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STATE OF MICHIGAN
JUDICIAL DISTRICT
JUDICIAL CIRCUIT
COUNTY PROBATE

MOTION AND/OR ORDER TO
SHOW CAUSE

CASE NO.

WALTON
Court address

2014 797255GA

Court telephone no.

3 WOODWARD AVE DET MI 48226 ROOM 1201 3245668

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)/Probationer

Probate

Juvenile

In the matter of

GAYLE LOUISE ROBINSON

MOTION AND AFFIDAVIT

1. I am interested in this matter as

GUARDIAN/Sp CHL

2. Randy Robinson (son)
Name (type or print)
State with particularity admissible facts establishing this motion.

has failed to comply with an order dated 6/11/14
 is in contempt for

FILED
JUL 11 2014
BY JAMILLE HILL
DEPUTY PROBATE REGISTER

3. I request an order directing

Randy Robinson
Name (type or print)

to show cause

- a. he/she should not be found in civil criminal contempt of court.
- b. judgment should not be entered against him/her (as surety/agent) for the full amount of recognizance.
- c. judgment should not be entered against him/her for failure to file a garnishee disclosure.

4. This affidavit is made on my personal knowledge and, if sworn as a witness, I can testify competently to the facts in this motion and affidavit.

Signature: *[Handwritten Signature]*

Subscribed and sworn to before me on

July 11th, 2014
Date

County, Michigan.

My commission expires:

1-13-18
Date

Signature:

Notary public, State of Michigan, County of

Walton

ORDER

TO:

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

IT IS ORDERED:

5. You must appear before this court on

7-28-14
Date

at 8:30
Time

the court address above courtroom no. 1201

to show cause why

- you should not be held in civil criminal contempt
- for failure to comply with the order of this court as follows:
- for the reasons stated in the motion.
- a judgment should not be entered against you.
- your case should not be dismissed.
- other:

6. Failure to appear for a contempt hearing may result in a bench warrant being issued for your arrest.

7. A copy of this must be served personally by mail on the person ordered to appear at least 14 days before the hearing.

Date 11 2014

Judge

[Handwritten Signature]

Bar no.

STATE OF MICHIGAN

IN THE PROBATE COURT FOR THE COUNTY OF WAYNE

IN THE MATTER OF:
GAYLE ROBINSON

HONORABLE TERRANCE A. KEITH

File: 2014 197255 CA

SUPPORT FOR MOTION FOR ORDER TO SHOW CAUSE

NOW COMES MARY S. ROWAN, TEMPORARY GUARDIAN AND SPECIAL CONSERVATOR OF MRS. ROBINSON AND IN SUPPORT OF THE MOTION AND ORDER TO SHOW CAUSE STATE AS FOLLOWS:

1. That this writer was appointed by this Court on 6-11-14 as both Guardian and special Conservator.
2. That on 6-12-14, this writer went to the residence of Mrs. Robinson in Westland Mi to meet my Ward.
3. That though there were 2 cars in the driveway, no one came to the door after 10 minutes of knocking. That the front windows were open and a dog was in the window barking at me.
4. That I called the Westland police but they were very busy and told me it would be a long wait before someone could come out to do an alive and well call.
5. Again on 6-20-14, this writer ventured to the residence. This time I was accompanied by ANNA DUBA, a rep from Maple Manor assisted living, as it was my intent to remove my ward from the residence and place her in an assisted living facility where her other 6 children could visit, as the son Randy and daughter Debbie were preventing visitation, despite this Court's voiding the PPO's secured by the son.
6. Mrs. Duba arrived a few minutes before me and observed the son Randy putting Mrs. Robinson in her vehicle. (Mrs. Duba and I are both blonde's and I believe that when he saw her sitting in her car outside the home waiting for me to arrive he decided to leave. (He would have

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known my description from my previous contact the week before.) Randy took off and Mrs Duba followed, when I secured their location it resulted in a high speed chase down Merriman at a top speed of 85. We terminated the chase. At that point. We then proceeded to two locations where we were told they might be but they were not at either. So again I left without my Ward.

7. The following week, I was contacted by Dr. Geha who was scheduled to do the IME. I provided her with background info and she attempted to visit but she was not successful.

8. On Friday 6-27-14 at 3pm I received a call from Dr. Geha's staff who indicated that Mrs. Robinson called the office and stated that she was leaving Sat. AM and would be out of town until 7-16-14.

9. I immediately got into my car and raced to the residence. Mrs. Duba from Maple Manor met me there. As I was exiting my vehicle Randy the son, was getting mail out of the mailbox. I introduced myself and indicated I wanted to meet my ward. I put my foot in the door. He immediately began closing the door with my foot still in it but I had to remove it because he slammed the door. He then ran around to the back of the residence. I called the police.

10. When the police arrived he again refused admittance and the police refused to break down the door. We were there for about 1 hour with the police.

11. No one has seen Mrs. Robinson since 6-20-14.

12. That Randy is secreting her in violation of this Court's order to allow visitation by the 6 children and violating my ability to see my Ward.

I am requesting that this Honorable Court, via this Order to Show Cause to produce Mrs. Robinson at a hearing set by the Court to Show Cause why he is keeping Mrs. Robinson hostage in violation of this Court's valid orders.

Further I am requesting service by attaching a copy of this motion and order to the front door of the residence.

Respectfully submitted,


Mary S. Rowan, P24358

1303 Nottingham,
Grosse Pointe Park, MI 48230
313 331-7558

DATED: 7-10-14

STATE OF MICHIGAN
PROBATE COURT for the COUNTY OF WAYNE

**In the MATTER OF GAYLE LOUISE ROBINSON,
Legally Incapacitated Individual.**

File No. 2014-797,244-GA

Petition

BEFORE THE HONORABLE TERRANCE A. KEITH,
Probate Judge

July 28, 2014

**Attorney on behalf of
Mrs. Gayle Louise Robinson:**

ELLA M. BULLY-CUMMINGS (P58001)
Ella M. Bully-Cummings, PLLC
269 Walker Street, #623
Detroit, MI 48207-4258
(313) 304-6085

On behalf of Randy Robinson:

MARK A. CHABAN (P57799)
Wayne County Law
199 N. Main Street, #112
Plymouth, MI 48170-1286
(734) 454-0770

*Prepared by: Dona S. Wash
Certified Court Reporter - State of Michigan
P.O. Box 231886
Detroit, MI 48223
(313) 231-1090*

TABLE OF CONTENTS

WITNESSES

None

EXHIBITS

None

1 DETROIT, MICHIGAN

2 July 28, 2014

3 10:04 a.m.

4 -----

5 THE CLERK: In the Matter of Gayle Louise Robinson.
6 Please raise your right hand. Do you solemnly swear or
7 affirm to tell the truth, the whole truth and nothing but
8 the truth so help you God?

9 MS. ROWAN: I, do.

10 RANDY: I, do.

11 THE COURT: Your appearances, Counsel.

12 MR. CHABAN: Mark Chaban on behalf of Randy
13 Robinson.

14 MS. ROWAN: Mary Rowan, Petitioner in this matter.

15 MS. BULLY-CUMMINGS: Good morning Your Honor, may it
16 please the Court, Ella Bully-Cummings court-appointed
17 Attorney for Gayle Robinson.

18 THE COURT: It's been worked out?

19 MR. CHABAN: No, Judge.

20 MS. ROWAN: Your Honor.

21 THE COURT: Where do we stand?

22 MS. ROWAN: And the situation is getting worse. He
23 will not let her go to see Dr. Geha. This man needs to
24 be removed from the premises, with his daughter or maybe
25 I should be allowed to remove Ms. Robinson from the house

1 and let him pay all the bills for the facility. That's
2 all he's doing. He's a grown man, with a child. Why
3 would he be doing this? We had the police over there on
4 my third visit. He literally, I had my foot in the door
5 trying to see the mother—slammed the door and ran around
6 to the back and for an hour, where the police and I were
7 there he wouldn't come out. He's been moving the cars
8 around so it only looks like there's one car there.

9 Your Honor voided the PPOs, so that the other
10 children could come and see her, he still refuses
11 admittance. There is no excuse for this kind of
12 behavior.

13 THE COURT: Mr. Chaban.

14 MR. CHABAN: Judge, we're here on a Show cause order
15 and the motion states that when Ms. Rowan went out to the
16 house, my client wasn't there. On June 20th, she
17 supposedly went out to the house and someone saw my
18 client before she got there, get in the car and leave, he
19 knows nothing about a high-speed chase.

20 On the 27th—

21 THE COURT: Mr. Chaban, let's go to the heart of
22 the matter, as to the nature of this request for a Show
23 cause, that there was a prior Court order which this
24 Motion for Show cause suggests has not been complied
25 with, is that correct?

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MR. CHABAN: Which order is that?

THE COURT: Ms. Rowan?

MS. ROWAN: The guardianship. My being able to see her. The voiding of the PPOs, so that the other children could see her. There's two right there.

MR. CHABAN: As I understand it, my client hasn't delivered his mother to the Guardian or to the doctor, but she doesn't want to go and I don't think it's his job to be a private police officer, for Ms. Rowan to hand her over.

THE COURT: So where is she right now?

MR. RANDY ROBINSON: (Addressing Counsel): She's not at the house right now, she's with a friend right now—

MS. ROWAN: --Your Honor—

THE COURT: --Stop. Stop. Who's the friend?

MR. RANDY ROBINSON: Uhm a friend of hers from the Marine Corp league.

THE COURT: What is her name?

MR. RANDY ROBINSON: His name is Eugene Owens.

THE COURT: Where does he live?

MR. RANDY ROBINSON: In Detroit.

THE COURT: Where in Detroit?

MR. RANDY ROBINSON: I'm not exactly sure of the address.

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THE COURT: Let's not play the dozens here, okay.

MR. RANDY ROBINSON: I'm not-I don't know his address.

THE COURT: Do you have a phone number?

MR. RANDY ROBINSON: Not on me, no. I just know that my mom, wrote this letter and she had it notarized, all I know is, I have not prevented anything Your Honor. I was not at the house on any of the first two occasions. I've not stopped anyone from seeing my mother. My mother has said she doesn't want to speak to the people. My sister called her on the 13th, they argued for 40 minutes about the money and being brought to Probate.

My mom, at the end of the conversation said, "I don't want to see any of you. I'm disgusted with all of you. I'm sick and tired of this and she chose-

THE COURT: Hold on a sec I'm going to recall this. Can you get the file for me on that? We're going to recall it.

(Concluded this portion at 10:08 a.m.)

(Recalled at 10:50 a.m.)

THE CLERK: Recalling the Matter of Gayle Robinson.

THE COURT: Okay, looking over the file. The Court had appointed Ms. Bully-Cummings to serve as her Attorney, did we not?

MS. BULLY-CUMMINGS: Yes you did Your Honor and I've

1 made multiple phone calls. My initial conversation was
2 with Randy Robinson. I've not been able to talk to Gayle
3 Robinson. She did return a call on July 16th and told me
4 to call her Attorney, Sean O'Connor.

5 I called Sean O'Connor and he indicated that a
6 friend brought Gayle Robinson, I asked whether or not she
7 executed a Retainer agreement? He said, yes.

8 I said, are you aware that the Court has her under
9 temporary Guardianship and Conservatorship? He said,
10 yes. I don't see an appearance filed, on Mr. O'Connor as
11 of today. But I've not—Ms. Robinson won't talk to me. I
12 don't know where she's at now. So I've not had an
13 opportunity to meet with her.

14 I have received documents from several of the
15 siblings, an email from Randy Robinson; a video from
16 Randy Robinson but I've not been able to meet with Gayle
17 Robinson, other than for her to tell me, talk with her
18 attorney.

19 THE COURT: Ms. Rowan, you wanted to say something?

20 MS. ROWAN: I was just going to say, I thought of a
21 third order that is being violated and that's Dr. Geha
22 has been unable, to visit pursuant to a Court order.

23 Your Honor, I think -

24 THE COURT: The Court appointed Ms. Bully-Cummings
25 because there was a--

1 MS. BULLY-CUMMINGS: I sent Dr. Geha a letter on
2 June 11th along with a certified copy of the medical
3 examination letter.

4 THE COURT: The Court had appointed Ms. Rowan as
5 the temporary and that Ms. Bully-Cummings because Ms.
6 Robinson vigorously objected to the petition. And the
7 Court is required, when there is an objection, to do so.

8 The Court, noting the reports, by the GAL, also
9 suggested an ordered an IME to be done, so as to clarify,
10 there are some other directions for this. Right now, I
11 don't have a recollection as to the testimony given at
12 the hearing. There are suggestions here in the hearing
13 that there is some undue influence, and to her financial
14 affairs-

15 I think, in Ms. Vulaj's report that Ms. Law's
16 attorney was the Petitioner, of their concerns or Ms.
17 Law's concerns about it. And there was discussions with
18 various other family members, about the petition.

19 Robert Robinson, saying that he didn't object to Ms.
20 Law being appointed the Guardian; Ronald Robinson - they
21 didn't object. And so, I think the part of it, is here I
22 have the various family members, suggesting, stating by
23 way of GAL that they believe that there is some concern
24 about their mother. And that the way to address that is
25 to have the IME done, one way or another, it goes to the

1 left to the right, mom might just be feisty the way she
2 goes about doing things, there may be something else
3 going on—but in the words of Dirty Harry, you know, "I
4 just need to know, if there are any more guns—any bullets
5 left in the gun, anymore."

6 So that was the purpose here. Not to string her up
7 or run her in, but to settle this difference within the
8 family. No one else is here.

9 MS. ROWAN: I didn't serve anyone else, Your Honor.

10 THE COURT: The Court is going to stand by its
11 orders. Now if she wants to object to this, whole
12 process, then she needs to engage an attorney. If not
13 Ms. Bully-Cummings, her own attorney.

14 Your or whomever else it might be, okay. And make
15 that case.

16 MR. CHABAN: I understand Judge. I'm not here to
17 make that case, because the mother has an attorney.

18 MS. ROWAN: Your Honor, he needs some jail time.
19 Seriously, Your Honor. He is just totally obstructing
20 everything, Your Honor. There is no excuse—

21 THE COURT: Time-out Ms. Rowan. Now, your name
22 again please for the record?

23 MR. RANDY ROBINSON: Randy Robinson Your Honor.

24 THE COURT: I'm sorry?

25 MR. RANDY ROBINSON: Randy Robinson Your Honor.

1 THE COURT: Was there anything that I said on this
2 record that you have trouble with or exception to?

3 MR. RANDY ROBINSON: No, Your Honor. I do remember
4 you said that no one should interfere with the visiting,
5 I have not interfered in any way. I've not prevented any
6 one from visiting my mother, I've not prevented any one
7 from doing anything.

8 THE COURT: Are you able to communicate with your
9 mother?

10 MR. RANDY ROBINSON: Yes, I am Your Honor.

11 THE COURT: Will you explain what I have shared, on
12 this record with her?

13 MR. RANDY ROBINSON: Yes Your Honor. She's
14 explained to me, that she's terrified of being put in a
15 nursing home, after she learned that Ms. Rowan is intent
16 on putting her in a nursing home.

17 She also expressed to me that because of-

18 THE COURT: How did she come to that conclusion?

19 MR. RANDY ROBINSON: From the motion that she
20 served, to me. Saying that on 6-20, she had intended to
21 bring my mom to--

22 THE COURT: This is what I would like your mother to
23 do.

24 MR. RANDY ROBINSON: That's her main concern.

25 THE COURT: That's her main concern, okay thank

1 you. That's the key piece, all right. And I understand
2 that, your mother is how old?

3 MR. RANDY ROBINSON: 83 Your Honor.

4 THE COURT: That was a growing concern of my
5 mother's when she got into her eighties, when her health
6 began to change from what she had always been. Tell your
7 mother number one, no one is going to put her in a
8 nursing home without an order from this Court.

9 MR. RANDY ROBINSON: (Inaudible)

10 THE COURT: That's number one. Number two: She
11 needs to be in contact with Ms. Bully-Cummings. Ms.
12 Bully-Cummings will give you her number, if you don't
13 already have it. She is to hear from your mother, this
14 week.

15 She is to—Ms. Bully-Cummings will explain what this
16 whole process is all about.

17 As part of that process, is to get an assessment of
18 how she's doing. She could be absolutely right. She has
19 nothing wrong with her, it's just the way she does stuff
20 all right. But I have a report here that tells me, that
21 suggests to me that a number of her siblings have concern
22 about her, otherwise they would not have said it's okay--

23 MR. RANDY ROBINSON: Your Honor, can I say
24 something?

25 THE COURT: Yes.

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MR. RANDY ROBINSON: The Guardian ad litem, down-
played the opening investigation of the fraud and theft,
it was over a hundred thousand dollars, by the people
that are petitioning this Court.

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THE COURT: Well that's why she has the attorney.

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MR. RANDY ROBINSON: I understand that, I'm just
saying, nothing was mentioned of that and that's--

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THE COURT: Okay that's why, because I don't know
how much of that other information was there.

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MS. ROWAN: Your Honor, if I might. I was never
putting her in a nursing home.

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THE COURT: Yes. Ms. Rowan. Now, if I hear that
Ms. Bully-Cummings has not heard from your mother and has
not agreed to follow this Court's orders, then this Court
is inclined to grant the Petition to Show cause. This is
a one-time arrangement, okay.

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And so, I want to put this over to Monday, August 4th
at 11:00, in the event Ms. Bully-Cummings has not gotten
a response. And arrangements are not in place. At that
time, if that's what happens this Court is inclined to
grant the Motion to Show cause.

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If you have that information, there is no need for
anyone to appear.

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MS. BULLY-CUMMINGS: Your Honor, there may be an

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issue though, Dr. Geha has not met with her. The adjourned date--

THE COURT: --No, I'm just talking about getting stuff in place to make it happen, okay. We still have the full hearing on this set, okay. But I'm talking about getting the information, so number one you can represent her in this matter, number two that you are armed with the information that you need at that full hearing. This is about preparing her case, more than anything else.

Anything else?

MS. BULLY-CUMMINGS: I don't believe Your Honor, that there's enough time for Dr. Geha to do an IME.

THE COURT: No, not for Monday.

MS. BULLY-CUMMINGS: No, the adjourned hearing on this matter is August 12th, right?

MS. ROWAN: Right, I agree also Your Honor.

THE COURT: How much time would be needed? Push it out--okay, August 26th.

MS. ROWAN: Your Honor, what about my access to her?

THE COURT: That's to be included in the arrangements discussed with Ms. Bully-Cummings.

THE CLERK: The 8-26 is at 8:30 Judge or 10:30?

THE COURT: 10:30.

MR. RANDY ROBINSON: Your Honor?

THE COURT: Yes.

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MR. RANDY ROBINSON: I just want to verify something. In the motion that she said she was going to take my mother to Maple Manor Assisted Living.

THE COURT: I stated on this record, that no one is going to move her without prior order.

MR. RANDY ROBINSON: I just wanted to make sure assisted living, with her is the same thing as-to my mom is a nursing home.

THE COURT: No one is moving her anywhere without a prior Court order and that's why it's imperative that she let her concerns, feelings, objections be expressed to her attorney, okay.

MR. RANDY ROBINSON: Thank you Your Honor.

MR. CHABAN: One more matter. If Ms. Cummings notifies me that she was in contact with my client and that it's satisfactory and we don't have to come on the fourth, then I would like to withdraw because I'm just here to represent Mr. Robinson in the Show Cause.


THE COURT: Understood. Understood.

Mr. Chaban, you need to file your Petition to Withdraw.

(These Proceedings Concluded at 11:09 a.m.)

STATE OF MICHIGAN)
)
COUNTY of WAYNE)

I, Dona S. Wash, Certified Court Reporter, do hereby certify that I have transcribed the courtroom proceedings in the Wayne County Probate Court before THE HONORABLE TERRANCE A. KEITH, as hereinbefore set forth, and that the foregoing transcript is a record of the videotaped proceedings that have been prepared by me.




Dona S. Wash
Certified Court Reporter – State of Michigan

In the Matter of Gayle Louise Robinson, A Legally Incapacitated Individual.
Hearing Date: July 28, 2014

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