

IN THE VIRGINIA CIRCUIT COURT-FAIRFAX COUNTY, VIRGINIA

LYNN KAY-Petitioner,

v.

PHILIP KAPUSTA-Respondent.

Case No.: CL-2018-11871

JULY 24, 2025

RE: FRAUD UPON THE COURT AND ELDER CRUELTY CRIMES CONCEALED

PLAINTIFF'S REQUEST FOR COURT ORDER TO COMPEL VALIDATION OF EXHIBITS AND TO REFUTE "LYNN KAY'S DOCUMENTED CLAIMS OF FALSIFIED CARE MANAGER REPORTS BEING USED FOR PREPARING SECRETIVELY CONCEALED FRAUDULENT JULY 2022 COURT FILINGS AND FOR THE DEMAND FOR FULL AND COMPREHENSIVE FORENSIC FINANCIAL AUDIT AND REVIEW FOR 5 YEARS OF GROSS FINANCIAL MISMANAGEMENT AND FULL COMPENSATORY AND MAXIMUM PUNITIVE DAMAGES ALONG WITH REMEDIAL RELIEF

STATED AS BEING FALSIFIED AND FRAUDULENTLY PREPARED CARE MANAGER REPORTS OF 6/8/22 AND 6/30/22 AND FRAUDULENTLY SOUGHT THE 7/5/22" AND 7/8/22 AND OCTOBER 2022 AND JANUARY 2023 AND ALL 2020-2025 COURT FILINGS TO NOW BE JUDICIALLY COURT-ORDERED TO BE DECLARED AS BEING ALL ENTIRELY VOIDED AND OVERTURNED AND EXPUNGED IN THEIR ENTIRETY FOR BEING FRAUD COMMITTED BY FALSIFICATION OF RECORDS FRAUDULENTLY PREPARED IN ORDER TO DECEIVE THIS COURT AND TO HIDE ALL FIDUCIARIES DOCUMENTED CRIMINAL ELDER NEGLECT SINCE APRIL 2021 FROM THE AUTHORITIES FOR "FAILURE TO ACT AS RESPONSIBLE FIDUCIARIES TO PROTECT ELAINE MAE KAPUSTA FROM 4 YEARS OF DOCUMENTED NEGLECT, ABUSE AND FINANCIAL EXPLOITATION AND FAILURE TO UPHOLD THE SETTLEMENT GUARDIANSHIP AGREEMENT TO LYNN KAY AS 1/7/20 AGREED UPON TERMS WERE DECEPTIVELY AND MALICIOUSLY GREATLY ALTERED AND THE FAILURE TO PROVIDE ELAINE MAE KAPUSTA WITH BASIC DENTAL AND MEDICAL CARE FOR 5 YEARS IN ALSO DEFYING 9 DOCTORS ORDERS

LEGAL STATEMENT REGARDING FRAUD UPON THE COURT AND 5/22/25 NEWLY DISCOVERED EVIDENCE

Petitioner respectfully submits the following for the Court's immediate consideration:

Following the filing of the Emergency Petition on October 21, 2024, which has been continued for 9 months without any resolution for THE EMERGENCY PETITION, new and material evidence was discovered on May 22, 2025, indicating the existence of sealed court records containing "CRIMINALLY FABRICATED AND FALSIFIED CARE MANAGEMENT REPORTS BY LIZ SHIFFLETT AND SUZANNE HANAS AND PREMIER LIFE PLANNING CARE". THESE RECORDS, which were CRIMINALLY ALTERED AND CONCEALED FROM THE PETITIONER AND THE COURT, REVEAL A 3 YEAR-LONG FIDUCIARIES ORCHESTRATED EFFORT TO MISLEAD THE TRIBUNAL AND SUPPRESS THE TRUTH AND "MATERIAL FACTS" REGARDING THE CARE AND CONDITIONS AT ISSUE IN THIS MATTER.

This "criminal evidence", uncovered by Petitioner Lynn Kay, constitutes overwhelming proof of a fraud upon the Court, in direct violation of due process and ethical obligations. Specifically, these falsified documents appear to have originated from or been submitted by Liz Shifflett, Suzanne Hanas, and Premier Planning Care, and were deliberately concealed to obstruct justice.

Under 8.01-428 and relevant case law, fraud upon the court permits relief from orders or judgments at any time upon the discovery of such fraud. The date of discovery—May 22, 2025—makes this filing timely and urgent having suffered FRAUDULENT ACTS FOR 3+ YEARS

Oh what a tangled web we weave, when first we practice to deceive!" (Sir Walter Scott, 1808)

Petitioner respectfully demands:

That this Court recognize the newly discovered 3 YEARS CONCEALED FRAUD and give immediate legal precedence to this evidence;

That subpoenas be issued to Liz Shifflett, Suzanne Hanas, of Premier Planning Care;

That these individuals be compelled to PROVIDE SUBSTANTIATED DOCUMENTS FOR 6/8/22 & 6/30/22 CARE MANAGER REPORTS AND OR appear and testify under oath regarding the origin, authorship, and purpose of the CONCEALED FALSIFIED CARE MANAGER REPORTS NEWLY DISCOVERED HAVING BEEN CONCEALED FOR 3 YEARS.

FRAUD UPON THE COURT IS SERIOUS LEGAL MISCONDUCT AND A JUDICIAL MATTER OF INJUSTICE WHICH HAS ALSO TAINTED ALL COURT PROCEEDINGS THEREAFTER-(2022-2025) FOR ALL COURT JUDGMENTS AND ALL COURT ORDERS ALL BEING ORDERED TO BE JUDICIALLY PROPERLY FULLY OVERTURNED AND VACATED AND EXPUNGED FOR RECOGNIZED FRAUD UPON THE COURT AND MALICIOUS PROSECUTION OF CRIMINAL THREATS TO LIFE AND HEALTH AND HOME SINCE 7/8/22.

This is a direct matter of justice, and failure to address it would continue THE CONCEALMENT OF 3 ONGOING AND UNCEASING YEARS OF ELDER CRUELTY CRIMES VIOLATING THE INTEGRITY OF THESE PROCEEDINGS, BEING COMMITTED WITHOUT ANY JUSTICE SERVED, EVER.

LEGAL STATEMENT REGARDING FRAUD UPON THE COURT CAN BE BROUGHT AT ANY TIME WITHOUT NEEDING TO APPEAL WITH AN APPELLATE COURT. AND FRAUD UPON THE COURT APPLIES WHEN LEGAL MISCONDUCT TAINTS THE JUDICIAL DECISION WITH MATERIAL FACTS BEING CONCEALED AND BY FALSIFYING DOCUMENTS USED IN A CASE AND HIDDEN. THERE IS NO STATUTE TO FILING A FRAUD UPON THE COURT MOTION FOR OVERTURNING ALL COURT JUDGMENTS AND ALL COURT ORDERS TAINTED BY THE FRAUD THAT WAS COMMITTED.

PETITION OF FRAUD UPON THE COURT FOR OVERTURNING COURT ORDERS AND COURT JUDGMENTS ENTIRELY OVERTURNING THE COURT ORDERS AND COURT JUDGMENTS, EVEN FINAL ORDERS CAN BE FULLY OVERTURNED AND EXPUNGED WHEN MATERIAL FACTS HAVE BEEN HIDDEN OR FALSIFIED. AS JUDICIAL DECISIONS ARE BASED UPON PRESUMED FACTS PRESENTED BY A LAWYER BEING TRUE AND FORTHRIGHT AND THE PRESENTATION BEING FACTUALLY PROVEN, BEYOND A SHADOW OF A DOUBT. WHEN THERE IS "DELIBERATE FALSIFICATION AND CONCEALMENT AND COVERUPS OF EVIDENCE PRESENTED BEING FABRICATED, THIS THEN IMMEDIATELY ENTIRELY OVERTURNS ALL OF THE COURT JUDGMENTS AND ALSO ALL COURT ORDERS, THEREAFTER AS ALSO BEING FRAUDULENTLY BASED SINCE THE ORIGINATING LEGAL MISCONDUCT OF COMMITTING FRAUD UPON THE COURT.

Statement Regarding Fraud Upon the Court

Fraud upon the court is a grave legal wrong that strikes at the heart of the justice system. It occurs when officers of the court—such as attorneys or parties—engage in intentional deception that taints the judicial process, including by concealing material facts, fabricating evidence, or falsifying documents relied upon by the court in reaching its decision.

This form of fraud is not subject to any statute of limitations. It may be raised at any time, including after a final judgment, without the need to file an appeal with an appellate court. The U.S. Supreme Court and numerous lower courts have recognized that fraud upon the court undermines the integrity of the entire proceeding and demands extraordinary relief.

When such fraud is proven—particularly when it involves deliberate falsification or concealment of material evidence—the result is that all judgments and court orders affected by the fraud are void. These orders must be vacated and are subject to being expunged from the record, as they are legally invalid and unjust.

Judicial decisions are premised on the presumption that the parties and their counsel are truthful and that evidence presented is authentic. When this fundamental trust is broken, and the process is corrupted by fraud, the court has both the authority and the obligation to remedy the injustice in full, including the original years ago Court Orders to Present day recognized and terminated for being "ENTIRELY TAINTED BY UNCEASING AND ONGOING FRAUDULENT ACTS!"

Code of Virginia

Title 8.01. Civil Remedies and Procedure

Chapter 17. Judgments and Decrees Generally

FRAUD UPON THE COURT IS SERIOUS LEGAL MISCONDUCT AND A JUDICIAL MATTER OF INJUSTICE WHICH AUTOMATICALLY RETURNS ALL LEGAL PROCEEDINGS ALSO THEREAFTER.

§ 8.01-428. Setting aside default judgments; clerical mistakes; independent actions to relieve party from judgment or proceedings; grounds and time limitations.

A. Default judgments and decrees pro confesso; summary procedure. Upon motion of the plaintiff or judgment debtor and after reasonable notice to the opposite party, his attorney of record or other agent, the court may set aside a judgment by default or a decree pro confesso upon the following grounds: (i) fraud on the court, (ii) a void judgment, (iii) on proof of an accord and satisfaction, or (iv) on proof that the defendant was, at the time of service of process or entry of judgment, a servicemember as defined in 50 U.S.C. § 3911. Such motion on the ground of fraud on the court shall be made within two years from the date of the judgment or decree.

B. Clerical mistakes. Clerical mistakes in all judgments or other parts of the record and errors therein arising from oversight or from an inadvertent omission may be corrected by the court at any time on its own initiative or upon the motion of any party and after such notice, as the court may order. During the pendency of an appeal, such mistakes may be corrected before the appeal is docketed in the appellate court, and thereafter while the appeal is pending such mistakes may be corrected with leave of the appellate court.

C. Failure to notify party or counsel of final order. If counsel, or a party not represented by counsel, who is not in default in a circuit court is not notified by any means of the entry of a final order and the circuit court is satisfied that such lack of notice (i) did not result from a failure to exercise due diligence on the part of that party and (ii) denied that party an opportunity to pursue post-trial relief in the circuit court or to file an appeal therefrom, the circuit court may, within 60 days of the entry of such order, modify, vacate, or suspend the order or grant the party leave to appeal. Where the circuit court grants the party leave to appeal, the computation of time for noting and perfecting an appeal shall run from the entry of such order, and such order shall have no other effect.

D. Other judgments or proceedings. This section does not limit the power of the court to entertain at any time an independent action to relieve a party from any judgment or proceeding, or to grant relief to a defendant not served with process as provided in § 8.01-322, or to set aside a judgment or decree for fraud upon the court.

E. Nothing in this section shall constitute grounds to set aside an otherwise valid default judgment against a defendant who was not, at the time of service of process or entry of judgment, a servicemember as defined in 50 U.S.C. § 3911.

1977, c. 617; 1991, c. 39; 1993, c. 951; 2005, cc. 333, 909.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

7/11/20



FRAUD UPON THE COURT IS SERIOUS LEGAL MISCONDUCT AND A JUDICIAL MATTER OF INJUSTICE WHICH HAS ALSO TAINTED ALL COURT PROCEEDINGS THEREAFTER FOR ALL COURT JUDGMENTS AND ALL COURT ORDERS ALL BEING FULLY OVERTURNED AND VACATED AND EXPUNGED.

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Statement Regarding Fraud Upon the Court

Fraud upon the court is a grave legal wrong that strikes at the heart of the justice system. It occurs when officers of the court—such as attorneys or parties—engage in intentional deception that taints the judicial process, including by concealing material facts, fabricating evidence, or falsifying documents relied upon by the court in reaching its decision.

This form of fraud is not subject to any statute of limitations. It may be raised at any time, including after a final judgment, without the need to file an appeal with an appellate court. The U.S. Supreme Court and numerous lower courts have recognized that fraud upon the court undermines the integrity of the entire proceeding and demands extraordinary relief.

When such fraud is proven—particularly when it involves deliberate falsification or concealment of material evidence—the result is that all judgments and court orders affected by the fraud are void. These orders must be vacated and are subject to being expunged from the record, as they are legally invalid and unjust.

Judicial decisions are premised on the presumption that the parties and their counsel are truthful and that evidence presented is authentic. When this fundamental trust is broken, and the process is corrupted by fraud, the court has both the authority and the obligation to remedy the injustice in full.

Plaintiff respectfully requests that this Court issue an order requiring the opposing party to formally and specifically rebut the *EXHIBITED MEDICAL RECORDS* and to verify with VERIFIED EVIDENCE FOR FULLY SUBSTANTIATING "THE FALSIFIED AND FRAUDULENTLY FABRICATED CARE MANAGER REPORTS OF 6/8/22 AND 6/30/22 ALONG WITH FULLY SUBSTANTIATING THE JULY 2022 AND OCTOBER 2022 AND JANUARY 2023 FRAUDULENT COURT FILINGS within seven (7) CALENDAR days of the Court's order.

These "FALSIFIED DOCUMENTS" were directly relied upon to support the "SECRETIVELY HELD AND "CRIMINALLY CONCEALED FIDUCIARY ELDER CRUELTY" emergency petitions filed on July 5, 2022, and July 8, 2022, which ultimately led to the unlawful and extrajudicial termination of Lynn Kay's ORIGINAL valid contractual guardianship agreement dated January 7, 2020.

Should the opposing party fail to disprove the authenticity or validity of the attached exhibits within the seven-day period, Plaintiff respectfully requests that this Court:

1. Invalidate and PERMANENTLY DISSOLVE in full the guardianship and conservatorship for COURT DECLARED "BREACH OF THE FIDUCIARY DUTY OF CARE BY ALL FIDUCIARIES"

"DETRIMENTALLY" imposed over the past five (5) years;

2. Declare that the "CRIMINALLY EGREGIOUS AND FRAUDULENT TERMINATION OF THE 2020 CONTRACTUAL GUARDIANSHIP AGREEMENT WAS GROSSLY IMPROPER AND IN BREACH OF CONTRACT AND THEREFORE ENTIRELY PERMANENTLY TERMINATES THE CONSERVATORSHIP AND GUARDIANSHIP IN ITS ENTIRETY RESTORING LYNN KAY TO PRIOR TO 2020 POSITIONS OF FULLY AND SOLELY HOLDING LEGAL P.O.A. AND ADVANCE MEDICAL DIRECTIVE-(2013-2020)"

3. Freeze the full amount of the conservatorship bond immediately;

4. Order a Court-supervised forensic financial audit of all conservatorship and guardianship transactions from 2020 through 2025, including a review of all disbursements, accountings, and expenditures TO FULLY ACCOUNT FOR EVERY SINGLE PENNY AS ALL GROSS FINANCIAL MISMANAGEMENT HAS OCCURRED FOR 5 YEARS

-(2020-2025) LOSING 4+ MILLION TO THE ESTATE BY UNNECESSARILY LIQUIDATING ENTIRELY RENOVATED AND RENEWED RENTAL PROPERTIES HELD FOR DECADES;

5. ORDER ALL 2020-2025 FIDUCIARIES TO REPAY IN FULL ALL OF THEIR SALARIES AND ALL COMPENSATION PAID FOR ALL FIDUCIARIES FAILING FOR 5 YEARS BREACHING THEIR FIDUCIARY

"DUTY OF CARE TO PROTECT ELAINE MAE KAPUSTA AND "THE ESTATE" AND LYNN KAY FOR 5 YEARS AS WAS AGREED TERMS BREACHED IN 2020-2025 AND FOR ENTIRELY BREACHING THE GUARDIANSHIP AGREEMENT SINCE DAY 1 IN FAILING TO UPHOLD THE TERMS OF THE 1/7/20 FULL AND SOLE GUARDIANSHIP SETTLEMENT AGREEMENT TO LYNN KAY AND ELAINE MAE KAPUSTA AND "THE ESTATE" WITH GROSS FINANCIAL MISMANAGEMENT

6. ORDER CARY CUCINELLI AND VALERIE GEIGER TO REPAY THE ESTATE FOR ALL CARE MANAGEMENT AND ALL CARE GIVEN AFTER JUNE 2022 AS THEIR FRAUD COMMITTED CAUSED THE LOSS OF 3 YEARS OF FUNDS FOR UNNECESSARY CARE AND EXPENSES FOR ELAINE MAE KAPUSTA HAVING SUFFERED BY DEPRIVATION OF CARE SINCE APRIL 2021-DENIAL OF ROOT CANALS

7. ORDER PHILIP KAPUSTA TO REPAY IN FULL THE ESTATE AND LYNN KAY FOR ALL 2022-2025 ENTIRELY UNNECESSARY LEGAL AND OTHER RELATED EXPENSES PAID DUE TO "THE FRAUD COMMITTED BY PHILIP KAPUSTA" IN "JULY 2022 TO PRESENT DAY "WITH NO LEGAL CAUSE FRAUDULENTLY TERMINATING LYNN KAY'S GUARDIANSHIP AGREEMENT WITH NEVER DOING ANY DUE DILIGENCE IN JULY 2022 AND FOR SUPPORTING "THE CRIMINAL ABDUCTION OF OUR LIVES FOR 3+ YEARS WITH CRIMINAL THREATS TO OUR LIFE AND HEALTH AND HOME AND FOR 3 YEARS "CRIMINALLY CONCEALING KNOWLEDGE OF INFORMED BY LYNN CRIMINAL MEDICAL ELDER NEGLECT AND ABUSE"-SINCE 2022 TO PRESENT DAY IN "CRIMINALLY AIDING AND ABETTING IN ALL FIDUCIARIES CRIMES, INCLUDING CRIMINAL ABDUCTIONS AND VIOLATIONS OF OUR RIGHTS AND THE 6/6/23 ARMED KIDNAPPING WITH ALL CRIMES" AIDING AND ABETTING IN ALL FIDUCIARIES CRIMES COMMITTED SINCE JULY 2022 TO PRESENT DAY.

8. Direct full compensation to Elaine Mae Kapusta and Lynn Kay for the 5 YEARS OF FINANCIAL LOSS, PERSONAL HARDSHIP AND IRREPARABLE LIFE-ALTERING HORRIFIC HARM SUSTAINED FOR 5 CONTINUAL YEARS throughout the duration of THE ENTIRE "DEADLY DANGEROUS AND INHUMANE AND CORRUPT FRAUDULENT 2020-2025 conservatorship and guardianship and Care Management System of "PURE EVIL DEPRAVED INDIVIDUALS OF INHUMANESS AND CORRUPTION"

Plaintiff asserts that the foundation of the entire conservatorship was fraudulent, retaliatory, and filled with "DEPRAVED INDIVIDUALS SHOWING DEPRAVED INDIFFERENCE OF THE LIFE AND HEALTH AND WELL-BEING OF BOTH ELAINE MAE KAPUSTA AND LYNN KAY" being endangered and threatened for 5 unceasing years of harm with Elaine being entirely unsupported by any competent fiduciaries providing medical and dental care-(DEPRIVATION OF CARE AND DENIAL OF CARE) and with there never being any proper financial management under contractual authority, and that immediate remedial action is necessary to prevent ONGOING INJUSTICE and FURTHER HARM TO BOTH ELAINE MAE KAPUSTA, "THE ESTATE" AND LYNN KAY DETRIMENTALLY HARMED SINCE 2020.

681 DAYS DENIED "QUARTERLY DENTAL CLEANINGS"-(9/20/22-8/1/24)

883 DAYS DENIED DENTAL X-RAYS SUFFERING "TEETH PAIN AND SEVERE GUM SWELLING"-(3/2/22-8/1/24)

Code of Virginia

Title 18.2. Crimes and Offenses Generally

Chapter 8. Crimes Involving Morals and Decency

§ 18.2-369. Abuse and neglect of vulnerable adults; penalties.

A. It is unlawful for any responsible person to abuse or neglect any vulnerable adult. Any responsible person who abuses or neglects a vulnerable adult in violation of this section and the abuse or neglect does not result in serious bodily injury or disease to the vulnerable adult is guilty of a Class 1 misdemeanor. Any responsible person who is convicted of a second or subsequent offense under this subsection is guilty of a Class 6 felony.

B. Any responsible person who abuses or neglects a vulnerable adult in violation of this section and the abuse or neglect results in serious bodily injury or disease to the vulnerable adult is guilty of a Class 4 felony. Any responsible person who abuses or neglects a vulnerable adult in violation of this section and the abuse or neglect results in the death of the vulnerable adult is guilty of a Class 3 felony.

C. For purposes of this section:

"Abuse" means (i) knowing and willful conduct that causes physical injury or pain or (ii) knowing and willful use of physical restraint, including confinement, as punishment, for convenience or as a substitute for treatment, except where such conduct or physical restraint, including confinement, is a part of care or treatment and is in furtherance of the health and safety of the vulnerable adult.

"Neglect" means the knowing and willful failure by a responsible person to provide treatment, care, goods, or services which results in injury to the health or endangers the safety of a vulnerable adult.

"Responsible person" means a person who has responsibility for the care, custody, or control of vulnerable adult by operation of law or who has assumed such responsibility voluntarily by contract or in fact.

"Serious bodily injury or disease" includes but is not limited to (i) disfigurement, (ii) a fracture, (iii) a severe burn or laceration, (iv) mutilation, (v) maiming, or (vi) life-threatening internal injuries or conditions, whether or not caused by trauma.

"Vulnerable adult" means any person 18 years of age or older who is impaired by reason of mental illness, intellectual or developmental disability, physical illness or disability, or other causes, including age, to the extent the adult lacks sufficient understanding or capacity to make

communicate, or carry out reasonable decisions concerning his well-being or has one or more limitations that substantially impair the adult's ability to independently provide for his daily needs or safeguard his person, property, or legal interests.

D. No responsible person shall be in violation of this section whose conduct was (i) in accordance with the informed consent of the vulnerable adult that was given when he was not vulnerable a person authorized to consent on his behalf; (ii) in accordance with a declaration by the vulnerable adult under the Health Care Decisions Act (§ 54.1-2981 et seq.) that was given when he was not vulnerable or with the provisions of a valid medical power of attorney; (iii) in accordance with the wishes of the vulnerable adult that were made known when he was not vulnerable or a person authorized to consent on behalf of the vulnerable adult and in accordance with the tenets and practices of a church or religious denomination; (iv) incident to necessary movement of, placement of, or protection from harm to the vulnerable adult; or (v) a bona fide recognized, or approved practice to provide medical care.

1992, c. 551; 1994, c. 620; 2000, c. 796; 2001, c. 181; 2004, c. 863; 2007, cc. 562, 653; 2012, cc. 476, 507; 2019, c. 234; 2022, cc. 259, 642.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired. 11/27/20

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The Virginia Law website data is available via a web service. ☒



MALLORY-2-7-25-MEDICAL EXPERT Affidavit #3 revised on Kapusta.pdf ATTESTING TO VIRGINIA CRIMINAL MEDICAL ELDER NEGLECT-18.2-369-B OF ELAINE MAE KAPUSTA SINCE OCTOBER 2022-TEETH PAIN

GEORGE W. DODGE AND ALL FIDUCIARIES DEFIED AND IGNORED ALL DOCTOR'S ORDERS INSTRUCTING TO PROVIDE CARE AND TREATMENT ON-9/20/22 & 12/2/22, 1/28/23, 5/8/23, 5/22/23, 12/26/23 AND 1/4/24. AND 2/7/25 AND GAVE MY MOM FDA-UNAPPROVED BLACK-BOXED ANTIPSYCHOTICS NOT APPROVED FOR ELDERLY DEMENTIA AND NOT APPROVED FOR HEART PATIENTS AT RISK OF DEATH OF HEART ATTACK AND STROKE CAUSING QT PROLONGATION-ENLARGED HEART AND SIGNED D.N.R.-DO NOT RESUSCITATE ON MOM DEPRIVED FOR 4 YEARS OF PROPER AND DOCTOR-ORDERED DENTAL AND MEDICAL CARE SINCE APRIL 2021.

9 DOCTORS ORDERS IGNORED AND CRIMINALLY DEFIED AND DENIED:

DOCUMENTED "CRIMINAL MEDICAL
ELDER NEGLECT" BY ALL FIDUCIARIES-
(2021-2025):

9 DOCTORS ORDERS DEFIED AND
PLATELETS/BLOODCELLS DESTRUCTION
IGNORED:

1. APRIL 2021-DR. HU
2. 5/10/22-DR. LESSIN
3. 9/20/22-DR. CUSUMANO
4. 12/2/22-DR. LESSIN
5. 1/25/23-VIRGINIA HEART
6. 5/8/23-DR. CUSUMANO
7. 5/22/23-DR. DOKI
8. 1/4/24-DR. CUSUMANO
9. 2/7/25-DR. MALLORY

*1. APRIL 2021-DR. HU-(MCLEAN DENTAL)
INFORMED LIZ SHIFFLETT-(PREMIER
PLANNING) THAT MOM NEEDED 3 ROOT
CANALS AND TO CHECK TO REPLACE OLD
FILLINGS

***2. 5/10/22-DR. LESSIN INFORMED LIZ SHIFFLETT 1 MONTH FOLLOWUP VISIT OR SOONER IF NEEDED P.R.N., DUE TO LOW PLATELETS AND DECREASED BLOODCELLS AND ELEVATED SED RATE**

***3. 9/20/22-DR. CUSUMANO INFORMED LIZ SHIFFLETT DUE TO SEVERE GUM DISEASE AND "TEETH PAIN" MOM NEEDS "QUARTERLY DENTAL CLEANINGS" AND THIS WAS IGNORED BY ALL FIDUCIARIES FOR 681 DAYS- (9/20/22-8/1/24)**

4. 10/16/22-ALL FIDUCIARIES IGNORED REQUEST FOR DENTAL X-RAYS-SUFFERING TEETH PAIN-IGNORED 883 DAYS WITHOUT DENTAL X-RAYS-(3/2/22-8/1/24)

5. 11/18/22-THE DESTRUCTION OF PLATELETS AND BLOODCELLS IGNORED BY DR. DAPPEN- (DOCTALKER)

***6. 12/2/22-DR. LESSIN ADVISED TO MONITOR FOR CONTINUAL DROP IN BLOODCELLS AND PLATELETS- (IGNORED BY DR. DAPPEN AND ALL FIDUCIARIES)**

7. 12/13/22-IGNORED PLATELETS AND BLOODCELLS DESTRUCTION

8. DECEMBER 2022-REPORTED SIGNS OF UROSEPSIS AND SUFFERING- (IGNORED BY DR. DAPPEN AND ALL FIDUCIARIES)

*9. 1/25/23-VIRGINIA HEART RECOMMENDATION FOR FOLLOWUP WITH PLATELETS AND BLOODCELLS DESTRUCTION DETERIORATION AND BONE MARROW DAMAGE-(IGNORED BY DR. DAPPEN AND ALL FIDUCIARIES)

*10. 1/28/23-VIRGINIA HEART RECOMMENDED AND LYNN REQUESTED HEMATOLOGIST-(IGNORED BY DR. DAPPEN AND ALL FIDUCIARIES)

*11. 5/8/23-DENTAL GUM ABSCESS SEPTICEMIA-(DR. CUSUMANO WRITTEN ORDERS: SEDATION DENTAL, COMPREHENSIVE EVALUATION AND FOLLOWUP TREATMENT)-(IGNORED BY DR. DAPPEN AND ALL FIDUCIARIES)

12. 5/11/23-"22 GROSSLY ABNORMAL LABS AND 5 BLOOD DISORDERS"-(IGNORED BY DR. DAPPEN AND ALL FIDUCIARIES)

***13. 5/22/23-DR. DOKI/DR. DAPPEN-ALL FIDUCIARIES REFUSED TO PROVIDE ELAINE MAE KAPUSTA ANY FURTHER MEDICAL CARE/MONITORING-*GAVE 2 WEEKS IRON PILL/COQ10 SUPPLEMENTS- REFUSED TO GIVE LONGER THAN 2 WEEKS-NEVER RECHECKED THE LAB VALUES)-**REFUSED TO PROVIDE IRON SUPPLEMENTS AFTER 6/5/23-SUFFERING IRON-DEFICIENCY**

14.(10/24/22-10/26/23)-PLATELETS/BLOOD CELLS/IMMUNE SYSTEM/BONE MARROW DESTRUCTION:

****51% DESTRUCTION OF BLOODCELLS-(4.60-2.26) AND**

****41% DESTRUCTION OF PLATELETS-(167-118) AND**

****60% DESTROYED IMMUNE SYSTEM**-(MONOCYTES #)-(.014-.08)-**

(IGNORED BY DR. DAPPEN AND ALL FIDUCIARIES)- PANCYTOPENIA-(8.0. HEMOGLOBIN)-NEEDING HOSPITAL EVALUATION FOR BLOOD TRANSFUSION/IRON INFUSION-*MOM RECEIVED NOTHING!*



*15. 1/4/24-DENTAL GUM ABSCESS
SEPTICEMIA-*5/8/23-FOLLOWUP ORDER*-
(DR. CUSUMANO 2ND WRITTEN ORDERS:
SEDATION DENTAL, COMPREHENSIVE
EVALUATION AND FOLLOWUP
TREATMENT)-(IGNORED BY DR. DAPPEN
AND ALL FIDUCIARIES)

8/2/24-SO BADLY NEGLECTED AND ABUSED
AND "MEDICALLY ABANDONED" AND
"MEDICALLY ABUSED" AND "IMPRISONED
AND ISOLATED" AND DEPRIVED OF SIMPLE
BASIC DENTAL AND MEDICAL CARE-**911
PARAMEDICS NEEDED TO REVIVE MY MOM'S
HEART** AND AT THE HOSPITAL MY MOM
BEGGED "PLEASE LET ME GO HOME, I WANT
TO GO HOME" AND THAT WAS 354 DAYS
AGO AND 775 DAYS SINCE 6/6/23 THE DAY
MY MOM WAS "CRIMINALLY ABDUCTED AND
KIDNAPPED BY "ARMED GUARDS" FROM
OUR HOME

*2/7/25-DR. MALLORY NOTARIZED AFFIDAVIT

681 DAYS DENIED "QUARTERLY DENTAL
CLEANINGS WHILE SUFFERING TEETH PAIN
AND DENTAL GUM ABSCESS-(9/20/22-8/1/24)

883 DAYS DENIED DENTAL X-RAYS
SUFFERING SEVERE GUM DISEASE WITHOUT
TREATMENT-(3/2/22-8/1/24)



ELAINE MAE KAPUSTA-(6/3/23-1ST REPORTED ELDER CRUELTY CRIMES OF NEGLECT ON 6/3/23 TO THE POLICE)-6/6/23-ELAINE MAE KAPUSTA CRIMINALLY ABDUCTED AND KIDNAPPED FROM OUR HOME BY FIDUCIARIES PRIVATE ARMED GUARDS WITH GUNS AGAINST HER WILL FOR ALL FIDUCIARIES TO CONTINUE CRIMINALLY CONCEALING THEIR CRIMES SINCE 2021 COLLECTIVELY HAVING NOW DEFIED ALL DOCTORS ORDERS TO PROVIDE DENTAL AND MEDICAL CARE AND BY "DEPRIVATION OF CARE NEGLECT AND ABUSE-ELAINE ALMOST KILLED 3 TIMES IN JUNE/JULY 2022 AND ON 9/29/23 & 8/2/24 WITH ALL FIDUCIARIES AND PHILIP KAPUSTA AND ALL LAWYERS COLLECTIVELY CONSPIRING TO CONCEAL ALL OF THEIR CRIMINAL ACTS OF WHICH CRIMINAL INVESTIGATIONS ARE WARRANTED ALONG WITH THE DISBARMENTS OF ALL LAWYERS WILLFULLY AND KNOWINGLY "CRIMINALLY CONCEALING THEIR CRIMES SINCE 2021".



LYNN KAY

571-421-6813

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