filed with the court well before and a cognitive assessment was done in July for the both of them.

The legal nomination document also went directly against the Keller's wills, their living trust, their financial documents and all documented intents and behaviors they have ever had.

Barbara told the court investigator that she did not want Roland Royce Mendonca Jr as her conservator as she didn't know him when she was interviewed in July. Mendonca took Barbara and Ron out of the county and had them down in Citrus Heights for about a month before securing her signature on that form. The Elder Financial Fraud statutes on undue influence clearly apply here.

ELDER FINANCIAL FRAUD STATUTES:

[Welfare and Institutions Code Sec. 15610.70](#) clearly defines “undue influence” and the elements needed to determine if a result was produced by undue influence:

The KELLER's were taken from their home in Fortuna California by Diane Mendonca (DIANE) on or about July 20th, 2021 and moved to DIANE's home in Citrus Heights (as per DECLARATION OF ROYCE MENDONCA). No contact with BARBARA's family was initiated or allowed by DIANE after that date. Nancy Zinos (“NANCY”) called DIANE after the August 5th court hearing in order to check on her sister. NANCY was told BARBARA is “mad at you” by DIANE when she asked to speak to her sister. See WIC § 15610.43. The severity of BARBARA's Alzheimer's makes her wholly defenseless against delusions and false accusations about her family and unable to resist fraud or influence.

BARBARA had been isolated from her family and made entirely dependent on DIANE and ROYCE from July 20th to August 25th when they secured her signature on a NOMINATION legal document. See WIC § 15610.43; See WIC § 15610.53.

The NOMINATION document was presented to BARBARA to sign on August 25th, one day after ROYCE and Attorney HAMER signed the GC-310 Petition for Appointment of Probate Conservator. The very next day, BARBARA was admitted to the locked memory care unit of The Pines by ROYCE. Clearly this is an

initiation of a change in personal rights using haste and effecting the change at an inappropriate time – one week prior to the next Court hearing and prior to any order(s) being granted.

The KELLER's have clearly documented their wishes and intents for many years now as indicated by their Will's naming SHARON and TIM as executors of their estate (signed April 17, 2003) and the Keller 2017 Trust naming SHARON and TIM as co-trustee's (signed May 15, 2017). The NOMINATION of ROYCE as conservator is a complete and total divergence from the long standing intent and course of conduct that the KELLER's have demonstrated prior to RONALD's mental health crisis on April 20, 2021.

ROYCE has provided absolutely no evidence of any prior relationship with the KELLER's other than biology. The nature of the relationship between ROYCE and the KELLER's in addition to the isolation of BARBARA and her vulnerability makes the NOMINATION wholly inappropriate on its face. **See also Cal. Rules of Professional Conduct, rule 3-3; See CIV § 39; See Prob. § 811, 812; See WIC § 15610.43; See WIC § 15610.53.**

Civil Code § 39 also clearly applies in this matter:

- (a) A conveyance or other contract of a person of unsound mind, but not entirely without understanding, made before the incapacity of the person has been judicially determined, is subject to rescission, as provided in Chapter 2 (commencing with Section 1688) of Title 5 of Part 2 of Division 3.
- (b) A rebuttable presumption affecting the burden of proof that a person is of unsound mind shall exist for purposes of this section if the person is substantially unable to manage his or her own financial resources or resist fraud or undue influence. Substantial inability may not be proved solely by isolated incidents of negligence or improvidence.

Unfortunately, the law doesn't matter in Humboldt County if you have a well-connected unscrupulous attorney on your payroll.

We are putting this information out not only to help bring attention to the absolutely unbelievable situation we have found ourselves in with Mom and Ron now that the court refuses to protect vulnerable adults from clear elder financial fraud. But primarily, we put this information out to try and warn others on what to watch out for so you can help protect your loved ones in a way that we couldn't.

Mom and Ron did everything that adults are told to do in order to protect themselves – they created wills, documented their wishes and intents, made sure the family members were aware, etc. When the time came that their wishes needed to be implemented – all of the family members involved in their lives knew exactly what they would want because they had clearly communicated that.

AND NONE OF IT MATTERED IN HUMBOLDT COUNTY...