



VICTORIA L. GRIFFIN  
CIRCUIT JUDGE

THE CIRCUIT COURT OF THE  
NINETEENTH JUDICIAL CIRCUIT  
OF FLORIDA  
April 2, 2018

2000 16TH AVENUE  
SUITE 374  
VERO BEACH, FLORIDA 32960  
(772) 770-5054

Cheryl Ciolina  
321 Fleming Street  
Sebastian, FL 32958

RE: Guardianship of George Gillette  
IRC Case No.312017GA000043

Dear Ms. Ciolina:

Pursuant to the Code of Judicial Conduct a judge is prohibited from entertaining ex parte communications therefore, your letter and attachments have been filed in the court file unread by Judge Griffin. You must furnish a copy of any pleading submitted to the court to all other interested parties and certify in the pleading that you have done so. If you are asking the court for some type of relief, you must file the appropriate motion and set it for hearing by contacting this office for hearing dates and times. It is your responsibility to coordinate a hearing with all parties and to send notice of said hearing once it has been set.

By copy of this letter, your documents are being furnished to Kimberly A. Jones, Esquire, attorney for Margaret Libby, Guardian of Mr. Gillette, and to Joseph Naberhaus, Esquire, attorney for Kelly Nolan.

Thank you for your understanding in this matter.

Sincerely,

Linda Montanaro, JA to  
VICTORIA L. GRIFFIN, CIRCUIT JUDGE

/lm

cc: Court File w/enclosures  
Kimberly Jones, Esq. Attorney for Guardian w/enc.; [kimberly@researchcoastlaw.com](mailto:kimberly@researchcoastlaw.com);  
[brittany@researchcoastlaw.com](mailto:brittany@researchcoastlaw.com)  
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Filed 4/2/18

156A43

March 20, 2018

To The Honorable Judge Griffin:

I am writing to you concerning my brother, George Gillette, who is a 49-yr. old with Alzheimers syndrome. He has been in the 3rd Public Guardianship Program. He has had both Morgan and Margaret Libbey as guardians. In my opinion, he has been suffering emotional distress from the different court plans submitted on his behalf. Margaret Libbey's plan is a 360° reversal compared to Morgan Libbey's plan the year before.

I am George's sister, Cheryl Cielina, and caregiver of the last fifteen years. I have had a very difficult time working with Margaret, who has been extremely demeaning, rude, and untruthful in her plan to the court, and to my brother's psychiatrist, Dr. Wayne Creelman. I also have been threatened by both Morgan - Dec. 2016.

and Margaret (Sept 23, 2017) that the "plate" could take George from me. Also, repeatedly Margaret makes snide remarks to me - and her accusations are totally untrue.

My brother George is not happy with Margaret from what he tells me, because she continues to deny him the rights he deserves.

I am, as his sister and caregiver) contesting paragraph #3, pg. 1 that Margaret's belief that recent episodes of friction between the two sisters were the reason that the visit scheduled for 3/11 - 3/12/18 did not occur. (Exhibit A)

George's rights, in my opinion, have been totally violated by Margaret. Margaret does not offer communication about concerns for George. Also, she is extremely secretive. Example ARC program. (see attachment B.)

George has expressed that he does not want visitation with

his sister) and as I understand under ADA George has a right to refuse visitation. He also is being denied an education. He attends the ARE Adult Training Shop. - That is not an education.

Please see attachments from witnesses detailing conversations between Margaret, George and witnesses  
Attachments A, C, + D.

It concerns me that there are others that are being mistreated by this guardianship program.

I am requesting that my brother be ordered by the court his own atty., a GAK to invest the guardians and the program, and for Margaret Libbey to be removed as his guardian as it is not in George's best interest to continue under these circumstances.

I thank you for your time and consideration. I look forward to your response.

Sincerely, Cheryl Colvin

Meeting today March 10, 2018

between Margaret, Georgia + Cher at 11:00 AM.

Cher to Georgia - Do you want to go to Kelly's  
Georgia - no. Said so many times

Margaret talked to Georgia about his house.  
She liked his shoes. Margaret - What's going on?

Margaret - Today the day we go to see Kelly.  
Let's go outside on porch - front porch.

Georgia - No!

Margaret - show me how you dust chairs  
on front porch. Georgia - No.

Margaret - show me how you sweep the porch.  
Georgia - No!

Margaret - Would you like to go to lunch  
with me + Kelly? Cher can come too. Georgia - No  
Told her to leave - Won't go to lunch.

Margaret went on front porch + talked to  
Cher. I couldn't hear what they said.

Margaret - Georgia - look at me. Want to  
take you to lunch + stay a couple of days with Kelly.  
Georgia - No.

Margaret - How about you come up  
with me. Georgia - No!

Margaret will tell Judge they will probably  
have to see Judge. Will probably have to have a  
mediation.

Cher had Georgia's suitcase packed + ready.

Ethel E. (OETTY) Williams  
(Attachment A)



(no subject)

1 message

john ciolina <bagmanchi@gmail.com>  
To: Margaret Libbey <margaret@tceldercare.com>

Wed, Feb 28, 2018 at 10:15 AM

Margaret,

You told me in October that George would start his ARC program in November. Four months later he ~~is~~ still is not enrolled. You stressed TWO DAYS A Week per the agreement which says he has to go. I am told your excuses about Christie and transportation are not true. How can you not go by the agreement? As you know, I personally don't care for the center because of the lack of educational programs. Also the cleanliness of the building is not the environment George is accustomed to. When Sun-up operated the center as a private entity it was always clean until the government took over. I feel his one on one educational program at home is far more valuable than any day program that operates as a day care center. Plus he attends speech therapy which has been wonderful. Even though you know my feelings I am told I have to follow the agreement, and I am trying, but you have neglected your duties for four months.

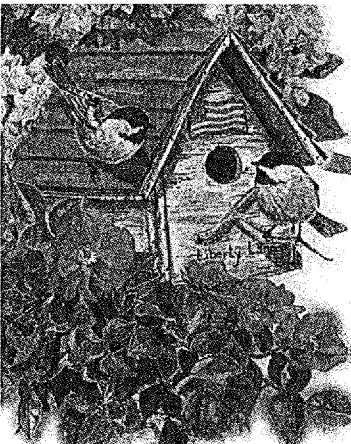
Also I do not agree with George paying \$480.00 to attend LARC when with Kelley. As you and I know it is a day care center which she is using to babysit George while she is at work. She also gets \$440.00 for room and board plus the \$40.00 for food and the \$52.00 state food card. I find there is something wrong with this picture. As you know we SPEND money on Georgie while he is on vacation with us and do not want or expect anything in return. While he is on vacation on the West coast his care giver is given a stipend and also pay for LARC. THEY ALSO ARE GIVEN A WEEKEND ALLOWANCE FOR SPECIAL OUTINGS. He is my brother and I love to be able to spend an enjoyable vacation with him. Being stuck in LARC is no vacation. Having to go to work with Kelley after sitting in LARC all day has caused George's weight gain while on the West coast. His lack of exercise is apparent every time when he comes home.

Two weeks ago you were going to ask Kelley why the gifts were returned. There has been no reply. As I told you they were purchased and decorated from the heart by Georgie with his money. Is this the way you express love? I told you since December her behavior has been erratic. Is this the environment he should be placed in monthly and during the summer? And do you consider this a pleasurable exchange when he gets home and opens his suitcase only to find his gifts returned? He was devastated and said "Kelley gifts". He has been very restless with a lot of hallucinations since. I put his gifts away so he doesn't have to look at them. These gifts were purchased and decorated by George. You have no idea what goes on on the West coast. Apparently she flew off the handle about something and punished George in this manner. This is not an appropriate environment for George to be in. I am very upset about this irrational behavior towards my brother.

Please respond to these questions. I have a right to question these actions.

Cher

(Attachment B)



Notes

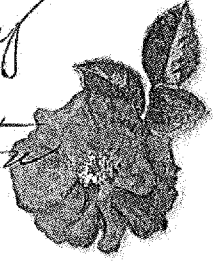
7/23/17

① Rocking <sup>George</sup> back and forth while waiting.

② Never asked him anything. Tricked him into getting into the car by giving him something to put in the car. He didn't know he was going. Thought he was helping her not going with <sup>Margaret</sup> her. Kelluf

Attachment C

Saeve Barton  
his pal



My name is Sallee Barton . Cher and John ("Chi") Ciolina as well as Cher's special needs brother, Georgie, have been my neighbors for nine years..

Having custodial care of a special needs adult must, at times, be a difficult challenge, but Cher and Chi are devoted to Georgie and cherish him as if he were their own child. It is obvious that his presence in their lives is a blessing rather than a burden.

Three months ago, I witnessed something that made me feel some concern about Georgie's situation.

He and I were sitting outside on the porch together and I was talking with him about going over to his sister Kelly's house.

Georgie said repeatedly, "No, stay here with Cher and Chi". I told him that he would return soon and that he would have a good time with his sister Kelly. His only reply was, "No, stay here with Cher and Chi"

His ride arrived and, without asking Georgie any questions, his guardian abruptly told him to get into the car. This bothered me because he was obviously reluctant about going with her, but she said nothing to reassure him.

When Georgie returned a few months later, my concern deepened because he seemed anxious, as if he thought I was going to take him somewhere that he did not wish to go. He also, ~~he~~ seemed to have regressed. His speech was more limited and he wasn't even sure who I was.

I felt so sorry for him as I watched him rock back and forth, twisting his fingers.

It angered me that he was so vulnerable, without rights, and torn away from his home and family every few months without HIS feelings being considered

This separation is painful for Cher and Chi, as well as Georgie. They worry about his welfare. Not physical welfare, but psychological welfare. He thrives on stability, consistency and predictability and being shuttled back and forth between families is upsetting for him.

Cher has told me several times that if she thought it was in Georgie's best interest that her sister be given full custody, she would relinquish her own rights, even if it were a great sacrifice to her own happiness.

However, Cher does NOT believe that her sister would be the best caretaker for Georgie, so she continues to fight for custody of her brother.

I am in complete agreement with this decision. I know the family well and Georgie is happy and content with these two wonderful people and he thrives on their love and affection. I am writing this out of concern because I worked in New York at Kings Park State Mental Hospital and I can read Georgie.

If you wish to contact me, I can be reached at 772 388 2153.

Sincerely yours  
Sallee Barton

(Attachment)  
D

10/1/17





Ms. Cheryl Colina  
321 Fleming St  
Sebastian, FL 32958-4209



7018 0360 0000 6144 8039

*Judge Victoria  
3008 11th Ave.  
New Beach, FL  
32960*



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