

IN THE VIRGINIA CIRCUIT COURT-FAIRFAX COUNTY, VIRGINIA

LYNN KAY-Petitioner,

VS

PHILIP KAPUSTA-Respondent.

Case No.: CL-2018-11871

JULY 24, 2025-12:30 PM

RE: NEWLY DISCOVERED ON 5/22/25-CRIMINALLY CONCEALED “EVIDENCE OF FRAUD UPON THE COURT AND ELDER CRUELTY CRIMES CONCEALED”-(2022-2025) AND REQUEST FOR COURT ORDER TO COMPEL VALIDATION OF EXHIBITS AND TO REFUTE “LYNN KAY’S CLAIMS OF DOCUMENTED CRIMINALLY FALSIFIED CARE MANAGER REPORTS BEING USED FOR PREPARING SECRETIVELY CONCEALED FRAUDULENT JULY 2022 COURT FILINGS

MOTION FOR ESTABLISHING IN LAYING THE GROUNDWORK AND THE FOUNDATION FOR PRESENTING THE ELDER CRUELTY CRIMES COMMITTED BY ALL INVOLVED 2020-2025 FIDUCIARIES AND LAWYERS AND PHILIP KAPUSTA FOR THE LYNN KAY RIGHTFUL REQUEST FOR THIS COURT TO JUDICIALLY PROPERLY GRANT THE

REQUESTS TO ISSUE SUBPOENAS FOR VALIDATING THE EXHIBITS BY PROVIDING ADDITIONAL DOCUMENTS FROM LIZ SHIFFLETT AND SUZANNE HANAS OF PREMIER LIFE PLANNING CARE FOR THEIR SUBSTANTIATING AND VALIDATING THE ACCURACY OF THE “FALSIFIED 6/8/22 AND 6/30/22 CARE MANAGER REPORTS” BEING ONLY GIVEN A PERIOD OF JUST 7-(SEVEN) CALENDAR DAYS FOR FULL COMPLIANCE AND RESPONSE AFTER THE COURT ORDERED SUBPOENA HAS BEEN ISSUED AND EMAILED.

AND TO ALSO SUBPOENA DR. CUSUMANO FOR DEMANDING A NOTARIZED AFFIDAVIT VALIDATION OF ALL OFFICE VISITS AND NOTES VALIDATED IN WRITING FOR STATING ALL NOTES MADE IN EACH OFFICE VISIT AND VALIDATION OF EMAIL ON 1/4/24 FOR ORDERING ELAINE MAE KAPUSTA’S DENTAL CARE NOTES AND RECOMMENDATIONS AND DOCTORS

ORDERS GIVEN FOR ELAINE MAE KAPUSTA'S "UNTREATED SEVERE GUM DISEASE" AND "NEEDED ROOT CANALS" AND "TEETH PAIN "COMPLAINED ABOUT ON 4/13/21 AND 3/2/22 AND 9/20/22 "EDEMATOUS AND TEETH PAIN BEING RECORDED DURING ALL OF THE DENTAL OFFICE VISITS ALONG WITH RECOMMENDATION FOR "QUARTERLY DENTAL CLEANINGS ON 9/20/22 AND THE 5/8/23 AND 1/4/24 DOCTORS WRITTEN ORDERS FOR DENTAL GUM ABSCESS-SEDATION DENTAL AND COMPREHENSIVE EVALUATION AND FOLLOWUP TREATMENT.

PROVEN BY THESE SUBPOENAS WILL BE THE ORIGIN OF THE 1ST OF 9 TIMES OF FIDUCIARIES AND LAWYERS COMMITTING "BLATANTLY CONCEALED CRIMINAL ACTS AND RESULTING FRAUD UPON THE COURT-CRIMINAL CONCEALMENT AND LYING BY OMISSION-FAILING TO BE FORTHRIGHT AND FAILING TO DISCLOSE AS FIDUCIARIES-63.2-1606-MANDATED REPORTERS:

1. 7/5/22
2. 7/8/22
3. OCTOBER 2022
4. JANUARY 2023
5. 10/11/23
6. 1/4/24
7. MARCH-APRIL 2024
8. AUGUST- SEPTEMBER 2024
9. OCTOBER 2024 TO 2025 PRESENT DAY FRAUD UPON THE COURT BY ALL:

COLLUSIONS OF THE CONCEALMENT BY ALL FIDUCIARIES AND ALSO BY PHILIP KAPUSTA IN ALL PERSONS CONSPIRING WITH THE DELIBERATE FAILURE TO DISCLOSE "MATERIAL FACTS OF ELDER CRUELTY CRIMES-DEPRIVATION OF CARE FOR FORCED INCAPACITATION"- (2022-2025)

AND ALL 3+ YEARS OF CRIMES AND MALICIOUS PROSECUTION WITH WRITTEN THREATS AND CRIMINAL ABDUCTION OF THE CRIMINAL TAKING OVER OF OUR LIVES BY CRIMINAL FRAUD AND CRIMINAL WRITTEN THREATS SINCE BEGAN ON 7/5/22.

THE ILLEGAL TERMINATION OF LYNN KAY GUARDIANSHIP BY CRIMINALLY FRAUDULENTLY CONCEALING CRIMINAL ELDER CRUELTY CRIMES OF DEPRIVATION OF CARE.

FIDUCIARIES CAUSING ELAINE MAE KAPUSTA GRAVE INJURIES AND HOSPITAL ADMISSION FOR 15 DAYS AND ELAINE LEFT UNABLE TO WALK FOR WEEKS AFTER 7/14/22 HOSPITAL DISCHARGE ALONG WITH "CRIMINAL ELDER CRUELTY DEPRIVATION OF CARE NEGLECT AND ABUSE"-APRIL 2021-JUNE-JULY 2022 TO PRESENT DAY IGNORING AND DEFYING 9 DOCTORS ORDERS TO PROVIDE CARE AND TREATMENT-(2021-2025).

THESE SUBPOENAS ARE NOW RIGHTFULLY BEING REQUESTED AS NEWLY DISCOVERED CONCEALED FOR THE 3 YEARS CRIMINAL EVIDENCE DISCOVERED AS EXHIBITED ON 5/22/25 GIVES THIS RIGHT FOR LYNN KAY TO, IN DETAIL, AND WITH IRREFUTABLE VALIDATED DOCUMENTS BEGIN TO LAY THE GROUNDWORK FOR "FULLY ESTABLISHING ALL CRIMINALLY FRAUDULENT ACTS BY ALL FIDUCIARIES AND PHILIP KAPUSTA'S AND LAWYERS ALL KNOWINGLY AND WILLFULLY CONCEALING THEIR COMMITTED CRIMES COMMITTED FOR 3 YEARS" AGAINST ELAINE MAE KAPUSTA AND LYNN KAY.

TO THEN FINALLY BE JUDICIALLY RECOGNIZED AND DECLARED AFTER LIZ SHIFFLETT AND SUZANNE HANAS FAILURE TO PRODUCE DOCUMENTS OF VALIDATION FOR VALIDATING THEIR FABRICATED 2 CARE MANAGER REPORTS IN THEIR BEING UNABLE TO PRODUCE ANY DOCUMENTS FOR VALIDATING "CRIMINALLY CONCEALED FALSIFIED REPORTS". AS THERE ARE ABSOLUTELY NONE THAT EXIST FOR EVER VALIDATING "FRAUDULENTLY FABRICATED STATEMENTS IN THE CRIMINALLY FRAUDULENTLY FABRICATED 6/8/22 AND 6/30/22 LIZ SHIFFLETT CARE MANAGER REPORTS HAVING BEEN ENTIRELY CONCEALED FOR 3 YEARS.

THESE "CRIMINALLY FRAUDULENTLY FABRICATED CARE MANAGER REPORTS OF 6/8/22 AND 6/30/22" WERE DIRECTLY USED IN "THE BOGUS AND ALSO UNSUBSTANTIATED 7/5/22 AND 7/8/22 UNWARRANTED AND RECKLESS COURT FILINGS BY CARY CUCINELLI AND VALERIE GEIGER AND ELIZABETH WILDHACK AND LAURIE KIRKLAND AND JUSTIN BERGER AND PHILIP KAPUSTA ALL NAMED PARTICIPATING IN 3 YEARS OF CRIMES AND ONGOING UNCEASING DEFAMATION COMMITTED SINCE 2022 FROM THE FRAUD UPON THE COURT LEGAL MISCONDUCT. ALONG WITH ALL 2022-2025 INVOLVED PERSONS, THEREAFTER.

THESE 6/8/22 AND 6/30/22 PREMIER LIFE PLANNING CARE MANAGER REPORTS WERE "FRAUDULENTLY ENTIRELY FABRICATED TO DESPERATELY ATTEMPT TO SEEK TO ESCAPE CRIMINAL INVESTIGATIONS".

AND THE RESULTING DEFAMATION OF LYNN KAY FOR 3 YEARS AS A DIRECT RESULT OF THE FRAUD COMMITTED.

THIS FRAUD UPON THE COURT HAS ALSO OCCURRED IN EVERY SINGLE LEGAL PROCEEDING THEREAFTER ALONG WITH THREATS TO LIFE AND HEALTH AND HOME.

PHYSICAL AND WRITTEN AND VERBAL THREATS HAVE "PSYCHOLOGICALLY SCARRED BOTH ELAINE MAE KAPUSTA AND LYNN KAY FOR 3 YEARS OF ALL FIDUCIARIES AND ALL REPRESENTING LAWYERS AND PHILIP KAPUSTA INVOLVED IN ALL OF "THE MENTAL

TORMENTATION AND MENTAL TRAUMATIZATION OF UNCEASING 3 YEARS OF THREATS TO OUR LIFE AND HEALTH AND HOME SINCE JULY 2022 TO PRESENT DAY.”

3 YEARS OF INJUSTICE AND UNACCOUNTABILITY OF ALL INVOLVED CRIMINAL ACTS BY ALL INVOLVED PERSONS .

COMES NOW the undersigned, LYNN KAY, and respectfully DEMANDS that this Court issue IMMEDIATE SUBPOENAS to compel AUTHENTICATION AND VALIDATION with the full production of DISPROVING OR VALIDATING EXHIBITED MEDICAL RECORDS WHICH ENTIRELY INVALIDATES THE JULY 2022 COURT FILINGS AS BEING ENTIRELY BASELESS AND MERITLESS AND DEMANDING from LIZ SHIFFLETT and SUZANNE HANAS, employees or agents of PREMIER LIFE PLANNING CARE FOR VALIDATING “2 ENTIRELY FALSIFIED CARE MANAGER REPORTS OF 6/8/22 AND 6/30/22” WHICH ARE SHOWN BY EXHIBITS TO HAVE BEEN “FALSIFIED WITH UNTRUTHS AND CONCEALMENTS.”

This is being DEMANDED for the following critical and NON-NEGOTIABLE reasons:

This is a direct matter of justice, and failure to immediately address it would continue THE CONCEALMENT OF “3 ONGOING AND UNCEASING HORRIFIC YEARS OF ELDER CRUELTY AND OTHER HOREIFIC CRIMES COMMITTED BY ALL PERSONS INVOLVED” VIOLATING THE INTEGRITY OF THESE PROCEEDINGS, BEING COMMITTED WITHOUT ANY JUSTICE SERVED, EVER, AND ENTIRELY VIOLATING OUR RIGHTS TO NOT BE THREATENED FOR 3+ YEARS.

THIS MOTION LAYS THE “CRITICAL GROUNDWORK FOR “ALL REQUIRED FUTURE SUBPOENAS” TO ALSO BE REQUESTED HEREAFTER FOR THE 9 OCCURRENCES OF “FRAUD UPON THE COURT OCCURRING IN 2022, 2023, 2024 AND 2025 TO PRESENT DAY OF ALL FIDUCIARIES ALSO HEREAFTER BEING COURT ORDERED FOR BEING FORTHRIGHT IN VALIDATING FACTUAL DOCUMENTS AND OR TESTIFYING UNDER OATH FOR ESTABLISHING THE CRIMINAL FOUNDATION OF ALL FIDUCIARIES AND PHILIP KAPUSTA AND ALL LAWYERS INVOLVEMENT OF 3 YEARS OF “HORRIFIC CRIMES COMMITTED” AS JUNE-JULY 2022 BEING 100% OF THE ORIGIN OF THIS CASE FOR PRESENTING “IRREFUTABLE PROOF” FOR THE FULL AND PERMANENT DISSOLUTION OF CONSERVATORSHIP AND GUARDIANSHIP IN ALL SIGNERS HAVING MATERIALLY BREACHED THE 1/7/20 GUARDIANSHIP SETTLEMENT AGREEMENT CONTRACT SINCE 7/31/20 BY TERMINATING ALL MEDICAL HEALTH POWERS OVER MY MOM, MAKING LYNN KAY-“GUARDIAN IN NAME ONLY”-DECEPTIVELY AND MALICIOUSLY GREATLY ALTERING FULL AND SOLE GUARDIANSHIP TO “NO POWERS AS GUARDIAN”.

THEREBY RIGHTFULLY FULLY AND SOLELY RESTORING LYNN KAY TO ONCE AGAIN HAVING FULL AND SOLE POWER OVER ELAINE AND THE ESTATE AS PREVIOUS TO THE “MATERIALLY BREACHED GUARDIANSHIP AGREEMENT-(2020-2025)”

LYNN KAY NOW IN DETAIL ENTIRELY IRREFUTABLY SHOWING HOW ALL CRIMES BEGAN IN ORIGIN BY PREMIER PLANNING CARE MANAGEMENT FALSIFIED REPORTS USED IN THE FRAUDULENTLY AND SECRETIVELY FILED 7/5/22 EMERGENCY PETITION OF ENTIRELY FALSE ALLEGATIONS AND WITH THE SUPPORT OF ALL INVOLVED IN AIDING AND ABETTING IN THESE CONCEALED ELDER CRUELTY CRIMES-(2021-2025).

THIS IS JUST THE 1ST PIECE OF ESTABLISHING PRESENTING ALL OF THE CRIMINAL ACTS COMMITTED FOR 3+ YEARS FOR ALL PERSONS TO THEN BEING HELD CRIMINALLY, LEGALLY AND FINANCIALLY HELD FULLY ACCOUNTABLE SINCE 2022 BEING WILLFULLY AND KNOWINGLY INVOLVED IN THEIR DOCUMENTED FRAUDULENT CRIMINAL ACTS.

On or about MAY 22, 2025, previously CONCEALED SEALED COURT RECORDS were discovered to contain what now appears to be OVERWHELMING EVIDENCE of FRAUD UPON THE COURT — including CRIMINALLY FALSIFIED CARE MANAGER REPORTS authored by or involving the above-named individuals.

These reports were used to support BOGUS CONCEALED SECRETIVE RELATED EMERGENCY PETITIONS filed on JULY 5 and 8, 2022, all while KNOWINGLY CONCEALING MATERIAL FACTS regarding Elaine Kapusta’s health, safety, and dental neglect — which ultimately contributed to near-death conditions.

Under VIRGINIA LAW AND RULES OF CIVIL PROCEDURE, any party may request subpoenas for persons with DIRECT KNOWLEDGE OF FRAUD, NEGLIGENCE, OR ABUSE — and both Shifflett and Hanas are the DIRECT CAUSE OF ORIGIN ALONG WITH ALL FIDUCIARIES FAILURES IN BEING TASKED FOR “PROTECTING ELAINE MAE KAPUSTA FROM NEGLECT, ABUSE AND EXPLOITATION. AND FOR ENSURING THAT THE PROPER AND BASIC DENTAL AND MEDICAL CARE IS PROVIDED UNDER CONSERVATORSHIP GUARDIANSHIP CARE MANAGEMENT SINCE 2020.”

WITH ALL 2020-2025 FIDUCIARIES WILLFULLY AND KNOWINGLY HAVING A HAND IN ALL OF THESE DOCUMENTED CRIMES FOR 3 ONGOING YEARS CAUSED BY CRIMINAL FRAUDULENCE OF CRIMINAL CONCEALMENTS COMMITTED BY EVERY SINGLE FIDUCIARY FOR 4 YEARS OF CRIMES COMMITTED SINCE 2021 DEPRIVATION OF AND DENIAL OF CARE TO PROVIDE AND ENSURE ELAINE WITH DENTAL AND MEDICAL CARE ORDERED AND REQUESTED SINCE APRIL 2021 TO PRESENT DAY ALSO IGNORING 2022-2024 DR. CUSUMANO’S AND DR. LESSIN’S AND

VIRGINIA HEART'S AND DR. DOKI'S RECOMMENDATIONS AND THE 2/7/25 DR. MALLORY'S NOTARIZED AFFIDAVIT STATING THE PROPER CARE NEEDED.

Petitioner invokes the doctrine of FRAUD UPON THE COURT, and RULE 1:1 of the Virginia Supreme Court — demanding this Court act to protect the integrity of its own proceedings, especially in light of the ACTIVE COVER-UP and VIOLATION OF FIDUCIARY DUTIES by agents of the care agency AND BY ALL FIDUCIARIES AND PHILIP KAPUSTA BEING AWARE OF THIS FRAUD SINCE 2022 AS IS STATED IN THE EXHIBITED 8/17/22 STEVEN STINE AS LYNN'S LAWYER FOR “REAPPOINTMENT OF GUARDIANSHIP” FOR THE 7/5/22 UNWARRANTED EMERGENCY PETITION RECKLESSLY HAVING BEEN FILED WITH NO LEGAL JUST CAUSE.

The Petitioner also asserts her right to proceed under the TOLLING PROVISION for fraud discovered after the fact, demanding full investigation, testimony under oath, and complete documentary production by these witnesses.

The undersigned, LYNN KAY, hereby demands the immediate issuance of THREE SUBPOENAS for the following essential purposes:

- 1. DR. CUSUMANO – To validate with NOTARIZED AFFIDAVIT SUMMARY OF the complete dental care history of ELAINE MAE KAPUSTA from OFFICE VISIT NOTES OF APRIL 2021 through JANUARY 4, 2024 to the present day, including confirmation of the April 2021 diagnosis requiring THREE ROOT CANALS, initially documented by DR. HU (MCLEAN DENTAL) and later reaffirmed in DR. CUSUMANO’S APRIL 13, 2021 OFFICE VISIT NOTES.**
- 2. LIZ SHIFFLETT and SUZANNE HANAS of PREMIER LIFE PLANNING CARE – To compel production of all VIRGINIA HEART LABS RECORDS THAT ARE DIFFERENT FROM THE EXHIBITED 6/8/22 MEDICAL LABS OF ELAINE MAE KAPUSTA and VALIDATION OF THE EXHIBITED VIRGINIA HOSPITAL CENTER MEDICAL RECORDS 6/30/22–7/14/22 MEDICAL RECORDS PROVING THE 6/8/22 AND 6/30/22 CARE MANAGER REPORTS WERE “CRIMINALLY FABRICATED AND FALSIFIED AND ENTIRELY USED FOR THE ALSO FRAUDULENT AND DEFAMATORY FALSE ALLEGATIONS IN THE 7/5/22 AND 7/8/22 EMERGENCY PETITION AND COURT FILING WITH NO LEGAL JUST CAUSE CRIMINALLY TERMINATING LYNN KAY’S GUARDIANSHIP BY CRIMINALLY CONCEALING ALL**

FIDUCIARIES CRIMINAL ELDER DEPRIVATION OF CARE AND FOR THE 1ST OF MANY TIMES ALMOST CAUSING THE DEATH OF ELAINE MAE KAPUSTA UNDER “THIS DEADLY DANGEROUS CONSERVATORSHIP AND GUARDIANSHIP EVIL CARE MANAGEMENT SYSTEM OF INHUMANENENESS AND THE COMPLETE DISREGARD FOR LIFE” WITH “ELAINE BEING ENTIRELY LEFT ABANDONED TO DIE BY ALL FIDUCIARIES AND LEFT GRAVELY INJURED AS A RESULT LEFT UNABLE TO WALK FOR WEEKS AFTER 7/14/25 HOSPITAL DISCHARGE”.

6/30/22-7/14/22 VIRGINIA HOSPITAL CENTER MEDICAL RECORDS were deliberately withheld, manipulated, and concealed and which concealments of “MATERIAL MEDICAL DOCUMENTS” were fraudulently concealed to falsely justify two CRIMINALLY FABRICATED CARE MANAGER REPORTS authored by LIZ SHIFFLETT WHICH ARE SHOWN BY EXHIBITED 6/8/22-7/14/22 MEDICAL RECORD LABS AND HOSPITAL RECORDS TO BE “BLATANTLY FALSE” IN ALL WAYS BY ADDING UNTRUTHS TO BOTH CARE MANAGER REPORTS NOT IN ANY WAY MATCHING “THE EXHIBITED CONCEALED MEDICAL RECORDS.”

These reports were weaponized to CONCEAL THE TRUTH from APS, law enforcement, and the Court about the ONGOING CRIMINAL ELDER NEGLECT AND CRUELTY that began in 2021 — neglect that resulted in NEAR-DEATH DENTAL AND SYSTEMIC INFECTIONS after repeated denials of critical medical and dental care.

THE JUDICIAL PURPOSE of these subpoenas is nothing less than exposing 3 YEARS OF CALCULATED FRAUD UPON THE COURT, orchestrated by fiduciaries who willfully ignored medical directives and concealed medical crises — and then shifted blame by painting LYNN KAY (THE GUARDIAN) as negligent having “LACK OF JUDGMENT AND IRRATIONAL BEHAVIOR” AND “THIS BLATANT AND UNCEASING ONGOING DEFAMATION WRITTEN IN PUBLIC COURT FILINGS AND POLICE REPORTS AND HOSPITAL RECORDS IN 2022 IN THE 7/5/22 EMERGENCY PETITION CONTINUES TODAY.

WITH ALL INVOLVED AND INFORMED 2022 PERSONS CRIMINALLY CONCEALING THEIR INVOLVEMENT AND REFUSING SINCE 6/9/25 TO RETRACT THEIR “BLATANTLY FALSE AND FRAUDULENT DEFAMATORY ALLEGATIONS AGAINST LYNN KAY”-(2022-2025)-3 YEARS OF ONGOING DEFAMATION ACTIONABLE FOR DEFAMATION LAWSUITS.

LIZ SHIFFLETT is accused of KNOWINGLY FABRICATING AND FALSIFYING EXHIBITED CARE MANAGER REPORTS ON 6/8/22 AND 6/30/22 — reports proven false by existing EXHIBITED hospital and lab records. These falsehoods:

1. **BLOCKED CRIMINAL INVESTIGATIONS** into elder abuse and neglect;
2. **PROTECTED** the very fiduciaries who inflicted harm;
3. **BLAMED THE GUARDIAN, LYNN KAY-(MYSELF)**, with their “blatantly using distortions and lies to conceal all of their crimes.
4. **And were used in a SECRET, FRAUDULENT EMERGENCY PETITION FILED ON 7/5/22,** from which the Guardian was **NEVER NOTIFIED.**
5. **USED TO VALIDATE “THE CRIMINAL TAKEOVER OF OUR LIVES FOR 3 YEARS-(7/8/22 TO PRESENT DAY) WITH SO MANY MORE CRIMES OF ABDUCTION AND AIDING AND ABETTING AND VIOLATION OF RIGHTS WITH WRITTEN THREATS AND “CRIMINAL FORCED ARMED KIDNAPPING AGAINST WILL” TO ONCE AGAIN ATTEMPT TO CRIMINALLY CONCEAL ELDER CRUELTY CRIMES OF DEPRIVATION OF CARE AND OBSTRUCTION OF JUSTICE AND PERJURY BY LYING BY OMISSION WITH THE FAILURE TO DISCLOSE AS FIDUCIARIES AS MANDATED REPORTERS ONGOING TO PRESENT DAY WITH OUR RIGHTS BEING CRIMINALLY FRAUDULENTLY ENTIRELY STRIPPED AWAY FROM BOTH MOM AND I FOR 3 “HORRIFIC YEARS OF OUR HORRENDOUS SUFFERINGS AND PSYCHOLOGICAL ABUSE AND SCARRING BY UNCEASING THREATS TO OUR LIVES FOR 3 YEARS OF CRIMINALS AS ALL FIDUCIARIES AND PHILIP KAPUSTA AND ALL LAWYERS AIDING AND ABETTING CLASS 4 FELONY AS LIZ SHIFFLETT AND SUZANNE HANAS UNDER VIRGINIA CRIMINAL LAW SECTION 18.2-369-B-CRIMINAL ELDER CRUELTY CRIMES-(CLASS 4 FELONY)-2-10 YEARS PRISON SENTENCE.**
6. **In Virginia, a Class 4 felony under § 18.2-369(B) regarding abuse or neglect of a vulnerable adult, which results in serious bodily injury or disease, carries a prison sentence of two to ten years and a potential fine of up to \$100,000, according to Virginia law.**

KEY POINTS:

Virginia Code § 18.2-369(B):

This specific law addresses the abuse and neglect of vulnerable adults and outlines the penalties for such actions.

Class 4 Felony:

This classification of felony falls within a specific range of severity, resulting in a prison sentence of 2 to 10 years, according to Virginia Rules.

Vulnerable Adult:

The law defines a vulnerable adult as someone 18 or older who is impaired due to mental or physical conditions, limiting their capacity to make decisions about their well-being, according to Virginia Law (.gov).

Serious Bodily Injury or Disease:

The offense becomes a Class 4 felony when the abuse or neglect results in significant harm to the vulnerable adult, such as disfigurement, fractures, severe burns, mutilation, or life-threatening internal injuries, according to Virginia Law (.gov).

7. AND WITH ALL INVOLVED PERSONS IN THEIR "CRIMINAL CONCEALMENT" CAUSING FOR 3 YEARS THE HORRIFIC DEFAMATION OF THE GOOD NAME AND GOOD CHARACTER OF LYNN KAY CAUSING LYNN KAY "IRREPARABLE LIFE-ALTERING HARM"

WHEREFORE, Petitioner respectfully requests this Court issue IMMEDIATE SUBPOENAS DUCES TECUM for LIZ SHIFFLETT and SUZANNE HANAS to VALIDATE EXHIBITED 6/8/22-7/14/22- MEDICAL RECORDS AND DOCUMENTS, NOTES, EMAILS, VIRGINIA HEART AND VIRGINIA HOSPITAL RECORDS FOR VALIDATING *THE 6/8/22 AND 6/30/22 CARE MANAGER REPORTS*- "NOW BEING SHOWN WITH EXHIBITED EVIDENCE AS BOTH CARE MANAGER REPORTS HAVING BEEN CRIMINALLY FALSIFIED IN ALL WAYS NOT MATCHING ANY OF THE EXHIBITS" FOR ENTIRELY NOW WITH DOCUMENTATION IN **FULLY DISPROVING THE VALIDITY AND ACCURACY OF THE 6/8/22 AND 6/30/22 FRAUDULENTLY CRIMINALLY FALSIFIED AND FABRICATED CARE MANAGER ASSESSMENT REPORTS**-BEING ENTIRELY SHOWN TO BE UNTRUE STATEMENTS MADE OF THE ACTUAL HEALTH OF ELAINE MAE KAPUSTA, these untruths were entirely in whole relied upon in all petitions in the "SECRETIVELY FILED JULY 2022 EMERGENCY PETITION AND SECRETIVELY HELD 7/5/22-7/8/22 EMERGENCY PETITION COURT HEARINGS, and continuing through the present day CONCEALMENTS OF CRIMES COMMITTED AND CONCEALED FOR 3 DOCUMENTED YEARS OF FRAUD COMMITTED BY THE CONCEALMENT OF ALL OF THEIR CRIMES FOR 3 YEARS.

This motion is submitted to request FULL DISCLOSURE REQUIREMENTS IN BEING GIVEN A LIMIT OF 7-(SEVEN) CALENDAR DAYS FROM COURT ORDERED SUBPOENA ISSUED TO DISPROVE EXHIBITS PRESENTED FOR THIS COURT DEMANDING THERE TO FINALLY BE FORTHRIGHTNESS AND TRUTHFUL TESTIMONY with a LONG-NEEDED COURT-ORDERED RECKONING for the 3 YEARS OF "CRIMINALLY CONCEALED EVIDENCE OF UMPTEEN PERSONS CRIMES" that nearly cost ELAINE MAE KAPUSTA 3 TIMES her life AND NOW LEFT "GRAVELY INJURED AND DEPRIVED OF HER HEALTH AND HER HOME AND HER DAUGHTER AND HER FINANCES AND HER FREEDOM!

IT IS UP TO THIS COURT TO JUDICIALLY SEEK JUSTICE AND TO RESTORE THESE TO ELAINE MAE KAPUSTA AND TO THEN SEEK TO DEPRIVE ALL "NAMED CRIMINALS FOR 2-10 YEARS OF THEIRS WITH PRISON FOR CLASS 4 FELONY-VIRGINIA CRIMINAL LAW ELDER CRUELTY CRIMES 18.2-369-B FOR THE 3 YEARS THAT THEY HAVE ALL DESTROYED BOTH OF OUR ONCE ENTIRELY PERFECT THRIVING LIVES TOGETHER"!

Respectfully submitted,



Lynn Kay

TWEETERY7@YAHOO.COM

7/21/25

NOTICE OF SERVICE:

I HEREBY CERTIFY THAT ALL PARTIES AND ALEXIS SMITH WERE EMAILED THIS ON 7/21/25. FILED 7/24/25 AND BROUGHT TO JUDGE'S CHAMBERS



LYNN KAY TWEETERY7@YAHOO.COM-571-421-6813

7/21/25