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FRESNO COUNTY SUPERIOR COURT
By _____ DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

CENTRAL DIVISION

In re Advance Health Care Directive and Durable Power of Attorney of MELINDA CORDELL, Principal.	Case No. 14CEPR00159 DECLARATION OF MELINDA CORDELL IN SUPPORT OF PETITION FOR ORDER COMPELLING PETITIONER'S RELEASE FROM LOCKED FACILITY Probate Code Section 4766(c) Date: Time: Dept.: 303

I, Melinda Cordell, hereby declare that:

1. I am currently a resident of Somerford Place, in Fresno California, which is a locked facility for individuals who are suffering from dementia, Alzheimer's disease and other memory impairments. I have been held in this facility, against my will and over my objections since November of 2012. I make this Declaration of my own personal knowledge and, if called upon to testify, could and would competently testify as to the truth of these matters, except as to those matters stated on information and belief and as to those matters, I believe them to be true.

2. On September 19, 2012, at the urging of my attorney and friends, I signed a Durable Power of Attorney designating Phillip Rolfe and Janelle Cheski-Hill as my agents. I also signed a Resignation of Trustee and Appointment of Phillip Rolfe as successor Trustee. Phillip Rolfe assumed control of all of my assets and despite repeated requests I have been

unsuccessful in my efforts to obtain an accounting of my monies. I tried to get information from the bank directly, but was told that I needed to ask Mr. Rolfe who was in control of my finances by that time.

3. On November 22, 2013 attorney Joseph Horswill wrote to me informing me that he was unwilling to do the work I had requested to terminate my trust and move to Colorado because he did not believe it was in my best interest and he felt I would be better served by allowing the trust to continue on and remain under the care of Phillip Rolfe. He told me that my files are available if I wished to contact another attorney. Attached hereto as **Exhibit A** is a true and correct copy of the letter I received from Mr. Horswill.

4. On May 20, 2014 I received an email from Philip Rolfe claiming that all along he has questioned various doctors about whether my placement was the right thing for me and agreeing that I have recovered and gotten my health back. He indicated in that letter that he didn't "want to fight anyone on this" and that he is just "waiting to hear what I'm supposed to do and then I'll disappear." Yet he continues to push his rejection of my objections to my continued confinement here in Somerford Place. Attached hereto as **Exhibit B** is a true and correct copy of the email I received from Phillip Rolfe.

5. For the last 18 months I have been living a nightmare, not being able to leave Somerford Place on my own volition and treated by my lawyer, Philip Rolfe, and the people at Somerford Place like I have no ability to make my own decisions or otherwise care for myself. Every day I am surrounded by patients at this facility who are losing their minds and have dementia and Alzheimer's.

6. I am in desparate need of the Court's assistance to get me out of this facility immediately.

7. I understand that there are ongoing legal proceedings with respect to my abilities to make certain decisions, but no prior Court has ever declared me incompetent and it is frustrating that I am being treated as though I am presently incompetent when my most recent evaluation from Dr. Terrell proves otherwise.

8. I do not understand why I am being forced to stay at Somerford Place against my will or why other individuals are opposing my release or Dr. Terrell's conclusions that I am competent to make my own decisions for myself.

9. I have been objecting to my continued confinement at Somerford Place shortly after I arrived there. I initially believed that I was sent there as a temporary measure for rehabilitation from a fall in which I suffered from fractures that temporarily impaired my physical abilities to care for myself. Once I started feeling better physically, I made repeated attempts to leave Somerford Place and was denied the right to leave. One time where I was able to leave, I returned to my apartment only to find that my belongings were missing and my apartment had been vacated.

10. To date, I have not been told where my personal belongings, including furs and jewelry, are being held or what has come of them.

11. I have also been denied access to my own finances and the ability to review the same until very recently when I was provided with a copy of a single bank account statement. The amount in my bank account is significantly less than it should be, but again, I have not been in charge of my own financial affairs for over 18 months.

12. I am a successful former dancer, television and movie actress and general lover of the arts. Given my inherent personal nature, the conditions that I find myself in each day are intolerable and rob me of the opportunity to contribute to society by participating in the things that I love, that I remain passionate about and believe I can still do.

13. I implore the Court to take immediate action on my Petition and to compel my immediate release from Somerford Place so that I may get on with living the rest of my life as I see fit and not confined to live the remainder of my days in a locked facility surrounded by people who don't even know who they are, where they are or even what day it is. I do not belong in Somerford Place and I need the Court to confirm my rights to live where and how I choose.

14. Like anybody else, I may not know what the future holds for me, but I should have the right to make my own decisions and steer my life any direction I may choose.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 24th day of June, 2014, at Fresno, California.

Melinda Cordell