

LETTER TO JASON MIYARES-(THE ATTORNEY GENERAL OF VIRGINIA) AND THE PROUD AND UPRIGHT LOVING SON OF HIS MOM, MIRIAM

-SINCE 2018-(FRAUDULENTLY ORIGINATED CASE #CL-2018-11871)****

9/5/25-

RE: FAIRFAX COUNTY, VIRGINIA DOES NOT CARE ABOUT CRIME!

****LYNN KAY-MYSELF WOULD APPRECIATE RECEIVING AN "EMAIL ADDRESS" FOR WHERE ALL FURTHER CRIMINAL EVIDENTIARY PDFS CAN BE EASILY EMAILED TO, SO THAT I DO NOT NEED TO SPEND MY MONEY FOR PRINTING PDFS DUE TO:**

OUR LIVES HAVE BEEN DESTROYED FOR 5 YEARS.

LYNN KAY STATEMENT:

3 YEARS OF OUR LIVES ENTIRELY STOLEN AWAY FROM BOTH OF US!

3 YEARS OF CONCEALMENTS, 3 YEARS OF THREATS TO OUR LIVES, 3 YEARS OF LYNN KAY BEING CONDEMNED FOR BEING “MEDICALLY ASTUTE TO KNOW EVERYTHING HER MOM NEEDED TO SAVE HER LIFE” AND 3 YEARS OF MOM AND I TORTUROUSLY SUFFERING BECAUSE “CRIMINAL FIDUCIARIES WERE APPOINTED TO BE FIDUCIARIES IN 2020”.

TIME IS NOT REPLACEABLE!

CONCEALED 7/5/22 EMERGENCY PETITION AND CONCEALED “6/30/22-CARE MANAGER REPORT OF LIES” FOR 3 YEARS OF MY MOM AND I FIGHTING FOR OUR LIVES WITH NO PROTECTION FROM ANYONE.

MY MOM AND I NOW SEEK THE IMMEDIATE FREEZING OF THE CONSERVATORS BOND FOR HORRENDOUS PHYSICAL, FINANCIAL AND PSYCHOLOGICAL DAMAGES THAT WE HAVE SUFFERED DIRECTLY CAUSED UNDER CONSERVATORSHIP SINCE 2020.

TIME AND HEALTH CANNOT BE RECOVERED ONCE DESTROYED!

AND THE FAIRFAX COUNTY POLICE AND A.P.S. AND THE COURT HAVE REFUSED FOR THE LAST 27 MONTHS TO CARE ABOUT 13 CRIMES COMMITTED BY 20+ PERSONS AGAINST MOM AND I FOR 5 YEARS OF DOCUMENTED CRIMINAL FRAUD AND DOCUMENTED ELDER CRUELTY CRIMES.

THIS IS BEYOND SHOCKING!

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FAIRFAX COUNTY EPIC FAILURE TO EVER INVESTIGATE BY FACTUAL DOCUMENTS ALL REPORTED CRIMES AND FAILURE TO EVER PROTECT MY MOM AND I FROM THE LAST 27 MONTHS OF FURTHER "HORRIFIC HELL SUFFERED.

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MY NAME IS LYNN KAY! AND MY MOM'S NAME IS ELAINE MAE KAPUSTA!

VIRGINIA AND FAIRFAX COUNTY HAS ENTIRELY FAILED TO PROTECT MY MOM AND I-(MCLEAN IS OUR HOMETOWN SINCE THE 1960'S)

FAIRFAX COUNTY VIRGINIA DOES NOT CARE ABOUT CRIME AND DOES NOT CARE ABOUT PROTECTING THE ELDERLY FROM HARM!

Article 2. Adult Protective Services.

§ 63.2-1603. Protection of adults; definitions.

As used in this article:

"Act of violence, force, or threat" means the same as that term is defined in § 19.2-152.7:1.

"Adult" means any person 60 years of age or older, or any person 18 years of age or older who is incapacitated and who resides in the Commonwealth; provided, however, "adult" may include qualifying nonresidents who are temporarily in the Commonwealth and who are in need of temporary or emergency protective services.

"Emergency" means (i) that an adult is living in conditions that present a clear and substantial risk of death or immediate and serious physical harm to himself or others or (ii) that an adult has been, within a reasonable period of time, subjected to an act of violence, force, or threat or has been subjected to financial exploitation.

"Financial exploitation" means the illegal, unauthorized, improper, or fraudulent use of the funds, property, benefits, resources, or other assets of an adult for another's profit, benefit, or advantage, including a caregiver or person serving in a fiduciary capacity, or that deprives the adult of his rightful use of or access to such funds, property, benefits, resources, or other assets. "Financial exploitation" includes (i) an intentional breach of a fiduciary obligation to an adult to his detriment or an intentional failure to use the financial resources of an adult in a manner that results in neglect of such adult; (ii) the acquisition, possession, or control of an adult's financial resources or property through the use of undue influence, coercion, or duress; and (iii) forcing or coercing an adult to pay for goods or services against his will for another's profit, benefit, or advantage if the adult did not agree, or was tricked, misled, or defrauded into agreeing, to pay for such goods or services.

"Financial institution staff" means any employee, agent, qualified individual, or representative of a bank, trust company, savings institution, loan association, consumer finance company, credit union, investment company, investment advisor, securities firm, accounting firm, or insurance company.

"Incapacitated person" means any adult who is impaired by reason of mental illness, intellectual disability, physical illness or disability, advanced age or other causes to the extent that the adult lacks sufficient understanding or capacity to make, communicate or carry out responsible decisions concerning his or her well-being.

1977, c. 547, § 63.1-55.2; 1978, c. 749; 2002, c. 747; 2004, cc. 749, 1011; 2012, cc. 476, 507; 2021, Sp. Sess. I, cc. 207, 208.

§ 63.2-1604. Repealed.

Repealed by Acts 2012, cc. 803 and 835, cl. 61, effective July 1, 2013.

§ 63.2-1605. Protective services for adults by local departments.

A. Each local board, to the extent that federal or state matching funds are made available to each locality, shall provide, pursuant to regulations and subject to supervision of the Commissioner for Aging and Rehabilitative Services, adult protective services for adults who are found to be abused, neglected, or exploited and who meet one of the following criteria: (i) the adult is 60 years of age or older or (ii) the adult is 18 years of age or older and is incapacitated. The requirement to provide such services shall not limit the right of any individual to refuse to accept any of the services so offered, except as provided in § 63.2-1608.

B. Upon receipt of the report pursuant to § 63.2-1606, the local department shall determine the validity of such report and shall initiate an investigation within 24 hours of the time the report is received in the local department. Local departments shall consider valid any report meeting all of the following criteria: (i) the subject of the report is an adult as defined in this article, (ii) the report concerns a specific adult and there is enough information to locate the adult, and (iii) the report describes the circumstances of the alleged abuse, neglect, or exploitation.

C. The local department shall immediately refer the matter and all relevant documentation to the local law-enforcement agency where the adult resides or where the alleged abuse, neglect, or exploitation took place or, if these places are unknown, where the alleged abuse, neglect, or exploitation was discovered for investigation, upon receipt of an initial report pursuant to § 63.2-1606 involving any of the following or upon determining, during the course of an investigation pursuant to this article, the occurrence of any of the following:

1. Sexual abuse as defined in § 18.2-67.10;

2. Death that is believed to be the result of abuse or neglect;

3. Serious bodily injury or disease as defined in § 18.2-369 that is believed to be the result of abuse or neglect;

4. Suspected financial exploitation of an adult; or

5. Any other criminal activity involving abuse or neglect that places the adult in imminent danger of death or serious bodily harm.

Local law-enforcement agencies shall provide local departments with a preferred point of contact for referrals.

D. The local department shall refer any appropriate matter and all relevant documentation, to the appropriate licensing, regulatory, or legal authority for administrative action or criminal investigation.

E. If a local department is denied access to an adult for whom there is reason to suspect the need for adult protective services, then the local department may petition the circuit court for an order allowing access or entry or both. Upon a showing of good cause supported by an affidavit or testimony in person, the court may enter an order permitting such access or entry.

F. In any case of suspected adult abuse, neglect, or exploitation, local departments, with the informed consent of the adult or his legal representative, shall take or cause to be taken photographs, video recordings, or appropriate medical imaging of the adult and his environment as long as such measures are relevant to the investigation and do not conflict with § 18.2-386.1. However, if the adult is determined to be incapable of making an informed decision and of giving informed consent and either has no legal representative or the legal representative is the suspected perpetrator of the adult abuse, neglect, or exploitation, consent may be given by an agent appointed under an advance medical directive or medical power of attorney, or by a person authorized, pursuant to § 54.1-2986. In the event no agent or authorized representative is immediately available, then consent shall be deemed to be given.

G. Local departments shall foster the development, implementation, and coordination of adult protective services to prevent adult abuse, neglect, and exploitation.

H. Local departments shall not investigate allegations of abuse, neglect, or exploitation of adults incarcerated in state correctional facilities.

I. The report and evidence received by the local department and any written findings, evaluations, records, and recommended actions shall be confidential and shall be exempt from disclosure requirements of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), except that such information may be disclosed to persons having a legitimate interest in the matter in accordance with §§ 63.2-102 and 63.2-104 and pursuant to official interagency agreements or memoranda of understanding between state agencies.

J. All written findings and actions of the local department or its director regarding adult protective services investigations are final and shall not be (i) appealable to the Commissioner for Aging and Rehabilitative Services or (ii) considered a final agency action for purposes of judicial review pursuant to the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

K. Each local department may foster, when practicable, the creation, maintenance, and coordination of community-based multidisciplinary teams that shall include, where possible, members of the medical, mental health, social work, nursing, education, legal, and law-enforcement professions. Such teams shall:

1. Assist the local department in identifying abused, neglected, and exploited adults as defined in § 63.2-1603.

2. Coordinate medical, social, and legal services for abused, neglected, and exploited adults and their families.

3. Develop innovative programs for detection and prevention of the abuse, neglect, and exploitation of adults.

4. Promote community awareness and action to address the abuse, neglect, and exploitation of adults.

5. Disseminate information to the general public regarding the problem of abuse, neglect, and exploitation of adults, strategies and methods for preventing such abuse, neglect, and exploitation, and treatment options for abused, neglected, and exploited adults.

Such multidisciplinary teams may share information among the parties in the performance of their duties but shall be bound by confidentiality and shall execute a sworn statement to honor the confidentiality of the information they share. A violation of this subsection is punishable as a Class 3 misdemeanor. All such information and records shall be used by the team only in the exercise of its proper function and shall not be disclosed. No person who participated in the team and no member of the team shall be required to make any statement as to what transpired during a meeting or what information was collected during the meeting. Upon the conclusion of a meeting, all information and records concerning the adult shall be returned to the originating agency or destroyed. Any information exchanged in accordance with the multidisciplinary review team shall not be considered to be a violation of any of the provisions of § 63.2-102, 63.2-104, or 63.2-105.

1974, c. 329, § 63.1-55.1; 1977, c. 547; 1978, c. 749; 1983, c. 604; 1999, c. 749; 2002, c. 747; 2004, cc. 749, 1011; 2006, c. 149; 2009, c. 673; 2012, cc. 803, 835; 2016, cc. 223, 408; 2017, cc. 459, 473; 2018, c. 182; 2019, cc. 170, 775; 2023, cc. 487, 488.

§ 63.2-1606. Protection of aged or incapacitated adults; mandated and voluntary reporting.

A. Matters giving reason to suspect the abuse, neglect or exploitation of adults shall be reported immediately upon the reporting person's determination that there is such reason to suspect. Medical facilities inspectors of the Department of Health are exempt from reporting suspected abuse immediately while conducting federal inspection surveys in accordance with § 1864 of Title XVIII and Title XIX of the Social Security Act, as amended, of certified nursing facilities as defined in § 32.1-123. Reports shall be made to the local department or the adult protective services hotline in accordance with requirements of this section by the following persons acting in their professional capacity:

1. Any person licensed, certified, or registered by health regulatory boards listed in § 54.1-2503, with the exception of persons licensed by the Board of Veterinary Medicine;
2. Any mental health services provider as defined in § 54.1-2400.1;
3. Any emergency medical services provider certified by the Board of Health pursuant to § 32.1-111.5, unless such provider immediately reports the suspected abuse, neglect or exploitation directly to the attending physician at the hospital to which the adult is transported, who shall make such report forthwith;
4. Any guardian or conservator of an adult;
5. Any person employed by or contracted with a public or private agency or facility and working with adults in an administrative, supportive or direct care capacity;
6. Any person providing full, intermittent or occasional care to an adult for compensation, including, but not limited to, companion, chore, homemaker, and personal care workers;
7. Any law-enforcement officer; and
8. Any person who engages in the practice of behavior analysis, as defined in § 54.1-2900.

B. The report shall be made in accordance with subsection A to the local department of the county or city wherein the adult resides or wherein the adult abuse, neglect or exploitation is believed to have occurred or to the adult protective services hotline. Nothing in this section shall be construed to eliminate or supersede any other obligation to report as required by law. If a person required to report under this section receives information regarding abuse, neglect or exploitation while providing professional services in a hospital, nursing facility or similar institution then he may, in lieu of reporting, notify the person in charge of the institution or his designee, who shall report such information, in accordance with the institution's policies and procedures for reporting such matters, immediately upon his determination that there is reason to suspect abuse, neglect or exploitation. Any person required to make the report or notification required by this subsection shall do so either orally or in writing and shall disclose all information that is the basis for the suspicion of adult abuse, neglect or exploitation. Upon request, any person required to make the report shall make available to the adult protective services worker and the local department investigating the reported case of adult abuse, neglect or exploitation any information, records or reports which document the basis for the report. All persons required to report suspected adult abuse, neglect or exploitation shall cooperate with the investigating adult protective services worker of a local department and shall make information, records and reports which are relevant to the investigation available to such worker to the extent permitted by state and federal law. Criminal investigative reports received from law-enforcement agencies shall not be further disseminated to the investigating agency nor shall they be subject to public disclosure; such reports may, however, be disclosed to the Adult Fatality Review Team as provided in § 32.1-283.5 or to a local or regional adult fatality review team as provided in § 32.1-283.6 and, if reviewed by the Team or a local or regional adult fatality review team, shall be subject to applicable confidentiality requirements of the Team or a local or regional adult fatality review team.

C. Any financial institution staff who suspects that an adult has been exploited financially may report such suspected financial exploitation and provide supporting information and records to the local department of the county or city wherein the adult resides or wherein the exploitation is believed to have occurred or to the adult protective services hotline.

D. Any person other than those specified in subsection A who suspects that an adult is an abused, neglected or exploited adult may report the matter to the local department of the county or city wherein the adult resides or wherein the abuse, neglect or exploitation is believed to have occurred or to the adult protective services hotline.

E. Any person who makes a report or provides records or information pursuant to subsection A, C, or D, or who testifies in any judicial proceeding arising from such report, records or information, or who takes or causes to be taken with the adult's or the adult's legal representative's informed consent photographs, video recordings, or appropriate medical imaging of the adult who is subject of a report shall be immune from any civil or criminal liability on account of such report, records, information, photographs, video recordings, appropriate medical imaging or testimony, unless such person acted in bad faith or with a malicious purpose.

F. An employer of a mandated reporter shall not prohibit a mandated reporter from reporting directly to the local department or to the adult protective services hotline. Employers whose employees are mandated reporters shall notify employees upon hiring of the requirement to report.

G. Any person 14 years of age or older who makes or causes to be made a report of adult abuse, neglect, or exploitation that he knows to be false is guilty of a Class 4 misdemeanor. Any subsequent conviction of this provision is a Class 2 misdemeanor.

H. Any person who fails to make a required report or notification pursuant to subsection A shall be subject to a civil penalty of not more than \$500 for the first failure and not less than \$100 nor more than \$1,000 for any subsequent failures. Civil penalties under subdivision A 7 shall be determined by a court of competent jurisdiction, in its discretion. All other civil penalties under this section shall be determined by the Commissioner for Aging and Rehabilitative Services or his designee. The Commissioner for Aging and Rehabilitative Services shall establish by regulation a process for imposing and collecting civil penalties, and a process for appeal of the imposition of such penalty pursuant to § 2.2-4026 of the Administrative Process Act.

I. Any mandated reporter who has reasonable cause to suspect that an adult died as a result of abuse or neglect shall immediately report such suspicion to the appropriate medical examiner and to the appropriate law-enforcement agency, notwithstanding the existence of a death certificate signed by a licensed physician. The medical examiner and the law-enforcement agency shall receive the report and determine if an investigation is warranted. The medical examiner may order an autopsy. If an autopsy is conducted, the medical examiner shall report the findings to law enforcement, as appropriate, and to the local department or to the adult protective services hotline.

J. No person or entity shall be obligated to report any matter if the person or entity has actual knowledge that the same matter has already been reported to the local department or to the adult protective services hotline.

K. All law-enforcement departments and other state and local departments, agencies, authorities and institutions shall cooperate with each other and adult protective services worker of a local department in the detection, investigation and prevention of adult abuse, neglect and exploitation.

L. Financial institution staff may refuse to execute a transaction, may delay a transaction, or may refuse to disburse funds if the financial institution staff (i) believes in good faith that the transaction or disbursement may involve, facilitate, result in, or contribute to the financial exploitation of an adult or (ii) makes, or has actual knowledge that another person has made, a report to the local department or adult protective services hotline stating a good faith belief that the transaction or disbursement may involve, facilitate, result in, or contribute to the financial exploitation of an adult. The financial institution staff may continue to refuse to execute a transaction, delay a transaction, or refuse to disburse funds for a period no longer than 30 business days after the date upon which such transaction or disbursement was initially requested based on a good faith belief that the transaction or disbursement may involve, facilitate, result in, or contribute to the financial exploitation of an adult, unless otherwise ordered by a court of competent jurisdiction. Upon refusing to execute a transaction, delaying a transaction, or refusing to disburse funds, the financial institution shall report such refusal or delay within five business days to the local department or the adult protective services hotline. Upon request, and to the extent permitted by state and federal law, financial institution staff may report any information or records relevant to a report or investigation to the local department of social services or to a court-appointed guardian ad litem for the adult who is the subject of the investigation. Absent gross negligence or willful misconduct, the financial institution and its staff shall be immune from civil or criminal liability for (a) providing information or records to the local department of social services or to a court-appointed guardian ad litem or (b) refusing to execute a transaction, delaying a transaction, or refusing to disburse funds pursuant to this subsection. The authority of a financial institution staff to refuse to execute a transaction, to delay a transaction, or to refuse to disburse funds pursuant to this subsection shall not be contingent upon whether financial institution staff has reported suspected financial exploitation of the adult pursuant to subsection C.

1977, c. 547, § 63.1-55.3; 1984, c. 628; 1986, cc. 448, 487; 1990, c. 308; 1991, c. 33; 1994, c. 891; 1997, c. 687; 1999, c. 749; 2001, c. 191; 2002, c. 747; 2004, cc. 749, 1011; 2008, c. 539; 2009, c. 538; 2012, cc. 803, 835; 2013, cc. 72, 331; 2015, c. 108; 2017, c. 195; 2019, cc. 339, 420, 421; 2020, c. 931; 2021, Sp. Sess. I, cc. 207, 208; 2022, cc. 743, 766.

§ 63.2-1606.1. Photographs, X-rays and medical imaging of incapacitated persons; use as evidence.

In any case of suspected abuse of an incapacitated person, photographs, X-rays and appropriate medical imaging of such incapacitated person may be taken as a part of the medical evaluation without the consent of the person responsible for the incapacitated person. Such images shall not be used in lieu of medical evaluation.

Such photographs, X-rays and medical imaging may be introduced into evidence in any civil or criminal proceeding. The court receiving such evidence may impose such restrictions as to the confidentiality of photographs, X-rays and medical imaging of any incapacitated person as it deems appropriate.

2013, cc. 442, 464.

§ 63.2-1607. Repealed.

Repealed by Acts 2004, cc. 749 and 1011.

§ 63.2-1608. Involuntary adult protective services.

A. If an adult lacks the capacity to consent to receive adult protective services, these services may be ordered by a court on an involuntary basis through an emergency order pursuant to § 63.2-1609 or by a guardian or conservator appointed pursuant to Chapter 20 (§ 64.2-2000 et seq.) Title 64.2.

B. In ordering involuntary adult protective services, the court shall authorize only that intervention which it finds to be least restrictive of the adult's liberty and rights, while consistent with his welfare and safety. The basis for such finding shall be stated in the record by the court.

C. The adult shall not be required to pay for involuntary adult protective services, unless such payment is authorized by the court upon a showing that the person is financially able to pay. In such event the court shall provide for reimbursement of the actual costs incurred by the local department in providing adult protective services, excluding administrative costs.

1977, c. 547, § 63.1-55.5; 1978, c. 562; 1979, c. 451; 1997, c. 801; 2002, c. 747; 2004, cc. 749, 1011.

§ 63.2-1609. Emergency order for adult protective services.

A. Upon petition by the local department to the circuit court, the court may issue an order authorizing the provision of adult protective services on an emergency basis to an adult after finding on the record, based on a preponderance of the evidence, that:

1. The adult is incapacitated;
2. An emergency exists;
3. The adult lacks the capacity to consent to receive adult protective services; and
4. The proposed order is substantially supported by the findings of the local department that has investigated the case, or if not so supported there are compelling reasons for ordering services.

B. In issuing an emergency order, the court shall adhere to the following limitations:

1. Only such adult protective services as are necessary to improve or correct the conditions creating the emergency shall be ordered, and the court shall designate the approved services in its order. In ordering adult protective services the court shall consider the right of a person to rely on nonmedical remedial treatment in accordance with a recognized religious method of healing in lieu of medical care.
2. The court shall specifically find in the emergency order whether hospitalization or a change of residence is necessary. Approval of the hospitalization or change of residence shall be stated in the order. No adult may be committed to a mental health facility under this section.
3. Adult protective services may be provided through an appropriate court order only for a period of 15 days. The original order may be renewed once for a five-day period upon a showing to the court that continuation of the original order is necessary to remove the emergency.
4. In its order the court shall appoint the petitioner or another interested person, as temporary guardian of the adult with responsibility for the adult's welfare and authority to give consent for the adult for the approved adult protective services until the expiration of the order.
5. When applicable, the court shall appoint the petitioner or another interested person as temporary conservator of the adult with responsibility and authority limited to managing the adult's estate and financial affairs related to the approved adult protective services until the expiration of the order.
6. The issuance of an emergency order and the appointment of a temporary guardian or temporary conservator shall not deprive the adult of any rights except to the extent provided for in the order or appointment.
7. The court shall set the bond of the temporary guardian and the bond and surety, if any, of the temporary conservator.
8. Upon a finding that the adult has been, within a reasonable period of time, subjected to an act of violence, force, or threat or been subjected to financial exploitation, the court may include in its order one or more of the following conditions to be imposed on the alleged perpetrator: (i) prohibition on acts of violence, force, or threat or criminal offenses that may result in injury to person or property; (ii) prohibition on such other contacts by the alleged perpetrator with the adult or the adult's family or household members as the court deems necessary for the health and safety of such persons; or (iii) such other conditions as the court deems necessary to prevent (a) acts of violence, force, or threat; (b) criminal offenses that may result in injury to persons or property; (c) communication or other contact of any kind by the alleged perpetrator; or (d) financial exploitation by the alleged perpetrator. Any person who violates a condition imposed pursuant to this subdivision is guilty of Class 1 misdemeanor.

C. The petition for an emergency order shall set forth the name, address, and interest of the petitioner; the name, age, and address of the adult in need of adult protective services; the nature of the emergency, including the nature of any acts of violence, force, or threat or financial exploitation; the date and location of any acts of violence, force, or threat or financial exploitation; the nature of the adult's incapacity, if determinable; the proposed adult protective services; the petitioner's reasonable belief, together with facts supportive thereof, as to the

existence of the facts stated in subdivisions A 1 through A 4; and facts showing the petitioner's attempts to obtain the adult's consent to the services and the outcomes of such attempts.

D. Written notice of the time, date, and place for the hearing shall be given to the adult, to his spouse, or if none, to his nearest known next of kin, and to the alleged perpetrator if the petition alleges the adult has been subjected to an act of violence, force, or threat or financial exploitation, and a copy of the petition shall be attached. Such notice shall be given at least 24 hours prior to the hearing for emergency intervention. The court may waive the 24-hour notice requirement upon showing that (i) immediate and reasonably foreseeable physical harm to the adult or others will result from the 24-hour delay and (ii) reasonable attempts have been made to notify the adult, his spouse, or if none, his nearest known next of kin, and the alleged perpetrator if the petition alleges the adult has been subjected to an act of violence, force, or threat or financial exploitation.

E. Upon receipt of a petition for an emergency order for adult protective services, the court shall hold a hearing. The adult who is the subject of the petition shall have the right to be present and be represented by counsel at the hearing. If it is determined that the adult is indigent, or, in the determination of the judge, lacks capacity to waive the right to counsel, the court shall locate and appoint a guardian ad litem. If the adult is indigent, the cost of the proceeding shall be borne by the Commonwealth. If the adult is not indigent, the court may order that the cost of the proceeding shall be borne by such adult. This hearing shall be held no earlier than 24 hours and no later than 72 hours after the notice required in subsection D has been given, unless such notice has been waived by the court.

F. The adult, the temporary guardian, temporary conservator, or any interested person may petition the court to have the emergency order set aside or modified at any time there is evidence that a substantial change in the circumstances of the adult for whom the emergency services were ordered has occurred.

G. Where adult protective services are rendered on the basis of an emergency order, the temporary guardian or temporary conservator shall submit to the court a report describing the circumstances thereof including the name, place, date, and nature of the services provided. This report shall become part of the court record. Such report shall be confidential and open only to such persons as may be directed by the court.

H. If the person continues to need adult protective services after the renewal order provided in subdivision B 3 has expired, the temporary guardian, temporary conservator, or local department shall immediately petition the court to appoint a guardian and, if applicable, a conservator pursuant to Chapter 20 (§ 64.2-2000 et seq.) of Title 64.2.

I. If the court finds the adult has been, within a reasonable period of time, subjected to an act of violence, force, or threat or been subjected to financial exploitation and enters an order containing any of the conditions permitted pursuant to subdivision B 8, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the perpetrator's identifying information and the name, date of birth, sex, and race of each protected person provided to the court to the primary law-enforcement agency providing service and entry of protective orders and, upon receipt of the order, the primary law-enforcement agency shall enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department of State Police pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the perpetrator in person as provided in § 16.1-264. Upon service, the agency making service shall enter the date and time of service and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network and make due return to the court.

Upon receipt of the return of service or other proof of service pursuant to subsection C of § 16.1-264, the clerk shall forthwith forward an attested copy of the order to the primary law-enforcement agency and the agency shall forthwith verify and enter any modification as necessary into the Virginia Criminal Information Network as described in this subsection. If the order is later set aside or modified, a copy of such order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders and, upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described in this subsection, and the order shall be served forthwith and due return made to the court.

1977, c. 547, § 63.1-55.6; 1978, c. 562; 1979, c. 451; 1997, c. 921; 2002, c. 747; 2004, cc. 749, 1011; 2018, cc. 19, 188; 2021, Sp. Sess. I, cc. 207, 208

§ 63.2-1610. Voluntary adult protective services.

A. The local department shall provide or arrange for protective services if the adult requests or affirmatively consents to receive these services. If the adult withdraws or refuses consent, the services shall not be provided.

B. No person shall interfere with the provision of adult protective services to an (i) adult who requests or consents to receive such services, or (ii) for whom consent has been lawfully given. In the event that interference occurs on a continuing basis, the director may petition the court of competent jurisdiction to enjoin such interference.

C. The actual costs incurred by the local department in providing adult protective services shall be borne by the local department, unless the adult or his representative agrees to pay for them or a court orders the local department to receive reasonable reimbursement for the adult

protective services, excluding administrative costs, from the adult's assets after a finding that the adult is financially able to make such payment.

1977, c. 547, § 63.1-55.7; 2002, c. [747](#); 2004, cc. [749](#), [1011](#).

8/30/20

****ADULT PROTECTIVE SERVICES-SAMANTHA RENNER NEEDS TO BE FIRED FOR FAILING TO EVER CARE ABOUT DOCUMENTED ELDER CRUELTY CRIMES REPORTED AND ENTIRELY DISREGARDED AND FAILING TO EVER INVESTIGATE 4 YEARS OF DOCUMENTED EVIDENCE OF CRIMINAL MEDICAL ELDER DEPRIVATION OF CARE AND DENIALS OF CARE****

MY MOM AND I, WE ARE "CRIMINAL VICTIMS OF EPIC PROPORTIONS OF CRIMINAL FRAUD AND SO MANY CRIMES COMMITTED BY SO MANY PERSONS AND FOR 27 MONTHS ENTIRELY IGNORED BY ADULT PROTECTIVE SERVICES UNDER SAMANTHA RENNER AND ALSO IGNORED BY THE FAIRFAX COUNTY POLICE SINCE JUNE 2023 BEING 1ST REPORTED BY LYNN KAY-MYSELF OF 20 TIMES TOGETHER REPORTED FOR 2+ YEARS TO A.P.S. AND THE FAIRFAX COUNTY POLICE.

****OUR LIVES ARE DESTROYED BECAUSE FAIRFAX COUNTY AUTHORITIES DOES NOT CARE ABOUT CRIMES! AND NEITHER DOES SAMANTHA RENNER OF ADULT PROTECTIVE SERVICES!****

MOM HAS BEEN CRIMINALLY ABDUCTED AND KIDNAPPED ON 6/6/23-(NESTCAM VIDEO LINKS BELOW TO VIEW) .

AND I HAVE BEEN A VICTIM OF EPIC FRAUD AND BREACH OF CONTRACT- GRAND THEFT LARCENY BY 5 YEARS OF CRIMINAL FRAUD COMMITTED BY 8 LAWYERS AND CARE MANAGERMENTS...

POLICE CASE #2025-2370088GRAND THEFT LARCENY**- (8/22/25 FILED)**

FAIRFAX COUNTY CORRUPTION AND DISREGARD OF CRIMES- (INVESTIGATION OF SAMANTHA RENNER) DISREGARDING ELDER CRUELTY CRIMES:

SAMANTHA RENNER- samantha.renner@fairfaxcounty.gov

Wendy Lorisme -wendy.lorisme@fairfaxcounty.gov

BENEDICTE LIBBE- benedicte.libibe@fairfaxcounty.gov

NICOLE FULLERTON- Nicole.Fullerton@fairfaxcounty.gov

Tavna Limage- tavna.limage@fairfaxcounty.gov

[Allison Clifford-allison.clifford@fairfaxcounty.gov](mailto:Allison.Clifford-allison.clifford@fairfaxcounty.gov)

SAMANTHA RENNER-FAILURE OF Code of Virginia Code Article
2. Adult Protective Services.pdf

****ADULT PROTECTIVE SERVICES-SAMANTHA RENNER NEEDS
TO BE FIRED FOR FAILING TO EVER CARE ABOUT
DOCUMENTED ELDER CRUELTY CRIMES REPORTED AND
ENTIRELY DISREGARDED AND FAILING TO EVER INVESTIGATE
MEDICAL ELDER DEPRIVATION OF CARE AND DENIALS OF
CARE****

THE FAIRFAX COUNTY POLICE ARE CORRUPT

**I CONTINUE TO BEG FOR THE AUTHORITIES TO CRIMINALLY
INVESTIGATE AND CRIMINALLY PROSECUTE THESE
CRIMINALS.!**

3+ YEARS OF CRIMES COMMITTED AGAINST MOM AND I!

**THERE IS SOMETHING SERIOUSLY WRONG IN FAIRFAX COUNTY
TO ALLOW 13+ CRIMES TO OCCUR BY 20+ PERSONS!**

**VIRGINIA AND FAIRFAX COUNTY HAS ENTIRELY FAILED TO
PROTECT MY MOM AND I-(MCLEAN IS OUR HOMETOWN)**

**FAIRFAX COUNTY VIRGINIA DOES NOT CARE ABOUT CRIME
AND DOES NOT CARE ABOUT PROTECTING THE ELDERLY FROM
HARM!**

**ADULT PROTECTIVE SERVICES FAILED TO EVER INVESTIGATE
THESE A.P.S. REPORTS OF NEGLECT AND ABUSE!**

6/4/23-#

10/3/23-#199905

10/20/23-#202134

1/26/24-#213413

2/7/24-#215126

MARCH 2024

8/3/24-#238222

12/20/24-#1657066

3/13/25-#1657066

FOR MORE THAN 2 YEARS, I HAVE SOUGHT FAIRFAX COUNTY
POLICE AND AP.S. HELP AND NO ONE CARES ABOUT CRIMINAL
PREDATORY CONSERVATORSHIP GUARDIANSHIP CRIMINAL
ELDER NEGLECT AND ABUSE AND EXPLOITATION

LIQUIDATION.....ISOLATION.....MEDICATION.....DECIMATION...
...CREMATION

SEEKING “FORCED INCAPACITATION” BY “CRIMINAL
DEPRIVATION OF CARE” FOR “FINANCIAL EXPLOITATION”

www.wearefightingforourlives.org

ANYONE CAN DOWNLOAD ALL CRIMINAL EVIDENCE FROM
THE WEBSITE PAGES

THIS EPICLY INVOLVES 21 PERSONS/ENTITIES CRIMINAL
ACTIONS AND INACTIONS

INCLUDING 8 PROMINENT LAWYERS

4 CARE MANAGEMENT COMPANIES

3 DOCTORS

AND SO MUCH MORE!

MULTIPLE POLICE OFFICERS:

**I HAVE CONTACTED THE MAJOR CRIMES BUREAU, A.P.S.,
OFFICER CASTILON, THE CHAIRMAN, THE ATTORNEY
GENERAL, OFFICER CHEATHAM, OFFICER BRONTE, OFFICER
WOLOSZYN, OFFICER CRENSHAW, OFFICER JANSSEN...**

**NO ONE CARES THAT MY MOM AND I ARE BEING DESTROYED
FOR 7 CONTINUAL YEARS**

MY MOM HAS ALMOST BEEN MURDERED 3 TIMES SINCE 2022.

**I HAVE BEEN CRIMINALLY THREATENED VERBALLY AND ALSO
IN DOCUMENTED WRITING AND HARRASSED AND BULLIED
FOR 5 YEARS OF ALL FIDUCIARIES GROSS MALFEASANCE
CRIMES!**

MY MOM AND I HAVE BEEN LEFT PSYCHOLOGICALLY SCARRED FOR 3 YEARS OF CRIMINAL THREATS AND IRREPARABLY HARMED BECAUSE FAIRFAX COUNTY DOES NOT CARE ABOUT CRIME AND THE ELDERLY.

FAIRFAX COUNTY, VIRGINIA DOES NOT CARE ABOUT CRIME!

PREDATORY CONSERVATORSHIP AND GUARDIANSHIP

THERE ARE EPIC PROPORTIONS OF PERSONS INVOLVED IN THIS “EPIC FRAUD AND PREDATORY CONSERVATORSHIP AND PREDATORY GUARDIANSHIP AND PREDATORY CARE MANAGERMENTS!” -INCLUDING 8 LAWYERS AS CRIMINALS OF DECEIT AND INHUMANENESS!

****8 LAWYERS-“FIDUCIARY MANDATED REPORTERS AND ALL ARE “OFFICERS OF THE COURT” AND ALL HAVE COMMITTED FRAUD UPON THE COURT BY ABUSING THE COURT SYSTEM WITH “MALICIOUS PROSECUTION COMMITTED SINCE JULY 2022” WHILE CONCEALING CRIMES OF ELDER CRUELTY AIDING AND ABETTING AND OBSTRUCTING JUSTICE BY CRIMINAL**

FALSIFICATION AND PERJUROUS ACTS AND CRIMINAL CONCEALMENTS ALL NAMED AS CLASS 4 FELONS-COMMITTING AND OR SUPPORTING AND OR CRIMINALLY CONCEALING BY FACTUAL DOCUMENTATION.

WILLFULLY AND KNOWINGLY COLLUDING TO CONCEAL ALL 4 YEARS OF ELAINE MAE KAPUSTA ELDER CRUELTY CRIMES AND 10+ MORE OTHER HORRIFIC CRIMES LISTED BELOW:

ELAINE MAE KAPUSTA:

681 DAYS DENIED QUARTERLY DENTAL CLEANINGS-(SUFFERING DOCUMENTED SEVERE GUM DISEASE AND TEETH PAIN SEPTICEMIA-DR. CUSUMANO DOCTOR'S ORDERS DEFIED)-9/20/22-8/1/24

883 DAYS DENIED DENTAL X-RAYS SUFFERING DOCUMENTED SEVERE GUM DISEASE-3/2/22-8/1/24

8/2/24-ALMOST DEMISE FROM 4 YEARS OF CRIMINAL ELDER CRUELTY CRIMES-"DEPRIVATION OF DOCTOR-ORDERED DENTAL AND MEDICAL CARE"-**911 PARAMEDICS NEEDED TO MEDICALLY REVIVE ELAINE MAE KAPUSTA FROM GOING UNCONSCIOUS-**VIENNA MANOR ASSISTED LIVING GAVE FDA-UNAPPROVED DEADLY DANGEROUS ANTIPSYCHOTICS-

DISREGARDING BLACK-BOXED WARNINGS-NOT FOR ELDERLY AND CARDIAC PATIENTS-AT RISK OF DEATH OF HEART ATTACK AND STROKE- (SEROQUEL CAUSES Q..T. PROLONGATION- ENLARGED HEART)**

8 LAWYERS COLLECTIVELY INVOLVED AND CRIMINALLY GUILTY OF FRAUD UPON THE COURT AND MALICIOUS PROSECUTION WHILE WILLFULLY AND KNOWINGLY COMMITTING AND OR CONCEALING CRIMINAL ELDER NEGLECT AND ABUSE- (COLLECTIVELY CONCEALED SINCE 2021)

1. **CARY CUCINELLI**
2. **VALERIE GEIGER-(CUCINELLI, GEIGER LAW FIRM)-4084 University Dr #202a, Fairfax, VA 22030-(703) 481-6464- cary@cucinelligeiger.com and valerie@cucinelligeiger.com**
3. **ELIZABETH WILDHACK-MWM Legal Group, PLLC-200 N. Glebe Road – Ste 1000**

Arlington, VA 22203

Phone: (703) 237-0027- elizabeth@mwmlegalgroup.com and elizabeth@twplc.com

4. LAURIE KIRKLAND- Blankingship & Keith-4020 University Drive, Suite 3000 Fairfax, Virginia 22030-703-691-1235-
lkirkland@bklawva.com

5. JUSTIN BERGER-HALE BALL MURPHY LAW FIRM-10511
Judicial Dr

Fairfax, VA 22030-1-703-386-7434-jberger@haleball.com

**SINCE 2018-(HALE BALL FRAUDULENTLY ORIGINATED CASE
#2018-11871)**

6. GEORGE W. DODGE- Law Office of George W. Dodge-2300
Clarendon Blvd #607, Arlington, VA 22201-(703) 524-
9700-gdodge@georgedodgelaw.com

7.

7. MARK CUMMINGS-(SHER, CUMMINGS AND ELLIS)-
3800 Fairfax Dr-Ste 7, Arlington, VA
22203-(703)-844-3418-mcummings@sherandcummings.com
and SCE Legal Assistant-
legalassistant@sherandcummings.com

**8.STEPHEN HALL-(KING, CAMPBELL, PORETZ AND MITCHELL-
118 N Alfred St, Alexandria, VA 22314-(703) 468-8557-
stephen@kingcampbell.com**

4 CARE MANAGEMENT COMPANIES AND 5 CARE MANAGERS

- 1. PREMIER LIFE PLANNING CARE MANAGEMENT/PREMIER
GERIATRICS-(SUZANNE HANAS-703-400-5858)-1300
Crystal Drive, Suite 309 Arlington, Virginia 22202- AND LIZ
SHIFFLETT-571-214-7378-
shifflett@premierlifeplanning.com and
suzanne.hanas@premierlifeplanning.com**
- 2. ELDER TREE CARE MANAGEMENT- 205 Van Buren St Suite
120, Herndon, VA 20170-(571) 427-0806 AND 703-424-
7575-(JEANNE BLUE-571-528-2464
AND RACHELLE DORNAN-703-673-6937 AND 703-943-
0054 AND KATE MAHONEY-703-989-6422-
jeanneblue@eldertreecare.com and
rachelledornan@eldertreecare.com and**

katemahoney@eldertreecare.com and
services@eldertreecare.com

3. DR. ALAN DAPPEN-DOC TALKER- 370 Maple Ave W suite
v, Vienna, VA 22180-(703) 938-4600-
alan.dappen.md@doctokr.com

4. PARAGON HOME CARE- 6704 Old McLean Village Dr #200,
McLean, VA 22101-703-942-8950

AND 3 CRIMINALLY NEGLIGENT DOCTORS

1. DR. ALAN DAPPEN-(DOC TALKER)-(OCTOBER 2022-2024)-
COMMITTED PERJUROUS ACTS OF CRIMINAL
CONCEALMENT-LYING BY OMISSION UNDER OATH WITH
JEANNE BLUE-(ELDER TREE) AND GEORGE W. DODGE-
WILLFULLY AND KNOWINGLY CRIMINALLY CONCEALING
2/7/24 & 2/9/24 MEDICAL DIAGNOSIS-BEING
CRIMINALLY IMPLICATED FOR OCTOBER 2022-APRIL
2024-OUTRIGHT DENYING DENTAL AND MEDICAL CARE
AND TREATMENT AGAINST DR. CUSUMANO'S ORDERS IN
9/20/22 AND 5/23 AND 1/4/24 WITH ALL ALSO

CRIMINALLY INVOLVED IN THE KNOWLEDGE AND THE COMMISSION OF 6/6/23 CRIMINAL ABDUCTING AND KIDNAPPING ELAINE MAE KAPUSTA WITH HAVING ABSOLUTELY NO LEGAL RIGHT UNDER THE LAW AS ALL OF THEM WERE FRAUDULENTLY APPOINTED BY FIDUCIARIES TO FURTHER CRIMINAL ELDER CRUELTY CRIMES OF “FORCED INCAPACITATION BY DEPRIVATION OF CARE FOR CONTINUED FINANCIAL EXPLOITATION”.

2. DR. NAVEEN DOKI-

3022 Williams Dr #100, Fairfax, VA 22031-(703)-698-9400-(SEE MEDICAL MALPRACTICE FILING BY LYNN KAY)-5/22/25 FOR GROSS CRIMINAL MEDICAL NEGLIGENCE-(5/11/23-5/22/23)

3. DR. WILLIAM ERSHLER- Skyline Clinic, 8081 Innovation Park Dr 4th Floor, Fairfax, VA 22031-(571)-472-1390- CRIMINAL MEDICAL NEGLIGENCE REFUSING TO PROVIDE THE PROPER MEDICAL STANDARDS OF CARE

AND 3 ASSISTED LIVING ALSO ALL BEING DOCUMENTEDLY INCOMPETENT AND UNCARING BEYOND BELIEF AND ALSO CORRUPT AND INHUMANE AND NEGLIGENTLY EVIL CAUSING GRAVE INJURY ALMOST DEMISE.

1. COBBDALE ASSISTED LIVING- 3503 Burrows Ave, Fairfax, VA 22030-(703) 520-6040-9/29/23-ALMOST DEMISE FROM DEATH FALL TO FACE-NON-DISPLACED NASAL FRACTURE-CONCUSSION AND DEEP BLACK EYE ORBITAL INJURY

2. VIENNA MANOR- 2151 Chain Bridge Rd, Vienna, VA 22182-703-493-1150-8/2/24-ALMOST DEMISE FROM CRIMINAL USE OF FDA-UNAPPROVED ANTI-PSYCHOTICS-GOING UNCONSCIOUS-NEEDED TO BE REVIVED BY 911

3. ASSISTED LIVING BEING CRIMINALLY CONCEALED BY ALL CRIMINAL FIDUCIARIES TO PREVENT CRIMINAL INVESTIGATIONS

2020 CRIMINAL CONSERVATORSHIP FRAUD PROGRESSED TO ELDER CRUELTY CRIMES AND ALMOST DEMISE OF ELAINE MAE KAPUSTA TO CRIMINAL WRITTEN THREATS TO OUR LIVES AND OUR HEALTH AND OUR HOME TOGETHER TO CRIMINAL GRAND THEFT LARCENY OF LYNN KAY-MYSELF CRIMINALLY FRAUDULENTLY TERMINATED AS GUARDIAN BY THE AVENUE

OF FIDUCIARIES CRIMINALLY FABRICATED AND CRIMINALLY
FALSIFIED AND CRIMINALLY CONCEALED DOCUMENTS USED IN
JULY 2022 COURT PROCEEDINGS COMMITTING CRIMINAL
FRAUD PROGRESSING TO CRIMINAL ABDUCTION TO
CRIMINAL ARMED KIDNAPPING AND ILLEGAL DETENTION AND
SECRETION OF ELAINE MAE KAPUSTA WHILE DEFAMING LYNN
KAY SINCE 6/30/22 TO DEFLECT TO PREVENT ALL FIDUCIARIES
BEING CRIMINALLY INVESTIGATED SINCE 2022-(A.P.S. FAILING
TO INVESTIGATE).

**CRIMINAL INVESTIGATIONS WERE THWARTED BY PERJURY
ACTIONS OF CRIMINAL FRAUD AND CRIMINAL
CONCEALMENTS BY ALL INVOLVED PARTIES.

MY MOM AND I, AS MCLEAN RESIDENTS OF
FAIRFAX COUNTY, VIRGINIA, HAVE “THE RIGHT TO
EXPECT THAT THE ATTORNEY GENERAL JASON
MIYARES NOW BEING INFORMED WILL FINALLY
CRIMINALLY INVESTIGATE ALL CRIMES
COMMITTED AND WILL NOW PROTECT MOM AND
I FROM CRIMES COMMITTED AGAINST MOM AND
I.”

THESE CRIMES HAVE SHOCKINGLY BEEN COMMITTED FOR MORE THAN 3 YEARS AND HAVE BEEN REPORTED TO ALL AUTHORITIES AND HAVE BEEN COMPLETELY IGNORED BY THE POLICE AND BY A.P.S. AND BY THE COURT JUDGES.

7/9/22-TO PRESENT DAY-FIDUCIARY GRAND THEFT OF FUNDS TOTALLING ALMOST \$300,000-CRIMES BY ALL JULY 2022 PARTICIPANTS IN THE CRIMINAL CONCEALMENT OF CRIMINAL FRAUD COMMITTED BY THE UNLAWFUL TERMINATION OF MY GUARDIANSHIP WITH NO LEGAL JUST CAUSE USING CRIMINALLY FABRICATED AND FALSIFIED DOCUMENTS AS THE AVENUE FOR THE CRIMINAL FRAUD AND BEING CRIMINALLY CONCEALED SINCE JULY 2022 UNTIL DISCOVERED BY ME IN COURT-SEALED DOCUMENTS ON 5/22/25-(LIFE-ENDANGERMENT SINCE JULY 2022 AND CRIMINAL WRITTEN THREATS TO LIFE AND HEALTH AND HOME AND CRIMINAL ABDUCTION AND CRIMINAL ARMED KIDNAPPING OF MY MOM FROM OUR HOME WITH NO LEGAL RIGHT AND NO JUST CAUSE AND CRIMINAL PERJURY AND CRIMINAL AIDING AND ABETTING AND CRIMINAL OBSTRUCTION OF JUSTICE AND CRIMINAL DEFAMATION AND CRIMINAL BREACH OF CONTRACT BY THE AVENUE OF THE CRIMINALLY FABRICATED AND CRIMINALLY FALSIFIED 4 DOCUMENTS CRIMINALLY CONCEALED TO LYNN KAY

LIST OF CRIMES:

I AM BRINGING THIS TO THE ATTENTION OF OUR VIRGINIA ATTORNEY GENERAL FOR MY DEMANDING THAT JASON MIYARES-BEING THE VIRGINIA ATTORNEY GENERAL, NOW IMMEDIATELY LAUNCH A CRIMINAL INVESTIGATION TO NOW BEGIN THE IMMEDIATE CRIMINAL INVESTIGATIONS INTO ALL CRIMES AND ALL PUBLIC SYSTEMIC CORRUPTION COMMITTED AGAINST MOM AND I SINCE 2020!

THE CORRUPTION IS ALSO SYSTEMIC THROUGHOUT THE ENTIRE FAIRFAX COUNTY AUTHORITATIVE SYSTEM OF BOTH THE POLICE AND ALSO ADULT PROTECTIVE SERVICES ENTIRELY IGNORING ALL FIDUCIARY CRIMES COMMITTED AGAINST MOM AND I. 1ST REPORTED BY LYNN KAY IN JUNE 2023.

CRIMINALLY INVESTIGATE SAMANTHA RENNER-(A.P.S.) AND THE ENTIRE NORTHERN VIRGINIA FAIRFAX COUNTY ADULT PROTECTIVE SERVICES AND THE POLICE FOR FAILING SINCE JUNE 2023 TO EVER PROTECT ELAINE MAE KAPUSTA, EVER, FROM "PERPETRATORS OF INHUMANENESS" SINCE 2022!**

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

CRIMES COMMITTED:

CRIMINAL THREATS, FRAUD UPON THE COURT, MALICIOUS PROSECUTION, CRIMINAL FRAUD, FALSIFYING AND FABRICATING DOCUMENTS USED IN CRIMINAL FRAUD, VIOLATION OF RIGHTS, BREACH OF CONTRACT, DEFAMATION

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

§ 63.2-1606. Protection of aged or incapacitated adults; mandated and voluntary reporting.

§ 18.2-18-Principals and Accessories.

§ 18.2-460. Obstructing justice; resisting arrest; fleeing from a law-enforcement officer; penalties.

§ 18.2-462. Concealing or compounding offenses; penalties.

§ 18.2-47. Abduction and kidnapping defined; forced labor; punishment

§ 18.2-178.1. Financial exploitation of vulnerable adults; penalty.

§ 18.2-434. What deemed perjury; punishment and penalty.

§ 8.01-4.3. Unsworn declarations under penalty of perjury; penalty

§ 18.2-95. Grand larceny defined; how punished.

FAIRFAX COUNTY VIRGINIA IS MY HOMETOWN SINCE 1962!

I WAS BORN IN D.C. AND RAISED IN MCLEAN, VA. WITH BOTH OF OUR HOMES BEING OUR LIVING IN MCLEAN, VA SINCE MY BIRTH!

MOM AND I HAVE BEEN CRIMINALLY VICTIMIZED AND VIOLATED AND TERRORIZED AND CRIMINALLY THREATENED

**SINCE 2020 UNDER “CRIMINAL “PREDATORY
CONSERVATORSHIP OF EPIC CRIMINAL FRAUD” PRACTICED
FOR MORE THAN 5 YEARS AGAINST MY MOM AND I, AN
INNOCENT MOTHER AND DAUGHTER BEING CRIMINALLY
SUBJECTED TO BEING UNDER A “DEADLY DANGEROUS
PREDATORY CONSERVATORSHIP SINCE 2020”. AND HAVING
ABSOLUTELY NO PROTECTION FROM ANYONE!**

LYNN KAY-(MYSELF) NEVER MARRIED AND HAS DUTIFULLY AND LOVINGLY CARED FOR HER MOM, ELAINE MAE KAPUSTA TOGETHER IN THEIR HOME SINCE 2006-2023!

FAIRFAX COUNTY IS MY HOMETOWN SINCE 1962!

AND IS ELAINE MAE KAPUSTA’S HOME RESIDENCE SINCE 1960.

I MOVED AWAY FOR 21 YEARS! 1985-2006-CALIFORNIA.

MY FATHER DIED IN SEPTEMBER 1999, LEAVING ELAINE MAE KAPUSTA WIDOWED.

MOM BEGGED ME FOR 2 YEARS TO COME BACK HOME TO LIVE WITH HER AND SO I DID IN 2006.

IN 2013, I BECAME LEGAL P.O.A. AND ADVANCE MEDICAL DIRECTIVE FOR MOM'S NEED TO HAVE A HYSTERECTOMY FOR OVARIAN CANCER AND 2 MORE SERIOUS MAJOR SURGERIES, THEREAFTER.

LYNN KAY RESPONSIBLY AND PROTECTIVELY SOLELY HELD GENERAL AND DURABLE POWER OF ATTORNEY AND ADVANCE MEDICAL DIRECTIVE FOR PROTECTIVELY CARING FOR ELAINE MAE KAPUSTA IN WHICH ELAINE AND LYNN BOTH THRIVED AND THE ESTATE ALSO PROSPERED.

IN 2017, THE NIGHTMARE OF OUR LIVES BEGAN BY “THE PSYCHOPATH SON OF MOM”-PHILIP KAPUSTA AND THE ENTIRELY CORRUPT HALE BALL LAW FIRM.

THIS ENTIRELY CORRUPT LAW FIRM WITH JUSTIN BERGER ENTIRELY SEEKS OUT AND PREYS ON FINDING AND DECLARING PERSONS NOT INCAPACITATED AND BY DECEPTION IS THEN DECLARED TO BE INCAPACITATED, THOUGH AT THE SAME TIME BEING HIGHLY FUNCTIONAL AND AS HEALTHY AS HER DAUGHTER AND LIVING TOGETHER IN THEIR OWN HOME PROTECTED BY LYNN KAY-DAUGHTER OF ELAINE MAE KAPUSTA.

THIS NIGHTMARE RESULTED IN A 1/7/20 GUARDIANSHIP SETTLEMENT AGREEMENT AND THUS BEGAN THE DECEPTION AND CORRUPTION AND DECEIT AND INHUMANENESS OF THE 4 ADDITIONAL LAWYERS JOINING “THE CESSPOOL OF CORRUPTION AND DECEPTION”

AND “THE ORCHESTRATION OF A CRIMINAL TAKEOVER OF OUR LIVES SINCE 2020” HAD BEGUN BY:

CARY CUCINELLI

VALERIE GEIGER

ELIZABETH WILDHACK

LAURIE KIRKLAND

ON 7/31/20-THOUGH LYNN KAY WAS APPOINTED FULL AND SOLE GUARDIAN-THEN THEY ALL CRIMINALLY DECEPTIVELY ALTERED THE SETTLEMENT AGREEMENT BY CARY CUCINELLI AND ALL OTHERS AND ALSO DECEPTIVELY ADDED ESPECIALLY MALICIOUS TERMS TO ORCHESTRATE THE BEGINNING OF “THE CRIMINAL TAKEOVER OF OUR LIVES”!

LYNN KAY WAS DECEPTIVELY MADE “GUARDIAN IN NAME ONLY HOLDING ABSOLUTELY NO GUARDIANSHIP POWERS” WITH THE CRIMINAL FRAUD COMMITTED BY THE UNLAWFUL TERMINATION OF THE ADVANCE MEDICAL DIRECTIVE WHICH LYNN KAY PREVIOUSLY SOLELY AND COMPETENTLY HELD FOR 8 YEARS. THUS BREACHING THE TERMS OF LYNN KAY'S GUARDIANSHIP SETTLEMENT AGREEMENT ON DAY 1!

THE 7/31/20 TERMINATION OF ADVANCE MEDICAL DIRECTIVE SHOULD HAVE BEEN QUESTIONED AND THE CONTRACT AGREEMENT SHOULD HAVE BEEN CONSIDERED AND DECLARED AS BEING BREACHED, BUT SADLY IT WAS NOT.

THEN THE GROSS FINANCIAL MISMANAGEMENT OF THE ESTATE AND ALL OF THE UMPTEEN UNJUST AND BASELESS AND MERITLESS LEGAL FILINGS BEGAN AGAINST LYNN KAY AS BEING “THE VICTIM OF FRAUDULENT ACTS COMMITTED BY ALL SIGNERS AND ALL PERSONS”.

THEREAFTER HATCHED “THE CRIMINAL CONSPIRACY AGAINST BOTH ELAINE MAE KAPUSTA AND LYNN KAY FOR 5+ YEARS OF FRAUDULENT CRIMINAL ACTS COMMITTED AND CRIMINALLY CONCEALED.”

THESE LEGAL PROCEEDINGS WERE UNJUSTIFIED AND LYNN KAY HAD NO COMPETENT LEGAL REPRESENTATION AFFORDED

**BY THE ESTATE AS “ALL OF THE 5 LAWYERS WERE AND ARE
CORRUPT TO THE BONE AND ARE ALL “SOCIOPATHS OF
INHUMANENESS” BY THEIR 5 YEARS OF CRIMINAL ACTIONS.”**

NO ONE QUESTIONED ANY OF THE CRIMINAL AND FRAUDULENT ACTIONS OCCURRING AND I, LYNN KAY, AND MY MOM-ELAINE MAE KAPUSTA HAVE UNCEASINGLY DANGEROUSLY SUFFERED THE GROSS CRIMINAL BEHAVIOR WITH THERE BEING ABSOLUTELY NO ONE TO PROTECT MOM AND I FROM GROSS FIDUCIARY MISCONDUCT AND THE COMPLETE DISREGARD OF THE LAW AND THE COURT-ORDERED TERMS AND THE CRIMES BEING COMMITTED WITH ABSOLUTE ABANDONMENT AND DISREGARD FOR THE LAW.

ALL OF THEM ENTIRELY DISREGARDING ALL COURT-ORDERED TERMS AND DISREGARDING ALL VIRGINIA LAWS WITH SHOCKINGLY THEN BECAME A TOTAL OF 20+ PERSONS/ENTITIES ALL COLLECTIVELY, THEREAFTER ALSO DOCUMENTEDLY INVOLVED IN COMMITTING 13+ CRIMES AGAINST MOTHER AND DAUGHTER COLLECTIVELY SINCE 2020-2025 PRESENT DAY.

NO COURT-ORDERED FINANCIAL QUARTERLY REPORTS HAVE EVER BEEN RECEIVED FOR DETAILING EVERY SINGLE PENNY SPENT AND RECEIVED-(2020-2025).

NO GUARDIANSHIP COURT-ORDERED SALARY OF \$90,000/YEAR HAS EVER BEEN RECEIVED BY LYNN KAY!

NO REAL ESTATE APPRAISALS WERE EVER DONE AS COURT-ORDERED.

ELAINE MAE KAPUSTA AND LYNN KAY HAVE NEVER, EVER, EVER BEEN PROTECTED FROM HARM BY ANYONE, NOT EVEN THE POLICE, AND NOT ADULT PROTECTIVE SERVICES AND NOT THE VIRGINIA COURT.

THERE HAS BEEN ABSOLUTELY NO OVERSIGHT OF ELAINE MAE KAPUSTA TO PROTECT FROM NEGLECT, ABUSE OR EXPLOITATION.

THIS PROTECTION HAS NEVER, EVER OCCURRED.

THIS WAS THE BEGINNING OF THE END FOR BOTH ELAINE MAE KAPUSTA AND LYNN KAY FOR “61 MONTHS OF HELL NOW SUFFERED BY MOTHER AND DAUGHTER UNDER

"PREDATORY CONSERVATORSHIP FROM DAY 1"-(7/31/20 TO PRESENT DAY).

UNNECESSARY LIQUIDATION OF 6 DECADES LONG HELD 5 RENTAL PROPERTIES RECENTLY-(2012-2020) ENTIRELY RENOVATED AND GREATLY IMPROVED FOR RENTING.

LYNN KAY PAINSTAKENLY SPENT 8 YEARS IN HAVING RENOVATED AND GREATLY ENLARGED AND GREATLY IMPROVED THOSE 1960'S OUR ESTATE FAMILY-OWNED RENTAL PROPERTIES FOR THE GOAL OF RECEIVING DECADES MORE OF RENTAL INCOME AND REAL ESTATE VALUE.

****AND IN 2020-2021, THEY WERE THEN UNJUSTIFIABLY SOLD WAY UNDERVALUE AS PRICES HAVE ALMOST DOUBLED OR GREATLY INCREASED AND \$1 MILLION EVERY 3 YEARS HAS BEEN LOST IN RENTAL INCOME ALONG WITH LIKELY \$2 MILLION LOST IN TAXES-DEPLETING THE ESTATE OF MULTI-MULTI MILLIONS SINCE 2020!**

THEN LATE 2020, PREMIER LIFE PLANNING CARE MANAGEMENT WITH SUZANNE HANAS AND LIZ SHIFFLETT-(ALSO CORRUPT AND INHUMANE) WAS HIRED TO OVERSEE THE CARE OF ELAINE MAE KAPUSTA AS PER THE 2020 COURT ORDER.

6/30/22-911 CALLED FOR ELAINE MAE KAPUSTA FOR EMERGENCY HOSPITAL E.R. CARE FOR THE FIDUCIARIES CRIMINALLY CONCEALED ELDER NEGLECT WHICH HAD DOCUMENTEDLY BEGUN SINCE APRIL 2021.

TO ESCAPE CRIMINAL PROSECUTIONS, THEY ALL KNOWINGLY AND WILLFULLY CRIMINALLY CONCEALED THAT THEY CRIMINALLY FABRICATED AND FALSIFIED DOCUMENTS TO CRIMINALLY CONCEAL ELDER CRUELTY CRIMES BY FIDUCIARIES AND THEY CRIMINALLY CONCEALED ALL 3 DOCUMENTS OF CRIMINAL FABRICATION AND CRIMINAL FALSIFICATION WITH CRIMINAL CONCEALMENT OF "CRIMINAL EVIDENCE OF

FALSIFICATION WITH THE CRIMINAL CONCEALMENT OF EGREGIOUS DISREGARD OF THE LIFE OF ELAINE MAE KAPUSTA” BY ALL 6 FIDUCIARIES.

THIS WAS DONE AND WAS CRIMINALLY CONCEALED FROM ME LYNN KAY-MYSELF WITH MY “UNLAWFULLY HAVING BEEN PERMANENTLY REMOVED AS GUARDIAN WITH NO LEGAL JUST CAUSE” AND THEREFORE ALL PERSONS INVOLVED IN JULY 2022 COMMITTING CRIMINAL FRAUD AND CRIMINALLY BREACHING THE GUARDIANSHIP CONTRACT- IN COMMITTING GRAND THEFT LARCENY BY CRIMINAL FRAUD AND ALL OF THE OTHER 13+ CRIMES AS A DIRECT RESULT OF THE JUNE AND JULY 2022 CRIMINAL FRAUD COMMITTED BY ALL 8 PERSONS.

MOM ALMOST DIED FROM “CRIMINAL MEDICAL ABANDONMENT AND LEFT GRAVELY INJURED WITHOUT RECEIVING ANTIBIOTICS FOR 2 MONTHS”.

DISCHARGED ON 7/14/22 FROM A 15 DAY HOSPITAL STAY LEFT MOM UNABLE TO WALK FOR WEEKS NEEDING TO RELEARN HOW TO WALK FROM SUCH “EGREGIOUS DISREGARD OF THE LIFE OF ELAINE MAE KAPUSTA” AS 6 FIDUCIARIES GUILTY OF THESE ELDER CRUELTY CRIMES CRIMINALLY CONCEALED BY CRIMINAL FRAUD SINCE 6/30/22.

MOM WAS NEEDING 3 DOCTOR-ORDERED-(DR. HU-MCLEAN DENTAL-DOCUMENTEDLY WRITTEN IN APRIL 2021) NEEDING

ROOT CANALS AND SUFFERING “TEETH PAIN” AND SEVERE GUM DISEASE AND MOM NEVER ALLOWED VY FIDUCIARIES TO RECEIVE ANY ROOT CANALS, EVER!

RECEIVING NO ROOT CANALS NOW FOR 52 MONTHS OF DOCUMENTED SUFFERINGS! AND AT LEAST 3 NEAR-DEATH EVENTS.

DOCUMENTEDLY CAUSING 50% DESTRUCTION OF BLOODCELLS AND PLATELETS AND 80% DESTROYED IMMUNE SYSTEM AND BONE MARROW DAMAGE AND “BLOOD CANCER” BEGINNING WITHIN 2 MONTHS OF HIRING GEORGE W. DODGE, JEANNE BLUE-ELDER TREE CARE MANAGEMENT AND THE INCOMPETENT DR. ALAN DAPPEN OF DOC TALKER-(VIENNA, VA) ALL TOGETHER WILLFULLY AND KNOWINGLY IGNORING AND CRIMINALLY CONCEALING FROM ALL AUTHORITIES AND FROM THE COURT-“UNDER OATH-4/18/24”, ALL ABNORMAL LABS IN 2022, 2023 AND 2024!

AND IGNORING 3 YEARS OF MOM AND I DOCUMENTEDLY BEGGING FOR MOM TO RECEIVE “THE PROPER STANDARDS OF BOTH DENTAL AND MEDICAL CARE” SINCE 2021 BY A

COLLECTIVE 20+ PERSONS INVOLVED IN THE CRIMINAL CONCEALMENT OF CRIMES COMMITTED.

PREMIER LIFE PLANNING CARE MANAGEMENT AND ELDER TREE CARE MANAGEMENT AND DR. ALAN DAPPEN AND DOC TALKER AND PARAGON CARE MANAGEMENT AND DR. NAVEEN DOKI ALL NEED TO HAVE THEIR MEDICAL CREDENTIALS AND LICENSES ENTIRELY REVOKED FOR REFUSING TO PROVIDE CARE TO ELAINE MAE KAPUSTA AS THEY WERE ALL COLLECTIVELY INVOLVED IN THE TOTAL DECIMATION OF THE HEALTH OF ELAINE MAE KAPUSTA BY DOCUMENTATION OF THEIR INVOLVEMENT AND THEIR CRIMINAL CONCEALMENT OF ALL OF THEIR CRIMES COMMITTED.

4+ YEARS OF COLLECTIVE DEADLY INCOMPETENCE PRACTICED AND UNDER OATH GEORGE W. DODGE, DR. ALAN DAPPEN AND JEANNE BLUE-(ELDER TREE) ALL ARE “MANDATED REPORTERS AS FIDUCIARIES” CRIMINALLY CONCEALED THEIR INVOLVEMENT IN THEIR DOCUMENTED ELDER CRUELTY CRIMES WITH “THE EGREGIOUS DISREGARD OF LIFE” COMMITTED-(ALL COURT HEARINGS WERE PERJUROUSLY HELD-(1/17/23, 1/4/24, 4/5/24-4/18/24-ACTING AS FIDUCIARIES AND ALL CRIMINALLY REMAINING SILENT OF THEIR ELDER CRUELTY CRIMES COMMITTED BY THEIR HANDS

SINCE OCTOBER 2022 DEPRIVATION OF CARE AND DEFYING ALL DOCTORS ORDERS TO PROVIDE CARE.

ALL AS “MANDATED REPORTERS” REMAINING SILENT WHILE PRESENT AND (ALL 3 OF THEM TESTIFYING IN COURT HEARINGS HELD AND ALL 3 OMITTING CRIMINAL EVIDENCE OF THEIR CRIMES TOGETHER COMMITTED AND CRIMINALLY CONCEALED BY “A COLLUSION OF CONSPIRACIES CONDUCTED BY STEPHEN HALL” OF “THE ALSO ENTIRELY CORRUPT LAW FIRM OF KING,CAMPBELL, PORETZ AND MITCHELL-(ALEXANDRIA, VA).”

ALL 4 OF THEM AS “MANDATED REPORTERS/OFFICERS OF THE COURT” CRIMINALLY CONCEALING ALL ELDER CRUELTY CRIMES KNOWINGLY HAVING BEEN COMMITTED AND CRIMINALLY CONCEALED BY ALL OF THEM OBSTRUCTING JUSTICE IN LEGAL PROCEEDINGS.

CARY CUCINELLI AND VALERIE GEIGER AND ELIZABETH WILDHACK AND LAURIE KIRKLAND ALSO HAVE FOR 4 YEARS KNOWINGLY AND WILLFULLY SINCE 2021 HAVE CRIMINALLY CONCEALED THEIR FIDUCIARY ELDER CRUELTY CRIMES COMMITTED AS ALSO “FIDUCIARIES AND MANDATED REPORTERS AND “OFFICERS OF THE COURT” ALSO ENTIRELY INVOLVED IN “THE CRIMINAL CONSPIRACY AGAINST ELAINE MAE KAPUSTA AND LYNN KAY SINCE JULY 2022 TO PRESENT

DAY-CRIMINALLY CONCEALING BEING INVOLVED IN COMMITTING 13+ CRIMES. UNDER THIS PREDATORY CONSERVATORSHIP OF 5 YEARS OF CRIMES COMMITTED.”

THEIR CRIMINAL DECEIT WAS ON FULL DISPLAY IN JULY 2022 UNDER OATH AND PRESENT AND ALL WERE INVOLVED IN “THE SECRETLY FILED 7/5/22 EMERGENCY PETITION AND THE ALSO SECRETIVE EMERGENCY PETITION HEARING CRIMINALLY SOUGHT AND CRIMINALLY CONCEALED ALONG WITH “THE CRIMINALLY FABRICATED AND CRIMINALLY FALSIFIED AND CRIMINALLY CONCEALED CARE MANAGER REPORTS*.

THIS WAS THE AVENUE USED TO COMMIT “GRAND THEFT LARCENY BY CRIMINAL BREACH OF CONTRACT OF THE 2020 LYNN KAY GUARDIANSHIP SETTLEMENT AGREEMENT COURT-ORDERED GUARDIANSHIP OF LYNN KAY FOR ELAINE MAE KAPUSTA” BY USING CRIMINALLY FABRICATED AND CRIMINALLY FALSIFIED DOCUMENTS AS THE AVENUE FOR ALL CRIMES TO BEGIN AND FOR ALL CRIMES BEING CRIMINALLY CONCEALED BY FIDUCIARIES SILENCE SINCE 2021.

ELAINE MAE KAPUSTA HISTORY:

4/13/21-SUFFERING TEETH PAIN AND NEEDING 3 ROOT CANALS AND RECEIVING NO PROPER DENTAL CARE AND TREATMENT NEEDED.

3/2/22-SUFFERING TEETH PAIN AND SWOLLEN GUMS AND RECEIVING NO PROPER AND NEEDED AND DOCTOR-ORDERED DENTAL CARE TREATMENT.

5/10/22-ELEVATED SED RATE AND DECREASED PLATELETS IGNORED ENTIRELY BY ALL FIDUCIARIES DISREGARDING ELAINE MAE KAPUSTA'S HEALTH CONCERNS

5/18/22-DOCUMENTED UNWELLNESS REPORTED VIA TEXT BY LYNN KAY BEGAN THE DEMISE OF ELAINE'S GOOD HEALTH

6/2/22-INFORMED BY LYNN KAY, MOM IS NOT NORMAL. NEEDS TO SEE VIRGINIA HEART FOR AN EKG AND BLOODWORK.

6/8/22-VIRGINIA HEART FAILED TO DO COMPLETE BLOODWORK OF CMP AND SED RATE AND U/A AS LYNN HAD REQUESTED

****AND THEN LIZ SHIFFLETT-(PREMIER LIFE PLANNING CARE MANAGEMENT) "CRIMINALLY FALSIFIED THE 6/8/22AND 6/30/22 CARE MANAGER REPORT, NOT MATCHING FACTS"**

****LIZ SHIFFLETT AND SUZANNE HANAS-(PREMIER LIFE PLANNING CARE MANAGEMENT) ENTIRELY CRIMINALLY ALTERED FROM MEDICAL DOCUMENTED FACTUAL RECORDS BY "CRIMINALLY FABRICATING AND FALSIFYING AND CRIMINALLY CONCEALED FROM LYNN KAY BOTH THE FALSIFIED 6/8/22 AND THE FALSIFIED 6/30/22 CARE MANAGER REPORTS, NOT MATCHING ANY FACTS OR TRUTH OF WHAT OCCURRED" AND CRIMINALLY CONCEALING AND OMITTING THE FACTS OF THEIR ELDER CRUELTY CRIMES OF "THE EGREGIOUS DISREGARD OF THE LIFE OF ELAINE MAE**

KAPUSTA” IN ORDER FOR ALL FIDUCIARIES TO ATTEMPT TO ESCAPE AUTHORITATIVE CRIMINAL INVESTIGATIONS.

ON 6/30/22-7/14/22-ELAINE MAE KAPUSTA WAS FURTHER MEDICALLY ABANDONED IN BEING HOSPITALIZED AND ALMOST DIED FROM UROSEPSIS BY “DELIBERATE MEDICAL ABANDONMENT LEAVING ELAINE MAE KAPUSTA WITHOUT RECEIVING ANTIBIOTICS FROM LIZ SHIFFLETT CONCEALING THE ELDER NEGLECT OF HAVING DENIED OVER A YEAR OF DOCTOR-ORDERED CARE.

ELAINE WAS DENIED ANTIBIOTICS FOR 8 MORE DAYS BECAUSE OF THE ELDER NEGLECT BEING CRIMINALLY CONCEALED.

UNABLE TO WALK AFTER BEING MEDICALLY ABANDONED SINCE 2021-“DEPRIVATION OF DOCTOR-ORDERED CARE”!

7/7/22-FINALLY RECEIVING ANTIBIOTICS.

7/8/22-GRAND THEFT LARCENY BEGAN AS LYNN KAY-MYSELF WAS UNLAWFULLY REMOVED AS GUARDIANSHIP BY CARY CUCINELLI CRIMINALLY CONCEALING KNOWING OF

DOCUMENTED REPORTED BY LYNN KAY WITH PROVIDING PROOF OF THE CARE MANAGER NEGLECT OCCURRING FOR OVER A YEAR AND HER CRIMINALLY USING THE FALSIFIED AND FABRICATED CARE MANAGER REPORTS TO CRIMINALLY CONCEAL ALL OF THE FIDUCIARIES CRIMES COMMITTED UNDER “PREDATORY CONSERVATORSHIP”.

7/8/22-WRITTEN CRIMINAL THREATS BEGAN THE CRIMINAL ABDUCTION AND TAKEOVER OF OUR LIVES BY USING THE COURT SYSTEM TO CRIMINALLY COMMIT CRIMES AGAINST MOTHER AND DAUGHTER.

7/9/22-GRAND THEFT LARCENY BEGAN BY DEPRIVATION OF CONTRACTED SALARY BEING TERMINATED UNLAWFULLY AND WITH NO JUST CAUSE.

7/14/22, ELAINE WAS DISCHARGED FROM THE HOSPITAL AND WAS SO BADLY NEGLECTED WAS LEFT PHYSICALLY UNABLE TO WALK FOR WEEKS.

7/14/22-THE CRIMINAL ABDUCTION IN “THE CRIMINAL TAKEOVER OF OUR LIVES BEGAN”.

OCTOBER 2022-ELIZABETH WILDHACK FURTHER FILED CRIMINALLY FALSIFIED DOCUMENTS OF THE G.A.L. REPORT FURTHER COMMITTING THE CONCEALMENT OF THEIR FIDUCIARY CRIMES BY FURTHER WRITTEN DEFAMATION OF LYNN KAY BY FAILING TO INFORM THAT MOM AND I WERE UNDER CRIMINAL PREDATORY CONSERVATORSHIP OF MOM DEPRIVATION OF CARE SINCE 2021.

ELIZABETH WILDHACK ATTEMPTED TO CONCEAL HER WRITTEN CONCEALMENT BY FILING UNDER COURT-SEALED DOCUMENTS ALSO AS CARY CUCINELLI DID OF THE FABRICATED AND FALSIFIED CARE MANAGER REPORT DOCUMENTS.

THIS FALSIFICATION AND FABRICATION OF DOCUMENTS FAILED TO EVER BE INVESTIGATED AND THE CRIMINAL TAKEOVER PROGRESSED TO FURTHER ELDER CRUELTY CRIMES OF ABUSE GIVING FDA-UNAPPROVED ANTIPSYCHOTICS FORCIBLY TO ELAINE MAE KAPUSTA WHILE MOM AND I WERE BOTH BEING CRIMINALLY ABDUCTED AND DETAINED IN OUR OWN HOME.

THE WRITTEN CRIMINAL THREATS TO OUR LIVES BEGAN ON 7/8/22 AND THEN RESULTED IN THE ARMED CRIMINAL ABDUCTION AND KIDNAPPING OF ELAINE MAE KAPUSTA FROM OUR HOME ON 6/6/23.

THE FURTHER CRIMINAL ACTS OF ELDER CRUELTY CONTINUED WITH GEORGE W. DODGE BEING FRAUDULENTLY APPOINTED AS GUARDIAN WHILE LYNN KAY WAS ILLEGALLY UNLAWFULLY REMOVED AS GUARDIAN WITH NO LEGAL JUST CAUSE.

GEORGE W. DODGE, JEANNE BLUE-(ELDER TREE) AND DR. ALAN DAPPEN-(DOC TALKER) ALSO CRIMINALLY DEFIED DOCTORS ORDERS TO PROVIDE DENTAL AND MEDICAL CARE TO MY MOM BEGGING FOR MEDICAL HELP AS IS DOCUMENTED IN TEXTS AND EMAILS FROM LYNN KAY TO ALL FIDUCIARIES INCLUDING THOSE 3.

THEIR ELDER CRUELTY CRIMES CAUSED SEPTICEMIA/BACTEREMIA TO OCCUR AGAIN AND THEY ALL IGNORED ALL DESTRUCTION OF BLOODCELLS AND PLATELETS AND IMMUNE SYSTEM AND THEN THE DESTRUCTION OF BONE MARROW.

****SEE 2/7/25 DR. EDWARD MALLORY NOTARIZED AFFIDAVIT ATTESTING TO CRIMINAL MEDICAL ELDER NEGLECT.****

CONTINUED WRITTEN THREATS ON 5/24/23 OCCURRED BY THEN ELAINE MAE KAPUSTA BEING CRIMINALLY DENIED BOTH DENTAL AND MEDICAL CARE BY THEN DR. NAVEEN DOKI CONTRIBUTING TO CRIMINAL NEGLECT BY CRIMINALLY DENYING TO PROVIDE ELAINE WITH CARE ALSO.

****SEE FILED MEDICAL MALPRACTICE-5/22/25 COURT FILING****

****6/6/23 WHEN ELAINE MAE KAPUSTA WAS “CRIMINALLY ABDUCTED BY PRIVATE ARMED GUARDS WITH GUNS-(3 NESTCAM VIDEO CLIPS RECORDED) BEING FORCIBLY KIDNAPPED AGAINST ELAINE MAE KAPUSTA’S WILL FROM OUR OWN HOME BY “THE CLASS 4 FELONS OF GEORGE W. DODGE AND JEANNE BLUE AND (**RACHELLE DORNAN-(2023- NEGLIGENCE, BUT RACHELLE WAS NOT MALICIOUS AS SHE ONLY CARED ABOUT MOM, BUT SHE FAILED TO INFORM THE AUTHORITIES AS A “MANDATED REPORTER”)** OF (ELDER TREE CARE MANAGEMENT) WHO SINCE JEANNE BLUE BEGAN IN OCTOBER 2022 GEORGE W. DODGE, JEANNE BLUE AND DR. ALAN DAPPEN HAD ALL BEEN TOGETHER BEEN**

DOCUMENTEDLY “CRIMINALLY DENYING ELAINE MAE KAPUSTA BOTH DENTAL AND MEDICAL CARE”-THIS INCLUDES “DR. INCOMPETENT”-DR. ALAN DAPPEN-(DOCTALKER-VIENNA, VA) WHO WAS INFORMED VIA EMAILS REGARDING NEEDING TO SEE DENTIST AND A HEMATOLOGIST AND ALL OF THEM AND ALL FIDUCIARIES ALSO INFORMED DENIED ALL CARE TO ELAINE MAE KAPUSTA CAUSING UROSEPSIS AGAIN AND MULTIPLE CALLS TO 911 FOR MEDICAL CARE CONTINUING TO BE DENIED BY ALL FIDUCIARIES THE DENIAL OF HOSPITAL EVALUATION AND PROPER LAB TESTING AND HEMATOLOGIST, UROLOGIST..BLOOD CULTURE, IRON TESTING.

ALL 3 OF THOSE “CLASS 4 FELONS DEFINED UNDER VIRGINIA CRIMINAL LAW SECTION 18.2-369-B” REFUSED TO PROVIDE ANY “DOCTOR-ORDERED PROPER STANDARDS OF BOTH DENTAL AND MEDICAL CARE” TO ELAINE MAE KAPUSTA SINCE OCTOBER 2022 BEGAN BEING EMPLOYED BY ‘THE ESTATE”.

THIS ALSO INCLUDES 4 MORE “CLASS 4 FELONS AS FIDUCIARIES AND MANDATED REPORTERS AND OFFICERS OF THE COURT ALSO WILLFULLY DENYING CARE AND ” NAMED AS BEING SIGNERS OF THE 2020 GUARDIANSHIP COURT-ORDERED CONTRACT-(7/31/20) :

CARY CUCINELLI

VALERIE GEIGER

ELIZABETH WILDHACK

LAURIE KIRKLAND

****WHILE ALL NAMED FIDUCIARIES DEFIED DOCTOR'S ORDERS INSTRUCTING TO PROVIDE CARE AND DENIED CARE FOR 8 MONTHS SINCE 9/20/22**-THEN ON 6/6/23-ELAINE WAS CRIMINALLY ABDUCTED AND CRIMINALLY KIDNAPPED BY FORCE AND PRIVATE ARMED GUARDS WITH GUNS WHILE UNDER AN UNLAWFUL FRAUDULENTLY OBTAINED GUARDIANSHIP-(WHILE GRAND THEFT LARCENY BY FRAUDULENT TERMINATION OF LYNN KAY'S GUARDIANSHIP WAS BEING CRIMINALLY FRAUDULENTLY CONCEALED SINCE JULY 2022)**

THE 6/6/23 NESTCAM VIDEOS OF "THE CRIMINAL ABDUCTION AND KIDNAPPING OF ELAINE MAE KAPUSTA" ARE POSTED ON

www.wearefightingforourlives.org

THESE ARE THE NESTCAM RECORDINGS OF THE ARMED CRIMINAL ABDUCTION AND KIDNAPPING BY FORCE WITH GUNS AND AGAINST MOM'S WILL AND AGAINST HER BEST INTERESTS.

6/6/23-PRIVATE ARMED GUARDS WITH GUNS CRIMINALLY ABDUCTED ELAINE MAE KAPUSTA AT THE DIRECTION OF "THE SOCIOPATH GEORGE W. DODGE-(CLASS 4 FELON-ELDER CRUELTY CRIMES) AND FORCIBLY KIDNAPPED MY MOM FROM HER HOME OF 45 YEARS-AGAINST HER WILL***

MY MOM WAS "CRIMINALLY KIDNAPPED BY PRIVATE ARMED GUARDS WITH GUNS" AGAINST HER WILL AND AGAINST HER BEST INTERESTS ON 6/6/23

<http://wearefightingforourlives.org/wp-content/uploads/2025/07/1000108744.mp4>

"I WANT TO STAY HERE" ...YOU'RE GOING TO KILL ME!" -6/6/23

<http://wearefightingforourlives.org/wp-content/uploads/2025/04/Clip-October-3-2023-at-313-PM.mp4>

“NO, NOW STOP IT! THIS IS MY HOUSE HERE. NOW YOU GET OUT OF HERE”.-6/6/23

<http://wearefightingforourlives.org/wp-content/uploads/2025/02/6623-219-PM-I-DONT-LIKE-IT.mp4>

AND 911/POLICE/A.P.S. HAS BEEN CALLED 20+ TIMES FOR MEDICAL CRISIS AND TO REPORT ELDER CRUELTY CRIMES!

**6/30/22, 10/2/22, 2/14/23, 3/9/23, 6/4/23, 9/29/23, 10/3/23, 11/21/23, 12/19/23, ...MARCH 2024, ... AUGUST 2024..
2/24/25**

****SEE 2/24/25 TO VIEW BODY WORN CAMERA- LYNN KAY REPPORTING CRIMES WITH DR. EDWARD MALLORY-2/7/25 NOTARIZED AFFIDAVIT ATTESTING TO CRIMINAL MEDICAL ELDER NEGLECT COMMITTED AGAINST ELAINE MAE KAPUSTA**

POLICE CASE #2025-0550131

https://youtu.be/VS3bGyzXyelsi=xmJGS5zY_IRMtFW5

PHILIP KAPUSTA-(THE PSYCHOPATH SON) HAS ALSO BEEN DEEPLY INVOLVED IN WILLFULLY AND KNOWINGLY CRIMINALLY CONCEALING ALL CRIMES COMMITTED SINCE 2022 HAVING KNOWLEDGE AND HIS DELIBERATE CRIMINAL CONCEALMENTS.

PHILIP KAPUSTA IS “A PSYCHOPATH” AND HE HAS BEEN AGAINST MOM AND I SINCE 2017, THEN CAUSING THIS “PREDATORY CONSERVATORSHIP”. HE HAS DOCUMENTEDLY BEEN CONCEALING AND COMMITTING AIDING AND ABETTING AND OBSTRUCTING JUSTICE BY HIS WILLFULL CRIMINAL SILENCE OF ALL OF THE CRIMES AND HE IS ALSO GUILTY OF GRAND THEFT LARCENY AGAINST ME-CRIMINAL BREACH OF CONTRACT BY HIS COMMITTING CRIMINAL FRAUD SINCE JULY 2022 TO PRESENT DAY WILLFULLY AND KNOWINGLY. IN ALSO DOCUMENTEDLY DISREGARDING THE LIFE AND HEALTH AND WELL-BEING OF ELAINE MAE KAPUSTA, ALSO SINCE 2022!

PHILIP KAPUSTA IS A SIGNER OF THE GUARDIANSHIP COURT-ORDERED CONTRACT AGREEMENT AND IS CRIMINALLY GUILTY

OF GRAND THEFT LARCENY BY FRAUDULENT TERMINATION OF GUARDIANSHIP CONTRACT ON 7/8/22 TO PRESENT DAY.

HE IS NOT A FIDUCIARY. HE AND HIS LAWYER HAVE WILLFULLY AND KNOWINGLY COMMITTED CRIMES AGAINST MOM AND I AND HAVE BOTH AIDED AND ABETTED AND OBSTRUCTED JUSTICE BY KNOWINGLY REMAINING SILENT REGARDING ALL OF THESE “UMPTEN CRIMES” AND HAVE ALSO CRIMINALLY THREATENED OUR LIVES BY CRIMINAL ABDUCTION SINCE JULY 2022!

Legal Statement Regarding Criminal Accountability:

Under Virginia Code § 18.2-462, while close family members may be exempt from charges related to concealing crimes, this exemption does not extend to individuals who actively participate in committing crimes. If a fiduciary and or a lawyer knowingly aids in the concealment of crimes, they could potentially face charges of aiding and abetting or obstruction of justice.

Subsection B – applies when any person (other than close family) knowingly conceals, alters, or destroys physical evidence of a felony with the intent to obstruct justice. That’s a Class 6 felony.

Obstruction of justice can occur if someone provides false or misleading testimony or remains silent when they have a duty to report, especially if they are in a position of trust or responsibility, such as a fiduciary. Lawyers, as officers of the court, have ethical obligations to uphold the law and can face serious consequences if they violate these duties.

Legal Statement Regarding Mandated Reporting and Accountability in Elder Abuse Cases

Under Virginia Statutes Chapter 63.2-1606, professionals such as attorneys, conservators, guardians, guardian ad litem, care managers, and private healthcare providers may be considered mandated reporters if they have reasonable cause to suspect abuse, neglect, or exploitation of a vulnerable adult. Failure to report such abuse may result in criminal penalties, including misdemeanor or felony charges, depending on the circumstances.

If any of these individuals knowingly and willfully remain silent despite having knowledge of elder cruelty, neglect, abuse, or exploitation, they may be subject to legal consequences. This silence could be interpreted as aiding and abetting or obstructing justice, particularly if it prevents authorities from intervening to protect the vulnerable adult.

Mandated reporters are legally and ethically obligated to act. Silence in the face of known abuse is not only a breach of duty—it may also constitute complicity under Virginia law.

Lawyers, like any other people, can definitely be charged with aiding and abetting and obstructing justice and criminal concealment of evidence, if they knowingly and willfully participate in concealing crimes. If a lawyer is aware of criminal activities and actively helps to conceal them, they could face legal consequences.

Legal Statement Regarding Mandated Reporters and Omission of Material Evidence in Court Filings and Legal Proceedings- (Virginia)

Under Virginia Code § 63.2-1606, professionals such as attorneys, guardians, conservators, care managers, physicians and healthcare providers are considered mandated reporters when acting in their professional capacity. They are legally required to report suspected abuse, neglect, or exploitation of aged or incapacitated adults immediately upon having reason to suspect such harm.

Virginia law further requires that mandated reporters disclose all information forming the basis of their suspicion and make relevant records available to Adult Protective Services upon request. Failure to report may result in civil penalties ranging from \$100 to \$1,000, and in some cases, may escalate to criminal charges, such as a Class 1 misdemeanor, especially when serious harm is involved.

If a mandated reporter omits material evidence in a court filing or under oath—particularly evidence of elder abuse, neglect, or exploitation—this may be construed as obstruction of justice under Virginia Code Title 19.2, Chapter 16, which governs evidence and witnesses. Such omission may also be interpreted as aiding and abetting if it enables or conceals criminal conduct.

Therefore, any mandated reporter who knowingly fails to disclose material evidence of elder abuse in legal proceedings may face civil and criminal liability, including charges of obstruction of justice, impeding a judicial process, and criminal concealment of evidence, depending on the facts and intent.

Legal Statement Regarding Aiding and Abetting Through Criminal Concealment (Virginia)

Under Virginia law, mandated reporters such as attorneys, guardians, conservators, care managers, and healthcare providers are required to report any suspected abuse, neglect, or exploitation of vulnerable adults. If these individuals knowingly omit material evidence in court filings or under oath, particularly evidence related to elder abuse, neglect, or exploitation, it may be considered obstruction of justice.

Furthermore, such omissions can be seen as aiding and abetting if they contribute to the concealment of criminal activities. By failing to disclose critical information, these individuals may be facilitating the continuation of criminal acts, thereby participating in the criminal concealment of evidence.

This could lead to civil and criminal liability, including charges of obstruction of justice, impeding a judicial process, and aiding and abetting through criminal concealment, depending on the circumstances and intent involved.

THEY ALL USED CRIMINALLY FABRICATED AND CRIMINALLY FALSIFIED AND CRIMINALLY CONCEALED DOCUMENTS USED IN COURT IN JULY 2022 TO COMMIT CRIMINAL FRAUD AND CRIMINALLY CONCEALING THESE FALSE ALLEGATIONS BEING ENTIRELY CONCEALED FROM ME TO GET ME “UNLAWFULLY REMOVED AS GUARDIAN”-“BREACHING THE GUARDIANSHIP CONTRACT AND COMMITTING GRAND THEFT LARCENY AND ALL OF THE OTHER 13+ CRIMES AS A RESULT OF THE FABRICATION AND FALSIFICATION OF DOCUMENTS USED IN LEGAL PROCEEDINGS AND THEN CONCEALED BY BEING “COURT-SEALED UNTIL LYNN KAY DISCOVERED THEM ON (5/22/25).

ALL LAWYERS HAVE WILLFULLY AND KNOWINGLY COMMITTED FRAUD UPON THE COURT, MALICIOUS PROSECUTION WITH THREATS TO OUR LIFE AND OUR HEALTH AND OUR HOME.

****Legal Statement Regarding Fraud Upon the Court, Malicious Prosecution, and Abuse of the Civil Court System (Virginia)****

Fraud upon the court occurs when a party intentionally deceives the court or abuses the judicial process, resulting in an unfair advantage. This can include actions such as omitting material facts, presenting false evidence, or making baseless claims to manipulate the outcome of a case.

In Virginia, if a civil case is initiated with fraudulent intent, such as using written threats or concealing crimes, it may constitute an abuse of the court system. This could potentially lead to sanctions against the offending party, including dismissal of the case or other penalties.

Malicious prosecution involves initiating a legal proceeding without probable cause and with malice, often to harass or intimidate the defendant. If written threats are used in court filings to further this aim, it may strengthen the case for malicious prosecution, especially if the threats have no merit and are intended to conceal crimes or manipulate the court.

In Virginia, malicious prosecution is a tort that can be pursued if someone has been wrongfully subjected to a legal proceeding without probable cause and with malice.

ON 5/22/25-LYNN KAY DISCOVERED 4 CRIMINALLY FABRICATED, FALSIFIED AND CRIMINALLY CONCEALED DOCUMENTS CRIMINALLY HIDDEN AWAY SINCE BEING STATED IN JULY 2022 LEGAL PROCEEDINGS AND THEN HIDDEN AWAY IN COURT-SEALED RECORDS SINCE FILED IN 2022!-(MORE THAN 38 MONTHS AGO CRIMINALLY CONCEALED FOR ALL FIDUCIARIES GIVING FALSE NARRATIVES IN ORDER FOR THEM TO ATTEMPT TO CRIMINALLY CONCEAL THEIR CRIMINAL ELDER NEGLECT TO SEEK TO ATTEMPT TO ESCAPE CLASS 4 FELONY CHARGES AGAINST ALL OF THESE INVOLVED JULY 2022 PERSONS)!

IN JUNE 2025, LYNN KAY INFORMED BY EMAIL THE DEMAND FOR RETRACTION OF ALL CRIMINALLY FABRICATED AND

FALSIFIED REPORTS AND DOCUMENTS AND LYNN KAY PROVIDED ALL PERSONS THE WRITTEN COURT AMENDMENT FOR THESE RETRACTIONS AND ALL PARTIES REFUSED TO COMPLY.

KNOWINGLY CONCEALING MATERIAL FACTS PERTINENT TO THE CASE BEING CONSIDERED AS MANDATED REPORTERS/OFFICERS OF THE COURT” CRIMINALLY CONCEALING COMMITTING/SUPPORTING NEGLECT KNOWINGLY CONCEALING THE NEGLECT FOR SELF-PROTECTION FROM HARM AND CRIMINALLY MISLEADING ALL AUTHORITIES AND THE COURT BY CONCEALMENT IS CONSIDERED PERJURY BY KNOWINGLY FAILING TO DISCLOSE ALL CRIMES COMMITTED SINCE 2022.

8/22/25-LYNN KAY REPORTED TO FICOR-ONLINE FINANCIAL CRIMES REPORTING

POLICE CASE #2025-2370088-(CRIMINAL FRAUD EMBEZZLEMENT-GRAND THEFT LARCENY)-\$290,000 - CRIMINAL BREACH OF CONTRACT DEPRIVATION OF SALARY FUNDS FOR 38 MONTHS AND ELDER CRUELTY CRIMES AND MANDATED REPORTER FAILURE TO REPORT AND CRIMINAL CONCEALMENT AND FRAUD UPON THE COURT AND MALICIOUS PROSECUTION AND CRIMINAL AIDING AND

ABETTING, CRIMINAL OBSTRUCTION OF JUSTICE, CRIMINAL WRITTEN THREATS, CRIMINAL ABDUCTION AND DETENTION IN OUR OWN HOME BY A 24/7 FORCED HOME INVASION FOR ALMOST A YEAR OF UNSAFENESS IN THE MIDDLE OF THE COVID PANDEMIC BEING FORCED TO LIVE WITH STRANGERS IN OUR OWN HOME DUE TO THE CRIMINAL FRAUD COMMITTED AGAINST MOM AND I, PERJUROUS ACTIONS AND DEFAMATION AGAINST LYNN KAY SINCE 6/30/22.AND THEN 6/6/23-AN ARMED CRIMINAL ABDUCTION AND KIDNAPPING OF ELAINE MAE KAPUSTA FROM OUR HOME BY PRIVATE ARMED GUARDS WITH GUNS FOR AN “UNLAWFUL MALICIOUS ATTEMPT AT THE CRIMINAL CONCEALMENT OF ALL ELDER CRUELTY CRIMES AND ALL OTHER CRIMES COMMITTED BY ALL 2020-2025 FIDUCIARIES AND BY PHILIP KAPUSTA-PSYCHOPATH SON AND HIS LAW FIRM LAWYER-JUSTIN BERGER OF HALE BALL.

COMMITTED AND SUPPORTED BY THESE PERSONS OF DECEIT AND INHUMANENESS:

PREMIER LIFE PLANNING CARE MANAGEMENT, LIZ SHIFFLETT, SUZANNE HANAS, CARY CUCINELLI, VALERIE GEIGER, ELIZABETH WILDHACK, LAURIE KIRKLAND, PHILIP KAPUSTA AND JUSTIN BERGER-(HALE BALL LAW FIRM HAVE ALL KNOWINGLY AND WILLFULLY COMMITTED 38 MONTHS OF OBSTRUCTION OF JUSTICE AND AIDING AND ABETTING AND

HAVE DECEPTIVELY REMAINED ENTIRELY SILENT AND COMMITTED GRAND THEFT LARCENY HAVING BEEN COMMITTED BY THEIR CRIMINAL FRAUD AND CRIMINAL CONCEALMENT OF THEIR 2022-2025 CRIMES.

LYNN KAY AND ELAINE MAE KAPUSTA AND THE ESTATE OF ELAINE MAE KAPUSTA ARE SEEKING MAXIMUM CRIMINAL PROSECUTIONS OF 10-20 YEARS OF ALL CRIMINALS, EXCEPT FOR RACHELLE DORNAN AND KATE MAHONEY AND THE PARAGON AIDES AS "NO PRISON IS BEING SOUGHT FOR THEM ONLY-NEGLIGENCE-NOT MALICIOUSNESS COMMITTED."

THE CUCINELLI-GEIGER-WILDHACK-KIRKLAND CRIMINALLY FRAUDULENT PREDATORY CONSERVATORSHIP BEGAN ON 7/31/20!

FINANCIAL EXPLOITATION BEGAN IN 2020-2025 LOSING MULTI-MULTI MILLIONS IN THE ESTATE FUNDS BY FIDUCIARIES GROSS FINANCIAL MALFEASANCE AND UMPTEEN FRAUDULENT ACTS.

AND IN APRIL 2021, THE CRIMINAL ELDER CRUELTY DEPRIVATION OF CARE BEGAN.

IN 2022, THE CRIMINAL FRAUD AND THE JUDICIAL FRAUD AND WRITTEN THREATS TO OUR LIVES WITH A "CRIMINAL TAKEOVER OF OUR LIVES" BEGAN.

ON 5/18/22, 6/2/22 AND THEREAFTER-PREMIER LIFE PLANNING CARE MANAGEMENT ENTIRELY IGNORED "PHYSICAL UNWELLNESS AND THE ABNORMALCY OF ELAINE MAE KAPUSTA BEING REPORTED BY LYNN KAY VIA TEXT TO LIZ SHIFFLETT-(CARE MANAGER).

ON 6/30/22-WHEN NESTCAM VIDEO ALSO RECORDED, ELAINE MAE KAPUSTA WOKEUP CRYING, BEGGING FOR HELP BEING SCARED THAT SHE WAS DYING—AND SHE WAS SUFFERING FROM UROSEPSIS SEPTICEMIA/BACTEREMIA, METABOLIC ENCEPHALOPATHY, OBSTRUCTIVE UROPATHY KIDNEY INFECTION AEROCOCCUS U.T.I. ALSO DOCUMENTED IN VIRGINIA HOSPITAL.

PREMIER LIFE PLANNING CARE MANAGEMENT COULDN'T CARE LESS AND THEN HATCHED ON THAT VERY DAY THEIR CRIMINAL ACTS:

THE CRIMINAL FABRICATIONS AND CRIMINAL FALSIFICATIONS AND CRIMINAL CONCEALMENTS OF FALSIFIED DOCUMENTS SUBMITTED TO THE COURT IN A CRIMINAL ATTEMPT OF OBSTRUCTION OF JUSTICE TO ESCAPE CRIMINAL PROSECUTION FOR “ELDER CRUELTY CRIMES-DEPRIVATION OF CARE” SINCE APRIL 2021 DEFYING DOCTORS ORDERS TO PROVIDE NECESSARY DENTAL AND MEDICAL CARE.

18.2-369-B-NEGLECT CAUSING ALMOST DEATH-18.2-369-C

THE CRIMINAL CONCEALMENTS AND CRIMINAL FABRICATIONS AND CRIMINAL FALSIFICATIONS OF DOCUMENTS USED TO COMMIT FRAUDULENT BREACH OF CONTRACT GRAND THEFT LARCENY AGAINST LYNN KAY-(GUARDIAN) OCCURRED ON 6/8/22 AND ON 6/30/22.

AND ON 7/5/22 THE SECRETIVE EMERGENCY PETITION WAS FILED FOR THE SECRETIVE 7/5/22 EMERGENCY PETITION HEARING, HELD WITH CARY CUCINELLI, VALERIE GEIGER, ELIZABETH WILDHACK, LAURIE KIRKLAND, SUZANNE HANAS, LIZ SHIFFLETT AND HALE BALL ALL CRIMINALLY CONCEALING THIS FROM LYNN KAY-(GUARDIAN) WITHOUT EVER INFORMING LYNN KAY OF EITHER OF THESE OCCURRING.

THE WILLFUL CRIMINAL CONCEALMENT OF SUCH INFORMATION WITHHELD PROVES THE GUILT OF ALL NAMED PERSONS WITH THE SEEKING TO CONCEAL, OMIT, WITHHOLD AND MISLEAD BY JUSTICE BEING THWARTED BY THE KNOWINGLY DELIBERATELY WILLFUL OMITTED INFORMATION AND MATERIAL FACTS HAVING BEEN “DELIBERATELY OMITTED AND CRIMINALLY CONCEALED.”**

ALONG WITH WILLFULLY AND KNOWINGLY REFUSING SINCE JUNE 2025 TO JUDICIALLY PROPERLY RETRACT THEIR FRAUDULENT COURT FILINGS AGAINST LYNN KAY AFTER 3 MONTHS AGO BEING EMAILED THE PROPER COURT AMENDMENT FOR RETRACTIONS FOR VACATING THE COURT ORDERS AND COURT JUDGMENTS BY THE DEMAND LETTER.

FYI: THIS IS A LOT TO COPY.

**LYNN KAY-MYSELF WOULD APPRECIATE RECEIVING AN “EMAIL ADDRESS” FOR WHERE ALL FURTHER PDFS CAN BE EASILY EMAILED TO, SO THAT I DO NOT NEED TO SPEND MY MONEY DUE TO

*******FAIRFAX COUNTY EPIC FAILURE TO INVESTIGATE
REPORTED CRIMES AND FAILURE TO EVER PROTECT MY MOM
AND I FROM THE LAST 27 MONTHS OF FURTHER "HORRIFIC
HELL SUFFERED.*******

OUR LIVES HAVE BEEN DESTROYED FOR 5 YEARS.

**AND THE FAIRFAX COUNTY POLICE AND A.P.S. AND THE COURT
REFUSES TO CARE FOR THE LAST 27 MONTHS ABOUT 13
CRIMES COMMITTED AGAINST MOM AND I FOR 5 YEARS!**

*****FYI: 2 OTHER VICTIMS OF THE FRAUDULENCE OF CARY
CUCINELLI HAVE CONTACTED ME VIA ONLINE POSTINGS AND
VIA MY WEBSITE.*****



LYNN KAY

TWEETERY7@YAHOO.COM

571-421-6813

9/4/25

ATTACHED

**OUR LIVES WERE STOLEN AWAY FROM US
BY CRIMINAL FRAUD FOR 5 YEARS!**

***THE KAY INITIATIVE-LEGISLATION CHANGE FOR THE
PROTECTION OF THE ELDERLY AND INCAPACITATED-8-30-25**

**AFFIDAVIT OF EPIC FRAUD AND CORRUPTION AND DECEIT
AND EVIL AND DEPRAVED INHUMANENESS-25 PAGES FILED 8-
21-25.pdf-*NOTARIZED COPY FILED***

**EPIC FRAUD UPON THE COURT AND CRIMES COMMITTED BY
DECEITFUL ACTS COMMITTED SINCE 2020-21 PAGES FILED 8-6-
25.pdf**

✓ **SAMANTHA RENNER-FAILURE OF Code of Virginia Code Article
2. Adult Protective Services.pdf**

***2-7-25-MALLORY-NOTARIZED-18.2-369-B-AFFIDAVIT-WITH-
LIST-OF-30-REVIEWED-FILES-ATTESTING-TO-LYNN-WAS-RIGHT-
AND-DETRIMENTAL-HARM-BY-FIDUCIARIES-1-4-24-BLOOD
CANCER-AFFIDAVITS.pdf**

**2-24-25-F.C.-CASTILON-POLICE-CASE-2025-0550131-MAJOR-
CRIMES-BUREAU-AND-A.P.S.-FOR-SERIOUS-FIDUCIARIES-
ELDER-CRUELTY-CRIMES-INVESTIGATION.pdf**

**** ALL ATTACHMENTS ARE AVAILABLE TO BE EASILY EMAILED WITHIN AN HOUR-(TO BE EASILY READ BY “READALOUD” ON EMAILED ADOBE PDFS):**

EXHIBIT A-CRIMINAL FRAUD UPON THE COURT-CRIMINALLY FALSIFIED CONCEALED SEALED RECORDS-2022-23 PAGES FILED 8-6-25.pdf

EXHIBIT B-FRAUD UPON THE COURT-BREACH OF CONTRACT-DEFAMATION-6-9-25-EMAILED DOCUMENTS FOR RETRACTION OF 2022-2025 COURT FILINGS-41 PAGES FILED 8/6/25.pdf

EXHIBIT C-CRIMINAL FRAUD UPON THE COURT-TEXTS AND EMAILS-72 PAGES FILED 8-8-25.pdf

10-24-22--MOM'S SUNRISE-4.60-RBC-AS HEALTHY AS MY OWN HEALTHY LABS.pdf

5-19-23-MDS-MYELODYSPLASTIC SYNDROME NEEDS TO BE RULED OUT-TEXT TO RACHELLE.pdf

**5-24-23-THREATS-LETTER-TO-LYNN-KAY-AND-ELAINE-KAPUSTA-
INSTEAD-OF-PROVIDING-MEDICAL-CARE-Letter-from-MDC-to-
Stine.pdf**

**👁️ 6-7-23-PHILIP KAPUSTA-MALICIOUS.AND MENTALLY-
DERANGED-DANGEROUS THREAT TO OUR LIVES-SELL-4136
AND EVICT LYNN-A-CONTINUAL CLEAR AND PRESENT-
DANGER.pdf**

**6-12-23-2-1-25-EMAIL-CRIMINAL EVIDENCE-DODGE-
ELDERTREE-WILDHACK-DAPPEN-KIRKLAND-BERGER-PHILIP
KAPUSTA-CRIMINAL MEDICAL ELDER NEGLECT-18.2-369-B.pdf**

**6-21-23 EMAIL-CRIMINAL-DODGE-ELDERTREE-WILDHACK AND
KIRKLAND AND POLICE-A.P.S.-LEGAL MISCONDUCT-FAILED-A
DUTY OF CARE-(GUARDING AND PROTECTING MY MOM).pdf**

**👁️ -9-5-23-PHILIP KAPUSTA AND JUSTIN BERGER THREAT TO
MOM'S LIFE-5-11-23-MOM'S HEMATOLOGIST LABS-(ELAINE
KAPUSTA).pdf**

-9-5-23-DANGER-PHILIP-KAPUSTA-SUPPORTS-18.2-369-B-
INFORMED-IGNORED-ELAINE-KAPUSTA-DANGEROUS-
OVERMEDICATION-9-29-23-E.R.pdf

9-6-23--INFORMED AND NOT CARING-ZYPREXA,
SEROQUEL, XANAX...CAUSING DEMENTIA DANGER!)-.pdf

-10-26-23--MOM-8.0 HEMOGLOBIN-NEEDS BLOOD
TRANSFUSION-2.26-RBC-MOM'S PANCYTOPENIA SUNRISE.pdf

-11-2-23-WARNING IGNORED-BONE MARROW
DAMAGE-ENDANGERING MOMS LIFE!.pdf

-TRAIL OF DESTRUCTION-(A YEAR OF MEDICAL NEGLECT
IGNORALS OF MY MOM BY GEORGE DODGE & DAPPEN &
ELDERTREE & A PIC OF MY MOM'S BLACK EYE FROM HER
FACEPLANT ONTO THE HARD FLOOR.pdf

**5-19-23-2-7-24-2-9-24-6-12-24-MDS DIAGNOSIS CRIMINAL
CONCEALMENT OF FIDUCIARY ELDER NEGLECT CAUSED
DISEASE.pdf**

**3-5-24-DECEPTION-Petition for a Rule to Show Cause and
Motion to Modify.pdf**

**8-2-24-MOM-ALMOST-KILLED-AGAIN-8-3-24-CONCEALED-
FRAUD-UPON-THE-COURT.pdf**

**5-22-25-MEDICAL MALPRACTICE AGAINST DR. NAVEEN DOKI-
HEMATOLOGIST AND ONCOLOGIST-MALLORY AFFIDAVIT AND
5-19-23-MDS TEXT-20 PAGES FILED 5-22-25.pdf**

**AND SO VERY MUCH MORE CRIMINAL EVIDENCE FOR ALL OF
THE CONVICTIONS OF EVERY NAMED PERSON-(NO PRISON
SENTENCE IS BEING SOUGHT FOR RACHELLE DORNAN, KATE
MAHONEY OR ANY OF THE PARAGON AIDES-(THOSE PERSONS
DEMONSTRATED NEGLIGENCE NOT MALICIOUSNESS)-
COMMITTING CRIMES IS AVAILABLE TO BE PROVIDED OF ALL
PERSONS FOR THE LAST 5 YEARS-(2020-2025)**

Affirmation: I affirm under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 5th day of SEPTEMBER ,2025

A handwritten signature in black ink that reads "Lynn Kay". The signature is written in a cursive style with a large initial "L".

Lynn Kay

TWEETERY7@YAHOO.COM-571-421-6813

IN THE CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA

AUGUST 21, 2025

LYNN KAY, Petitioner

v.

PHILIP KAPUSTA, Respondent

**AFFIDAVIT OF EPIC FRAUD
AND CORRUPTION AND
DECEIT AND EVIL AND
DEPRAVED
INHUMANENESS-25 PAGES
FILED 8-21-25**

Case No.: CL-2018-11871-

**RE: "ELAINE MAE KAPUSTA AND LYNN KAY HAVE BEEN
CRIMINALLY VIOLATED CAUSING 5 YEARS OF INJURIOUS
LIFE-ALTERING DECIMATING IRREPARABLE HARM TO
LIVES AND HEALTH AND HOME AND WELL-BEING"**

LEGAL STATEMENTS AND AFFIDAVIT BY: LYNN KAY

(EXHIBITS A-H)-EXHIBIT H STILL TO BE FILED

**"THIS IS AN EPIC CASE OF "EPIC PROPORTIONS OF
PERSONS COMMITTING CRIMES OF CRIMINAL FRAUD
AND CORRUPTION AND DECEIT AND EVIL AND
DEPRAVED INHUMANENESS!"-MAKING VIRGINIA LEGAL**

**CASE HISTORY TO WARN OF THE DANGERS OF
PREDATORY CONSERVATORSHIPS AND PREDATORY
GUARDIANSHIPS AND PREDATORY FIDUCIARIES IN
THEIR ALL SEEKING ONLY HARM FOR FINANCIAL
EXPLOITATION.”**

**EPIC CRIMINAL FRAUD UPON THE COURT DISSOLVES THE
ENTIRE #2018-11871 CASE BEING PERMANENTLY CRIMINALLY
BREACHED AND PERMANENTLY JUDICIALLY VOIDED AND
VACATED FROM 5 YEARS OF UNCEASING ONGOING CRIMINAL
FRAUDULENCE AND GROSS MALFEASANCE PRACTICED AND
CRIMINAL MALICIOUS ACTIONS AND CONCEALMENTS AND
OMISSIONS AND COVER-UPS OF CRIMINAL EVIDENCE
CONCEALED WITH DECEPTION OCCURRING DURNG EVERY
SINGLE LEGAL PROCEEDING-(2020-2025)**

**I, Lynn Kay, being of sound mind and over the age of 18, do
hereby declare and affirm under oath as follows:**

- 1. Background: MY MOM AND I ARE INNOCENT VICTIMS OF
ONGOING FRAUDULENT, ABUSIVE, AND CRIMINAL ACTS
COMMITTED BY INDIVIDUALS AND FIDUCIARIES
ENTRUSTED WITH MY MOM’S AND “THE ESTATE’S” CARE**

FILED 8/6/25

VIRGINIA CIRCUIT COURT OF FAIRFAX COUNTY-VIRGINIA LYNN KAY, Plaintiff,

CASE #2018-11871

AUGUST 4, 2025

-21 PAGES

FILED-8/6/25

**EPIC FRAUD UPON THE COURT
AND CRIMES COMMITTED BY
DECEITFUL ACTS COMMITTED
SINCE 2020-21 PAGES FILED
8/6/25.pdf**

LEGAL STATEMENT REGARDING

****EPIC "CRIMINAL FRAUD UPON THE COURT" BY USING "CRIMINALLY FABRICATED AND FALSIFIED CARE MANAGER REPORTS" AND CRIMINALLY CONCEALED MATERIAL FACTS** "CRIMINALLY BREACHING CONTRACT" AND BREACHING FIDUCIARY DUTY OF CARE AND VIOLATION OF RIGHTS, IN A "CRIMINAL TAKEOVER OF OUR LIVES"**

"SUPPLEMENTAL FILING FOR PROPER JUDICIAL REVIEW FOR RULING OF *JULY 2022- (CONCEALED CRIMINAL MEDICAL ELDER NEGLECT BY CARE MANAGEMENT AND ALL FIDUCIARIES)

COMES NOW, LYNN KAY, and states the following for the record:

- I. **GROSS MALFEASANCE OCCURRING BY ALL FIDUCIARIES AND PHILIP KAPUSTA UNCEASINGLY FOR 5 YEARS OF FRAUDULENT ACTS AND CRIMES BEING COMMITTED AND CONCEALED-(2020-2025)**
 1. **Fraud Upon the Court: The submission of knowingly falsified and entirely concealed care manager reports—fabricated without any factual basis and used in support of the also FRAUDULENT BASELESS CRIMINALLY CONCEALED EMERGENCY PETITION USED FOR "MALICIOUS PROSECUTION WITH WRITTEN THREATS" WHICH WAS DATE-STAMPED FILED ON 7/5/22—CONSTITUTES "FRAUD UPON THE COURT".**
 2. **These "CRIMINALLY FALSIFIED FABRICATED AND CONCEALED REPORTS AND THE ALSO CONCEALED EMERGENCY PETITION ALL contained "ENTIRELY FACTUALLY UNTRUE IMPLICATIONS OF WRONGDOING AND HARM ALLEGEDLY CAUSED BY LYNN KAY."**

AND FINANCIAL AFFAIRS.THESE FRAUDULENT
MALFEASANT ACTIONS BEGAN AS EARLY AS 2020 AND
HAS CONTINUE TO THE PRESENT DAY, AUGUST 2025, IN
THE COMMONWEALTH OF VIRGINIA. AND PHILIP
KAPUSTA-“PSYCHOPATH SON” AND JUSTIN BERGER-(HALE
BALL) AND ALL OTHER 4 PAST CARE MANAGERMENTS AND
PAST AND ALL CURRENT LAWYERS ARE ALSO ALL
COLLECTIVELY INVOLVED IN THE CRIMINAL FRAUD AND
CRIMINAL ELDER NEGLECT AND OTHER RELATED CRIMES
LISTED BELOW SINCE BEGAN JULY 2022.

2. Discovery of Fabricated Records

On May 22, 2025, I personally uncovered falsified Care
Manager Reports which were word-for-word fabrications.
These fabricated reports were used as the foundation for
false allegations, court filings, and other criminal
concealment of elder neglect and abuse. These
fraudulent records have been knowingly concealed and
relied upon in proceedings since July 2022.

3. Criminal Acts Identified:

Based on my evidence and review, the following wrongful acts have occurred:

“CRIMINAL FRAUD UPON THE COURT BY FRAUDULENCE PRACTICED” causing LIFE-ENDANGERING HARM-(since 7/5/22)

“CRIMINAL MALICIOUS PROSECUTION WITH CRIMINAL WRITTEN AND PHYSICAL THREATS AND CRIMINAL VIOLATION OF RIGHTS”-causing LIFE-ENDANGERING HARM-(since 7/5/22)

“CRIMINAL THEFT OF SALARIES AND FUNDS BY CRIMINALLY FRAUDULENT MEANS”-(2020–2025)

“CRIMINAL ABDUCTION OF ELAINE MAE KAPUSTA AND LYNN KAY WITH WRITTEN AND PHYSICAL THREATS AND VIOLATION OF CIVIL RIGHTS”-Va. Code § Code 18.2-47-causing LIFE-ENDANGERING HARM-(2020–2025)

“CRIMINAL OBSTRUCTION OF JUSTICE” UNDER VA. CODE § 18.2-460- causing LIFE-ENDANGERING HARM-(6/30/22 to present)

“CRIMINAL ELDER CRUELTY AND NEGLECT AND ABUSE AND EXPLOITATION”-UNDER VA. CODE § 18.2-369(B)- causing LIFE-ENDANGERING HARM-(2021–present)

“CRIMINAL ARMED ABDUCTION AND KIDNAPPING OF ELAINE MAE KAPUSTA” UNDER VA. CODE § 18.2-47 causing LIFE-ENDANGERING HARM
-(6/6/23–present)

“CRIMINAL DEFAMATION AND CRIMINAL FRAUD”- causing LIFE-ENDANGERING HARM-(6/30/22 to present)

“CRIMINAL BREACH OF CONTRACT BY CRIMINAL FRAUD”- causing LIFE-ENDANGERING HARM-(2020-2025)

“CRIMINAL PERJURY BY FILING KNOWINGLY FALSE ALLEGATIONS AND REFUSING TO RETRACT AND FILING KNOWINGLY UNSUPPORTIVE BASELESS FILINGS WITH THE DELIBERATE OMISSION OF MATERIAL FACTS”-ABUSIVE COURT FILINGS AND CRIMINAL HARASSMENTS”-CAUSING LIFE-ENDANGERING HARM-(7/5/22–present).

**BREACH OF FIDUCIARY DUTY OF CARE-CAUSING LIFE-
ENDANGERING HARM-(2020–present)**

**“CRIMINAL AIDING AND ABETTING CRIMINAL CONDUCT”-
UNDER VA. CODE § 18.2-18.4-CAUSING LIFE-ENDANGERING
HARM-(2022-2025)**

- 4. The knowingly false allegations filed against LYNN KAY
SINCE 6/30/22 TO PRESENT DAY have been proven false
and communicated to the responsible parties.**

**Despite notice, no retraction has been made, causing ongoing
defamation of my name and reputation and causing LIFE-
ENDANGERING HARM since 2022 TO PRESENT DAY.**

- 5. CRIMINAL OBSTRUCTION OF JUSTICE BY FIDUCIARIES
AND ALL LAWYERS AND PHILIP KAPUSTA-“PSYCHOPATH
SON”-(2022-2025)**

**ALL FIDUCIARIES ARE MANDATED REPORTERS-VIRGINIA CODE
63.2-1606 ARE COLLECTIVELY ALL INVOLVED IN THESE**

DOCUMENTED CRIMES AND HAVE A LEGAL DUTY TO DISCLOSE ELDER ABUSE, NEGLECT, AND EXPLOITATION.

THEIR FAILURE TO DISCLOSE, COMBINED WITH DELIBERATE OMISSIONS OF MATERIAL FACTS WITH ALL COLLUDING IN CONSPIRING TO CONCEAL ALL OF THEIR CRIMES AND CRIMINALLY OBSTRUCTING JUSTICE HAS PREVENTED TIMELY CRIMINAL, LEGAL AND FINANCIAL ACCOUNTABILITY OF 22+ PERSONS/ENTITIES RESPONSIBLE COLLECTIVELY ALL INVOLVED IN FURTHERING ALL OF THE HARM OF THESE ONGOING CRIMES.

LEGAL STATEMENT RE: "EGREGIOUS CRIMINAL BREACH OF CONTRACT" BECOMES "CRIMINAL" DUE TO "USING FRAUDULENT MEANS OF CRIMINAL CONCEALMENT OF FRAUD" BY "THE USE OF CRIMINAL FABRICATION OF DOCUMENTS FOR CRIMINALLY CONCEALING CRIMINAL ELDER NEGLECT AND ABUSE AND FINANCIAL EXPLOITATION."

WHAT MAKES A BREACH OF CONTRACT "CRIMINAL"?

Normally, a breach of contract is civil, meaning the remedy is usually money damages or court-ordered performance. However, it can cross into "criminal" territory when:

Fraudulent intent is present – if one party lies, conceals, or uses deception to induce or to breach the contract to avoid their obligations.

Forgery or fabrication of documents – creating and or using false records or documents to cover up misconduct can amount to "criminal fraud" by falsification of records.

The breach involves theft of funds, embezzlement, or exploitation – especially where vulnerable persons (such as elders) are involved, it qualifies as "criminal" elder abuse or financial exploitation.

LEGAL STATEMENT REGARDING “EGREGIOUS CRIMINAL BREACH OF CONTRACT”

This matter involves not only a civil breach of contract but also an “EGREGIOUS CRIMINAL BREACH OF CONTRACT”, because the breach was carried out and concealed through fraudulent means. Specifically, the opposing parties engaged in:

Fraudulent concealment of material facts related to the contract;

Fabrication of documents with the intent to mislead and obstruct proper legal and fiduciary oversight;

Use of falsified reports and records to conceal ongoing elder neglect and abuse; and

Exploitation of vulnerable persons by misappropriating funds and property under false pretenses.

These actions go way beyond ordinary breach and constitute “criminal fraud, obstruction of justice, and elder abuse under applicable law.” The concealment and fabrication of documents demonstrate deliberate intent to commit and cover up crimes, making this not merely a civil wrong but a matter of “criminal accountability”.

Obstruction of justice by the concealment of crimes – when fake fabricated falsified documents are used to mislead courts, investigators, or authorities and persons of the contract.

So, the “criminal” part comes not from failing to perform the contract itself, but from fraudulent means and related crimes committed to cover up or benefit from the breach.

IN SUMMARY:

THE CONCEALED COURT-SEALED FILING OF FALSE ALLEGATIONS KNOWINGLY PROVEN AS FALSE AND INFORMED AND PROVEN FALSE AND REFUSING TO RETRACT IS ALSO PERJURY AND IS ALSO 3+ YEARS OF ACTIONABLE ONGOING "CRIMINAL DEFAMATION OF LYNN KAY" WITH ALL PERSONS FAILING TO RETRACT AS THIS CONTINUES THE DEFAMATION CAUSING LIFE-ENDANGERING HARM SINCE 2022.

FALSIFIED FABRICATED RECORDS WERE DISCOVERED IN COURT-SEALED FILINGS ON 5/22/25 BY MYSELF-LYNN KAY.

IN THESE "CRIMINALLY FABRICATED AND FALSIFIED 2 CARE MANAGER REPORTS"-(6/8/22 AND 6/30/22 NOT MATCHING ANY DOCUMENTED FACTS) AND BEING ENTIRELY CONCEALED FROM LYNN KAY.

AND HAVING BEEN ENTIRELY "WORD FOR WORD" USED FOR THE SECRETIVE FILING OF THE BASELESS AND MERITLESS AND RECKLESSLY UNSUPPORTED BY FACTS 7/5/22 UNFOUNDED EMERGENCY PETITION. WHICH WAS ALSO ENTIRELY CONCEALED FROM LYNN KAY NEVER BEING NOTIFIED OF AN EMERGENCY PETITION OR OF THE HEARING OCCURRING, THEREBY ENTIRELY VIOLATING MY DUE PROCESS AS EVERYTHING WAS CONCEALED AND DISREGARDING THE FACTS AND TRUTH VOIDS ALL 2020-2025 COURT ORDERS BY EPIC FRAUD IN 2020-2025 PRESENT DAY.

**ALL FIDUCIARIES HAVE DOCUMENTEDLY PRACTICED CRIMINAL FRAUD CONTINUING TO PRESENT DAY ALONG WITH PHILIP KAPUSTA AND JUSTIN BERGER-(HALE BALL) AND MARK CUMMINGS-(GEORGE W. DODGE'S PAST LAWYER) AND STEPHEN HALL-(GEORGE W. DODGE'S CURRENT CRIMINAL LAWYER). KNOWINGLY CONCEALING ALL CRIMINAL ACTS COMMITTED SINCE 2022 TO PRESENT DAY CONSTITUTES CRIMINAL OBSTRUCTION OF JUSTICE ALONG WITH MALICIOUS PROSECUTION FOR EVERY INVOLVED PARTY KNOWINGLY LYING, CONCEALING AND THREATENING MOM'S AND MY LIFE WITH THEIR CRIMINAL ACTS IN AIDING AND ABETTING AND SUPPORTING CRIMINAL ACTS WITH MALICE AGAINST MOM. AND I SINCE 2022.and

THIS COMMITMENT OF CRIMINAL FRAUD UPON THE COURT WITH MALICIOUS PROSECUTION OF WRITTEN AND PHYSICAL THREATS ENTIRELY VOIDED THE ENTIRE CASE OF CL CASE #2018-11871 AS LIVES WERE PUT IN DANGER BY CRIMINAL FRAUD WHICH ORIGINATED ON 7/31/20 BY ALTERING THE AGREED UPON 1/7/20 GUARDIANSHIP PROTECTIVE AGREEMENT FOR MOM AND I WITH THEN ON 7/31/20 TERMS DECEPTIVELY ALTERED TO MAKE LYNN KAY-"GUARDIAN IN NAME ONLY WITH HAVING ABSOLUTELY NO POWER AT ALL WITH 8 YEAR LONG ADVANCE

MEDICAL DIRECTIVE SOLELY HELD BY LYNN THEN DECEPTIVELY TERMINATED WITH ABSOLUTELY NO JUST CAUSE".

THIS CRIMINALLY MALICIOUS ALTERATION IN HAVING NO POWER ALSO BECAME HAVING NO SALARY AS THAT WAS NEVER FULFILLED NEVER RECEIVING ANY \$90,000 ANNUAL SALARY ALSO CRIMINALLY FRAUDULENT THEFT FROM LYNN KAY. AND THEFT AND LOSS FOR "THE ESTATE" BY LOSING MULTI-MILLIONS FROM GROSS FINANCIAL MISMANAGEMENT OF UNNECESSARILY SELLING 60 YEAR OWNED RENTAL PROPERTIES LOSING MULTI-MULTI MILLIONS IN TAX LOSSES, REAL ESTATE VALUE AND DECADES OF FUTURE RENTAL INCOME AT \$1,000,000/3 YEARS. LYNN KAY-MYSELF DEVOTED OVER A DECADE TO MAINTAINING AND GREATLY IMPROVING THESE RENTAL PROPERTIES AND REQUESTED IN 2020 FOR THEM TO BE HER INHERITANCE IN PLACE OF CASH.

**IMMEDIATE FREEZING OF THE CONSERVATORSHIP BOND IS REQUIRED FOR FULL RESTORATION OF THE ESTATE FUNDS AND 5 YEARS OF DAMAGES TO BE PAID BY CONSERVATORS FOR CRIMINAL FRAUD AND MAXIMUM PUNITIVE DAMAGES FROM ALL INVOLVED PERSONS OF FRAUD AND DECEIT AND ALL 5 YEARS OF MALFEASANCE AND CRIMES COMMITTED AGAINST AN INNOCENT MOTHER AND DAUGHTER IN A "PREDATORY CRIMINAL CONSERVATORSHIP/ GUARDIANSHIP/CARE MANAGEMENT SYSTEM OF CRIMES OF CRIMINAL FRAUD AND CORRUPTION AND DECEIT AND EVIL AND DEPRAVED INHUMANENESS".

"THE CRIMINAL BREACH OF CONTRACT" RESULTING IN:

1. "CRIMINAL FRAUD UPON THE COURT"-(7/5/22 TO PRESENT DAY)
2. "CRIMINAL MALICIOUS PROSECUTION WITH CRIMINAL THREATS AND VIOLATION OF RIGHTS"-(7/5/22 TO PRESENT DAY)
3. "CRIMINAL THEFT OF SALARIES AND FUNDS BY FRAUDULENT MEANS"-(2020-2025)
4. "CRIMINAL VIOLATION OF OUR RIGHTS"-18.2-47-(2020-2025)

5. "CRIMINAL THREATS TO LIFE AND HEALTH AND HOME"-18.2-47-(2020-2025)
6. "CRIMINAL ABDUCTION-24/7 FORCED HOME INVASION"-18.2-47-(7/8/22-...)
7. "CRIMINAL OBSTRUCTION OF JUSTICE"-18.2-460-(6/30/22 TO PRESENT DAY)
8. "CRIMINAL AIDING AND ABETTING"-18.2-18-(6/30/22 TO PRESENT DAY)
9. "CRIMINAL ELDER CRUELTY CRIMES-NEGLECT, ABUSE AND EXPLOITATION"-18.2-369-B-(2021 TO PRESENT DAY)
10. "CRIMINAL CONCEALMENT OF ALL CRIMES"-18.2-460-(6/30/22 TO PRESENT DAY)
11. "CRIMINAL BREACH OF CONTRACT USING FRAUDULENT MEANS BY THE CRIMINAL CONCEALMENT OF FRAUD BY THE CRIMINAL FABRICATION OF DOCUMENTS FOR CRIMINALLY CONCEALING CRIMINAL ELDER NEGLECT AND ABUSE FOR "THE CRIMINAL TAKEOVER OF OUR LIVES"-(JULY 2022 TO PRESENT DAY)
12. BREACH OF FIDUCIARY DUTY OF CARE-(2020 TO PRESENT DAY)
13. FAILURE TO PROTECT FROM NEGLECT, ABUSE AND EXPLOITATION-63.2-1606-(2021-2025)
14. "CRIMINAL ARMED ABDUCTION"-18.2-47-(6/6/23 TO PRESENT DAY)
15. "CRIMINAL FORCED ARMED KIDNAPPING WITH NO LEGAL RIGHT AND NO LEGAL JUST CAUSE TO DEPRIVE OF FREEDOM, HEALTH, HOME, LIFE AND HER DAUGHTER"-18.2-47-(6/6/23 TO PRESENT DAY)

ALL OF THESE VIRGINIA STATE CRIMES ALONG WITH CRIMINAL FINANCIAL EXPLOITATION HAVE DOCUMENTEDLY COLLECTIVELY BEEN COMMITTED BY EVERY INVOLVED PERSON AND ARE CRIMES BEING CRIMINALLY CONCEALED ENTIRELY TO ALL AUTHORITIES AND TO THIS COURT IN ALL PERSONS OBSTRUCTING JUSTICE BY THE CRIMINAL CONCEALMENTS BY THEIR SILENCE SINCE JULY 2022.

LEGAL STATEMENT REGARDING:

FILING FALSE ALLEGATIONS KNOWINGLY PROVEN AS BEING FALSE AND INFORMED AND PROVEN FALSE AND REFUSING TO RETRACT IS PERJURY AND DEFAMATION.

§ 18.2-460. Obstructing justice; resisting arrest; fleeing from a law-enforcement officer; penalties.

FAILING TO DISCLOSE AND MISLEADING AUTHORITIES AND THE COURT BY OMITTING MATERIAL FACTS HAS OBSTRUCTED JUSTICE FROM EVER BEING SERVED-(2022-2025).

IF ANY LAWYER, INCLUDING MINE AND ANY FIDUCIARY AS ALL BEING "OFFICERS OF THE COURT AND OR A MANDATED REPORTER OF ELDER NEGLECT AND ABUSE AND EXPLOITATION HAD EVER PROVIDED FACTUAL TRUTH SINCE JULY 2022 TO PRESENT DAY THEN THE REQUIRED INVESTIGATIONS OF CRIMES COMMITTED SINCE 2021 DEPRIVATION OF CARE WOULD HAVE SEEN ALL VIRGINIA CRIMES HAVING BEEN UPHOLD FOR ALL NAMED AND INVOLVED CRIMINALS FOR THEIR PROPERLY SERVING THEIR PRISON SENTENCES TODAY IN THEIR ALL BEING HELD FULLY ACCOUNTABLE FOR ALL OF THEIR CONCEALED CRIMES COMMITTED.

BUT NOT 1 LAWYER OR FIDUCIARY OR PHILIP KAPUSTA HAS EVER CARED ABOUT THE TRUTH, THE FACTS, THE LAW OR CRIMES COMMITTED AND HAS ALSO EQUALLY NEVER CARED ABOUT THE LIFE, HEALTH AND HOME OF ELAINE MAE KAPUSTA AND LYNN KAY SHOWING THE EPIC DEPTH OF CORRUPTION AND INHUMANENESS INVOLVED FOR 5 YEARS OF ELAINE MAE KAPUSTA AND LYNN KAY AS VICTIMS OF PREDATORS

**LEGAL STATEMENT ON CRIMINAL FRAUD UPON THE COURT WITH
CRIMINAL MALICIOUS PROSECUTION WITH CRIMINAL WRITTEN
THREATS AND CRIMINAL VIOLATION OF RIGHTS WITH CRIMINAL
ABDUCTION**

**I, respectfully submit this statement for the record, asserting that the
actions taken against me constitute serious criminal misconduct and
violations of my constitutional rights under the laws of the
Commonwealth of Virginia and the United States of America.**

1. Criminal Fraud upon the Court

**It is my position that fraudulent misrepresentations and false filings
with 5 years of ongoing fraudulent acts have been knowingly
submitted in judicial proceedings with the intent to deceive the Court.
Such conduct constitutes fraud upon the court, as it undermines the
integrity of the judicial system and deprives me of my right to a fair
and impartial proceeding.**

**2. Criminal Malicious Prosecution with THREATS TO LIFE AND
HEALTH AND HOME**

**I further state that I have been subjected to malicious prosecution,
wherein charges and proceedings were initiated against me without
probable cause and with malice. The purpose of these actions was not**

to serve justice, but rather to harass, damage my reputation, and deprive me of liberty and property and my position and my safety.

3. Criminal WRITTEN THREATS TO LIFE AND HEALTH AND HOME

I allege that written threats were directed toward me in violation of Virginia Code § 18.2-60 and other applicable statutes. These written and verbal threats were intended to intimidate, coerce, and silence me from exercising my legal rights.

4. Criminal Violation of Rights

The above actions together constitute a criminal violation of rights guaranteed under both the U.S. Constitution and the Virginia Constitution. I have been denied due process, equal protection under the law, and the fundamental liberties to which every citizen is entitled since 7/5/22 to present day.

5. Criminal Abduction

Additionally, I allege that I was subjected to criminal abduction, defined as the unlawful detention or restraint of my person against my will. Such actions directly violated Virginia Code § 18.2-47 and represent a grave infringement upon my physical liberty and safety.

Criminal fraud upon the court is a deliberate scheme to corrupt the judicial process itself—not just deceive the opposing party. It typically involves:

Intentional deceit aimed at misleading the court.

Actions by court officers (like attorneys or judges) that impair the court’s ability to adjudicate fairly.

Fabrication of key evidence, concealment of material facts, bribery of judges or jurors, or collusion by attorneys against their own clients.

If proven, it can void judgments, lead to sanctions, disbarment, or even criminal charges like obstruction of justice!

Fraud upon the court refers to actions that undermine the integrity of the judicial process. It involves a deliberate scheme aimed at subverting the court’s impartiality, such as fabricating evidence or attempting to influence the court’s decision-making process. This type of fraud is characterized by actions that mislead the court or compromise its ability to adjudicate cases fairly. Examples include bribery of judges or jurors, hiding evidence, or making material misrepresentations that disrupt the court’s function. The legal standard for proving fraud upon the court is high, requiring “clear and convincing evidence” that the misconduct was central to the case.

Malicious prosecution happens when someone — either a police officer or a private citizen — maliciously causes judicial process to commence (often through criminal charges or a civil lawsuit) against you without evidence or probable cause, and with malice.

ALL VIRGINIA CRIMES ON THE VIRGINIA BOOKS WOULD HAVE BEEN UPHELD AND CRIMINALLY INVESTIGATED AND PROSECUTED FOR ALL CRIMINALS BEING HELD ACCOUNTABLE FOR ALL OF THEIR CRIMES AGAINST ELAINE MAE KAPUSTA AND LYNN KAY HAVING BEEN COMMITTED AGAINST AN INNOCENT MOTHER AND DAUGHTER HAVING BEEN UNAWARE OF PREDATORY CONSERVATORS AND PREDATORY CARE MANagements AND PREDATORY GUARDIANS AND PREDATORY FIDUCIARIES IN THEIR ALL SEEKING ONLY HARM BY

“THE PLAYBOOK OF PREDATORS* OF LIQUIDATION..... ISOLATION.....

MEDICATION.....

DECIMATION

AND CREMATION FOR “FINANCIAL EXPLOITATION” BY

SEEKING “FORCED INCAPACITATION”

BY THEIR EVIL WAYS OF

“INHUMANE DEPRIVATION OF CARE”

AND “DEFAMATION BY CHARACTER ASSASSINATION”

EVERYTHING BUT CREMATION HAS BEEN “THE PLAYBOOK OF THEIR CRIMES HAVING BEEN COMMITTED AGAINST MY MOM AND I”.

CRIMINAL OBSTRUCTION OF JUSTICE-(CRIMINAL CONCEALMENT AND FALSIFYING RECORDS PRESENTED IN COURT AND COURT-SEALED) – 2022-2025

LEGAL STATEMENT REGARDING THE OBSTRUCTION OF JUSTICE IN COURT AND THE OBSTRUCTION OF JUSTICE IN CRIMINALLY MISLEADING ALL INVESTIGATING AUTHORITIES IN ALL FAILING TO EVER BE FORTHRIGHT AND ALL OF THE FALSIFICATION OF DOCUMENTS AND THE CRIMINAL CONCEALMENTS OCCURRING BY ABUSING THE COURT SYSTEM OF EVERY SINGLE LEGAL PROCEEDING BY COMMITTING FRAUDULENT AND CRIMINAL ACTS OF MALICIOUS PROSECUTION OF LYNN KAY WITH NO LEGAL BASIS OR JUST CAUSE AND ALL SOCIOPATHIC INHUMANE FIDUCIARIES AND PHILIP KAPUSTA-“PSYCHOPATH” HAVE ALL COLLECTIVELY VIOLATED OUR RIGHTS AND THREATENED MOM AND I FOR THE UMPTEENTH TIME FOR MORE THAN 38 MONTHS SINCE EVEN PRIOR TO JULY 2022; BY ALL MATERIAL FACTS BEING CRIMINALLY OMITTED IN ALL COURT FILINGS AND IN ALL LEGAL PROCEEDINGS FOR 5+ YEARS OF FRAUD UPON THE COURT.

THE CONCEALMENT OF CRIMES AND CRIMINALLY CONCEALING MATERIAL FACTS IN ALL LEGAL FILINGS AND ALL LEGAL PROCEEDINGS IS DEFINED AS OBSTRUCTION OF JUSTICE.

AND PERJURY BY THE INTENT TO DECEIVE BY CRIMINALLY FALSIFYING AND USING AND CRIMINALLY CONCEALING FALSIFIED DOCUMENTS NEVER REVEALED AS BEING FALSIFIED IN THE FABRICATION OF FRAUDULENT EVIDENCE AND THE CONCEALING OF MATERIAL FACTS HAVING BEEN CRIMINALLY FALSIFIED AND OR CRIMINALLY CONCEALED IN ORDER TO DECEPTIVELY MISLEAD AWAY FROM THE TRUTH AND THE FACTS IN ORDER TO PREVENT CRIMINAL INVESTIGATIONS OF CRIMINAL ELDER NEGLECT AND ALL OTHER CRIMES COMMITTED WITH NO LEGAL JUST CAUSE AND HAVING ABSOLUTELY NO LEGAL RIGHTS AS DECEPTION AND CRIMINAL FRAUD WAS INVOLVED IN ALL ACTIONS SINCE JULY 2020 TO PRESENT DAY.

OBSTRUCTION OF JUSTICE BY CRIMINALLY FABRICATING AND FALSIFYING MEDICAL RECORDS AND CONCEALMENT OF “ALL MATERIAL FACTS AND CONCEALMENT OF ALL FACTUAL MEDICAL RECORDS” IN “MISLEADING THE COURT AND MISLEADING ALL INVESTIGATING AUTHORITIES” BY “THE CRIMINAL CONCEALMENTS” IN “THE INTENT TO DECEIVE AND CRIMINALLY CONCEAL CRIMES COMMITTED AND CONCEALED FOR ENTIRELY THWARTING ACCOUNTABILITY AND JUSTICE FOR CRIMES COMMITTED AND CRIMINALLY CONCEALED.”

****THE WILLFUL CRIMINAL CONCEALMENT OF SUCH INFORMATION WITHHELD PROVES THE GUILT WITH THE SEEKING TO OMIT, WITHHOLD AND MISLEAD BY JUSTICE BEING THWARTED BY THE KNOWINGLY DELIBERATELY WILFUL OMITTED INFORMATION AND MATERIAL FACTS HAVING BEEN “DELIBERATELY OMITTED AND CRIMINALLY CONCEALED.”****

Perjury is (in Virginia): Willfully saying something false or misleading, under oath, about a material fact. It’s not about being confusing or mistaken; it’s about knowingly giving false facts while sworn.

“Lying by omission”: Usually not perjury by itself. If a witness gives an answer that is “literally true” but leaves things out, becomes perjury as the question was clear and called for a complete, factual response, the answer was sworn, and the omission made the answer false in substance as MANDATED REPORTERS ANSWERS WERE ASSUMED TO BE THE TRUTH AN” NOTHING BUT THE TRUTH.

False documents: Submitting sworn documents that you know contain false material facts can be perjury. Submitting false papers (sworn or not) can also be forgery, obstruction, or grounds for court sanctions.

THE CRIMINAL OMISSIONS AND THE CRIMINAL CONCEALMENTS CHANGED THE OUTCOME OF 3 YEARS OF FRAUDULENT LEGAL PROCEEDINGS VOIDING THE ENTIRE CASE FOR CRIMINAL FRAUD PRACTICED, BUT HAS BEEN CRIMINALLY CONCEALED FOR 3+ YEARS ENTIRELY THWARTING CRIMINAL, LEGAL AND FINANCIAL ACCOUNTABILITY AND JUSTICE.

IF ONE PERSON, INCLUDING MY LAWYERS OR ANY FIDUCIARY OR A LAWYER HAD EVER DONE THEIR JOB AND HAD NOT CRIMINALLY CONCEALED ALL MATERIAL FACTS, OUR LIVES NEVER WOULD HAVE BEEN DECIMATEDLY DESTROYED FOR NOW 38 MONTHS OF “ABSOLUTELY PURE LIVING HELL SUFFERED BY

****MOM AND I HAVING OUR LIVES STOLEN AND DECIMATEDLY DESTROYED BY 20+ CRIMINALS IN A “CRIMINAL TAKEOVER OF OUR LIVES” BY “AN EPIC CRIMINAL CONSPIRACY TO CONCEAL ALL FIDUCIARIES CRIMES OF ELDER CRUELTY COMMITTED AND CONCEALED.******

****VIRGINIA LAWS ON THE BOOKS MUST BE UPHELD AND ALL NAMED CRIMINALS INVOLVED MUST BE HELD CRIMINALLY AND LEGALLY AND FINANCIALLY RESPONSIBLE FOR BEING CRIMINALLY INVESTIGATED AND CRIMINALLY PROSECUTED AND CRIMINALLY SENTENCED FOR THE CONSPIRACY AND CONCEALMENT OF CRIMES COMMITTED AND CRIMINALLY CONCEALED AS THIS INVOLVES****

****2 HUMAN LIVES DESTROYED BY OTHERS CRIMES COMMITTED AND DECEPTIVELY CRIMINALLY CONCEALED SINCE 2022 COLLECTIVELY BEING CONCEALED BY JUSTIN BERGER AND PHILIP KAPUSTA AND BY ALL FIDUCIARIES.******

****LYNN KAY AND ELAINE MAE KAPUSTA ARE SEEKING MAXIMUM PROSECUTIONS AND MAXIMUM CRIMINAL AND MAXIMUM FINANCIAL PENALTIES FROM ALL PERSONS FOR ALL 4 YEARS OF CRIMES COMMITTED.******

****ALL FIDUCIARIES AND LAWYERS COLLECTIVELY INVOLVED FOR 38 MONTHS MUST BE ORDERED TO BE REFERRED TO THE AUTHORITIES FOR CRIMINAL INVESTIGATIONS TO FINALLY BEGIN AS THEY HAVE ALL****

PLAYED A ROLE IN COLLECTIVELY 38 MONTHS OF CRIMINAL
CONCEALMENT OF CRIMES COMMITTED AND CRIMINALLY
CONCEALED AS “VIRGINIA CRIMES STATES VERY CLEARLY**

**INCLUDING JUSTIN BERGER-(HALE BALL) AND PHILIP KAPUSTA-
“PSYCHOPATH SON” AS OCCURRING BY THEIR DECIMATEDLY
DESTROYING THE LIVES OF ELAINE MAE KAPUSTA AND LYNN KAY AS
MOTHER AND DAUGHTER HAVING BOTH OF THEIR LIVES “CRIMINALLY
TAKEN OVER” BY “EPIC PROPORTIONS OF PERSONS COMMITTING
CRIMES OF CRIMINAL FRAUD AND CORRUPTION AND DECEIT AND
EVIL AND DEPRAVED INHUMANENESS!”**

**NO ONE HAS EVER HAD ANY LEGAL RIGHT TO EVER VIOLATE OUR
RIGHTS OR TO EVER HARM US OR TO EVER CONTROL MOM AND I, IN
ANY WAY OR TO EVER COMMIT ANY CRIME AGAINST MOM AND I,
EVER, INCLUDING PHILIP KAPUSTA-“PSYCHOPATH”.**

REQUESTED RELIEF:

I respectfully demand the following:

1. Immediate investigation by appropriate law enforcement
authorities into all criminal acts listed herein.

2. Revocation and correction of all false filings, reports, or records submitted in court.

3. REVOCATION IN ITS ENTIRETY OF CASE #2018-11871 FOR 5 YEARS OF CRIMINAL FRAUD AND UMPTEEN PERSONS CRIMES AND DECEIT

4. LYNN KAY FULL AND SOLE RESTORATION AS PRIOR TO 7/31/20 HOLDING ALL POWERS OVER ELAINE MAE KAPUSTA AND THE ENTIRE ESTATE WITH ONCE AGAIN FULLY AND SOLELY HOLDING PLENARY GUARDIANSHIP WITH ADVANCE MEDICAL DIRECTIVE AND LEGAL P.O.A. WITH THE PERMANENT REMOVAL OF PHILIP KAPUSTA BEING DECLARED AS BEING "A CLEAR AND PRESENT DANGER" AS ALL ACTIONS AND INACTIONS HAVE PROVEN FOR NOW 8 YEARS OF HIS MALFEASANCE AND CRIMINAL FRAUD.

5. Civil remedies including FULL COMPENSATORY FROM ALL FIDUCIARIES AND PHILIP KAPUSTA FOR INVOLVED FRAUD AND DECEIT AND MAXIMUM PUNITIVE DAMAGES for fraud, breach of fiduciary duty, and criminal defamation, criminal breach of contract....FULL RESTITUTION FOR 5 YEARS FOR ALL CRIMES AND MALFEASANCE.

6. Criminal prosecution of all persons involved in fabricating and falsifying and concealing documents, obstructing justice, committing and concealing elder neglect and abuse, violating our rights with written and physical threats and criminal abduction and criminal ARMED KIDNAPPING.

7. Protective measures to ensure my mom and my safety, health, and home are no longer threatened, in any way.

8. FREEZING THE ENTIRE CONSERVATORSHIP BOND FOR FULL FORFEITURE FOR REPAYMENT FOR ALL GROSS MALFEASANCE AND GROSS FINANCIAL MISMANAGEMENT FOR MAXIMUM PUNITIVE DAMAGES AND FULL COMPENSATORY FOR 5 YEARS OF LOSS TO ELAINE MAE KAPUSTA, LYNN KAY AND THE ESTATE OF ELAINE MAE KAPUSTA-(3 SEPARATE ENTITIES CRIMINALLY HARMED AND IRREPARABLY DECIMATED”)

CONCLUSION

Taken together, these acts—fraud upon the court, malicious prosecution, criminal written threats, violation of rights, and abduction...ETC.—constitute a coordinated and unlawful campaign against my mom and I for 5+ years.

I respectfully assert my right to seek full legal remedies and request that appropriate criminal and civil actions be pursued AGAINST THE RESPONSIBLE PARTIES.

Affirmation:

I affirm under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 21st day of AUGUST, 2025



Lynn Kay

TWEETERY7@YAHOO.COM

571-421-6813

8/21/25

3 YEARS OF OUR LOST LIVES BY CRIMINAL FRAUD ENACTED SINCE PRIOR TO 2022
CANNOT EVER BE COMPENSATED AS TIME LOST IS NOT REPLACEABLE ONCE LOST!

THIS IS TRULY EPIC FRAUD AND DECEIT COMMITTED BY ALL CRIMINALS CAUSING
DETRIMENTAL AND IRREPARABLE LIFE-ALTERING HARM TO MOTHER AND DAUGHTER!

Respectfully submitted,



LYNN KAY

TWEETERY7@YAHOO.COM

8/21/25

AFFIDAVIT OF EPIC FRAUD
AND CORRUPTION AND
DECEIT AND EVIL AND
DEPRAVED
INHUMANENESS-25 PAGES
FILED 8-21-25

OLIVIA SCHIEDT-JDUGE CLERK 1

NOTICE OF SERVICE:

I HEREBY ATTEST TO ALL PERSONS AND WENDY HAHN BEING TOGETHER EMAILED THIS AND
FILED AND BROUGHT TO JUDGE'S CHAMBERS ON 8/21/25.



LYNN KAY

TWEETERY7@YAHOO.COM

571-421-6813

REVISED VERIFIED EXPERT OPINION ACCORDING TO

FLORIDA LAW

STATE OF FLORIDA

COUNTY OF BREVARD

GEORGE W. DODGE AND "AS ALL OTHER PREDATORY FIDUCIARIES" ALSO DEFIED AND IGNORED ALL DR'S ORDERS & ALL EMAILED REQUESTS FOR URGENT DENTAL AND MEDICAL CARE-9/20/22 & 10/16/22 & 1/16/23, 1/28/23, 5/8/23, 5/22/23, 5/24/23, 5/27/23, 5/29/23, 6/5/23, 6/17/23, 10/3/23-BLACK EYE GRAVE INJURY AT COBBDALE, 10/18/23, 11/2/23, 1/4/24, 1/5/24, 1/23/24-ATTACHED EXHIBITS

1. I am a medical expert as defined by Florida law, and that I am regularly engaged in the practice of my profession, hold a Doctor of Osteopathy degree from A. T. Still University in Missouri and have completed an Emergency Medicine residency program from

Delaware Valley Medical Center in Pennsylvania. I possess special health care knowledge and skills about the subject upon which I provide this opinion. I have practical knowledge of what is usually and customarily done in this case. I am board-certified in Emergency Medicine and licensed to practice in the state of Florida. I am currently actively practicing Emergency Medicine in the state of Florida.

2. . I have reviewed the following records pertaining to Ms, Elaine Kapusta:

a. Lab results from Quest labs, and LabCorp labs.

3. . It is my medical opinion that after reviewing the medical records you sent me, Ms. Elaine Kapusta was diagnosed with Myelodysplastic Syndrome-(MDS) by Dr. William Ershler, MD. in February 2024. Her labs show:

On September 27, 2022, Ms. Kapusta's complete blood count was the following:

WBC = 4.9

RBC= 4.64

HGB 13.9

HCT - 43.6

Platelets = 176

On January 25, 2023 her complete blood count results were:

WBC= 4.9

RBC = 3.85

HGB = 12.1

HCT: 38.1

Platelets = 107

On October 26, 2023, her complete blood count results were:

WBC = 3.0

RBC=2.26

HGB 8.0

HCT = 23.8

Platelets = 118

On August 2, 2024, her complete blood count results were:

WBC = 5.74

RBC = 2.32

HGB = 8.2

HCT = 25.5

Platelets = 125

4. These values are consistent with Myelodysplastic Syndrome-(MDS) according to hematologist Dr. Ershler: From September 2022 to August 2024, Ms. Lynn Kay reported that Ms. Elaine Kapusta received no medical care and medical treatment for Myelodysplastic Syndrome-(MDS) from a physician. If a patient has Myelodysplastic Syndrome-(MDS), that patient needs a bone marrow biopsy and treatment by a hematologist. Treatment options include blood transfusions, growth factors, medications to suppress the immune system, and possibly bone marrow transplants. This would require numerous outpatient visits, and possibly an inpatient stay in hospital.

5. Based on the review of the medical records, and testimony from Ms. Lynn Kay, Ms. Elaine Kapusta went nearly two years with the disease of Myelodysplastic Syndrome-(MDS) and did not receive any medical treatment. It is my opinion, that this meets the criteria for medical elder neglect as per Virginia Criminal law under section 18.2-369-B.

6. I have further reviewed numerous emailed medical records sent to me from Ms. Lynn Kay regarding her mother and her medical care. Below are my opinions after reviewing them that I attest to.

a. I have reviewed all 30 emails or articles numbered on the associated pages.

b. I agree Ms. Lynn Kay was correct in requesting an anemia workup looking for the possible diagnosis of Myelodysplastic Syndrome-(MDS) in her mother in 2023 and 2024.

c. I agree that Ms. Kay was correct in requesting a dental evaluation in 2022 and 2023 to look for a dental abscess in her mother's mouth. Dr. Cusumano eventually diagnosed Ms. Kapusta with one on 5/8/23. Also Dr. Cusumano recommended sedation dentistry, Comprehensive Evaluation and follow-up Treatment.

d. I agree that Ms. Kay was correct in requesting blood cultures be drawn on Ms. Kapusta when Ms. Kapusta was suffering from multiple recurring urinary tract infections in 2022 and 2023.

e. I agree that in 2023 and 2024 and 2025, Ms. Kay was correct in requesting an iron panel testing for evaluation for Ms. Kapusta being evaluated for receiving an iron infusion as she has suffered since December 2022 with Myelodysplastic Syndrome-(MDS) and was eventually

diagnosed with iron deficiency anemia on 5/22/23. Additionally, she was eventually diagnosed with Myelodysplastic Syndrome-(MDS) in February 2024 by both Dr. Dappen and Dr. Ershler.

f. I agree that Ms. Kay correctly and necessarily informed all fiduciaries since 1/28/23, including Dr. Dappen and Jeanne Blue- Eldertree regarding this very concerning occurrence of platelets and red blood cell destruction. This request for a hematologic evaluation should not have been ignored.

g. I agree that Myelodysplastic Syndrome-(MDS) is a "blood cancer" recognized by Cancer.org as being so.

7. These were Ms. Kapusta's last normal CBC values on 10/24/22. The lab results since then have all been abnormal in one way or another.

WBC-3.3

RBC-4.60

HGB-14.1

HCT-43.6

PLT-167

8. Ms. Kapusta has a history of Myelodysplastic Syndrome-(MDS) since December 2022. If she has not had an evaluation for red blood cell transfusion, and iron infusion to treat this disease, I recommend that she have this evaluation by a hematologist. The evaluation should include a bone marrow biopsy for confirming Myelodysplastic Syndrome-(MDS), and then beginning the proper treatment.

9. Ms. Kapusta has a history of a dental abscess requiring a dental evaluation and antibiotics. However, an oral surgeon has to perform an incision and drainage procedure to fully treat the dental abscess properly. If Ms. Kapusta has not had this evaluated by a dentist or oral surgeon, to fully resolve the abscess diagnosed in May 2023, I recommend she have this done. She may require sedation for the evaluation and treatment to be done.

10. In both 2023 and 2024 Ms. Lynn Kay had concerns regarding her mother needing to be evaluated for "blood cancer and immunodeficiency". Ms. Kapusta was eventually diagnosed with "immunodeficiency" on 2/7/24 by Dr. Ershler, and Myelodysplastic Syndrome-(MDS) on 2/9/24 by Dr. Dappen.

III: CONCLUSION:

1. Finally, there is a downward trend in comparing laboratory results from September 27, 2022 to August 2, 2024. Ms. Kapusta maintained lower hemoglobin, lower hematocrit, and lower platelet levels during this period. Although the white cell count remained normal, this trend is consistent with her diagnosis of Myelodysplastic Syndrome-(MDS).

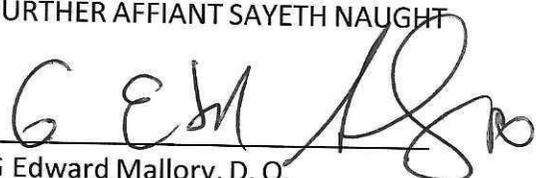
2. Ms. Elaine Kapusta received antibiotics for a dental infection on May 9, 2023, from Dr. Cusumano.

3. Based on lab values, Elaine Kapusta has only deteriorated outside of her home from 6/5/23 to 8/2/24, the last available lab values, and without receiving any medical care suffering myelodysplastic syndrome since December 2022.

4. Ms. Kapusta failed to ever be provided any proper medical care. This shows that Elaine living away from the care of Ms. Lynn Kay and being away from home has been detrimental to Elaine's health.

5. Thank you for the opportunity to help you in this medical situation.

FURTHER AFFIANT SAYETH NAUGHT



G Edward Mallory, D. O.

February 6, 2025

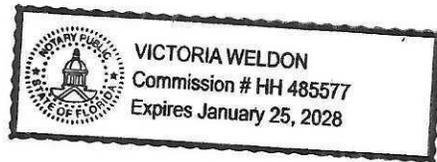
The foregoing Affidavit was acknowledged before me, an officer duly authorized in the State and County aforesaid, to take acknowledgment, this 17th day of February in the year 2025, by G. Edward Mallory D.O., who is personally known to me or has produced FL DL as identification.

Signature: Victoria Weldon

Printed name of notary: Victoria Weldon

Notary Public, State of Florida

My commission expires 1/25/2028



GEORGE W. DODGE AND "AS ALL OTHER PREDATORY FIDUCIARIES" ALSO DEFIED AND IGNORED ALL DR'S ORDERS & ALL EMAILED REQUESTS FOR URGENT DENTAL AND MEDICAL CARE-9/20/22 & 10/16/22 & 1/16/23, 1/28/23, 5/8/23, 5/22/23, 5/24/23, 5/27/23, 5/29/23, 6/5/23, 6/17/23, 10/3/23-BLACK EYE GRAVE INJURY AT COBBDALE, 10/18/23, 11/2/23, 1/4/24, 1/5/24, 1/23/24-ATTACHED EXHIBITS

CRIMINAL FILES REVIEWED BY DR. MALLORY

1. 10/10/22-4:25 PM EMAIL-DENTAL X-RAYS
2. 10/16/22-10:41 AM EMAIL-TEETH PAIN-DENTAL X-RAYS
3. 12/2/22-12-20-22 EMAIL-***MOM IS ABSOLUTELY BEGGING FOR HELP!** **PLEASE SAVE MY INNOCENT MOM!-**SHE DESSERVES A CHANCE TO LIVE AND TO THRIVE AND TO MAKE IT TO 85! **-*MOM NEEDS TO BE ADMITTED TO THE HOSPITAL IMMEDIATELY SO THAT MOM'S LIFE CAN BE SAVED* *1 THINK 911 NEEDS TO BE CALLED
4. 12-31-22-PANIC MOM WOKEUP-230 AM IN A PANIC & WITH SWEATS ON FOREHEAD AND HEAD AND HAIR AND CLAMMY HANDS AND CHILLS AND CONFUSION DISORIENTED AND SOMEWHAT SLURRED SPEECH AND WARM SKIN, BUT FEELING CHILLS AND FEELING WEAK NOT GRASPING MY HAND.pdf
5. 1-3-23-12-3-22-DR. INCOMPETENT-MOM'S KIDNEY FAILURE ISSUES & NOW SLIGHTLY LOWERED-(105-95) GLUCOSE-LEVELS STILL BEING AT TOP OF HIGH RANGE, WITH ALSO CONTINUED HIGH TOP OF RANGE FOR AIC.pdf-DAPPEN **IGNORES ALL ABNORMAL LABS**
6. 1/16/23-9:26 AM-EMA1L-TEETH PAIN-DENTAL X-RAYS-DENIAL OF CARE
7. 1/28/23-10:20 AM-EMAIL-HEMATOLOGIST
8. 2/14/23-TEXT-IRON DEFICIENCY AND IMMUNODEFICIENCY BLOOD TESTING, MPV BONE MARROW PLATELTS DESTRUCTION
9. 3/15/23-5:50 PM-EMAIL-BLOOD CULTURE, IRON, FOLATE, MPV, BLOOD TYPE TESTING FOR BLOOD TRANSFUSION OF PACKED RED BLOODCELLS
10. 3/27/23-12:32 PM EMAIL-Re: MOM'S MULTIPLE U.T.I.'S CAUSED PLATELET DESTRUCTION BY BLOOD INFECTION-(HISTORY)
11. 3/29/23-6:51 PM EMAIL-^MOM'S 2 BROKEN CAPILLARIES-(3-6-23 & 3-28-23)!!!!!!-NEVER IN 16 YEARS HAVE I EVER HAD THIS HAPPEN TO MY M OMI.pdf

12. 3/29/23 EMAIL-●-IGNORED-3-29-23-TEETH PAIN-DENTAL CLEANING & ABNORMAL PLATELETS-Action Items.pdf
13. 4-2-23-DENTAL APPT-Better communication-scheduling the dental cleaning for Elaine this week.pdf
14. 5-8-23-EKapusta-DR. CUSUMANO clinical notes & 5-9-23-AZITHROMYCIN ANTIBIOTICS.pdf
15. *5/19/23-LYNN TEXT TO RACHELLE--MYELODYSPLASTIC SYNDROME NEEDS TO BE RULED OUT
16. 🗑️-5-24-23-THREATS LETTER-TO LYNN KAY AND ELAINE KAPUSTA INSTEAD OF PROVIDING MEDICAL CARE-Letter from MDC to Stine.pdf
17. IRON-DEFICIENCY ANEMIA-12-2-22 BEGAN FOR MOM UNTIL 5-11-23-THEN CONTINUED AGAIN.pdf
18. *5/27/23-6:16 PM EMAIL-IRON INFUSION
19. *5/29/23-8:37 AM EMAIL-DENTAL CLEANING AND SEDATION X-RAYS
20. *6/5/23-6:25 PM EMAIL-SUBSTANTIAL LIKELIHOOD MOM WILL DETERIORATE!- Cummings Letter re Dodge, Kapusta
21. 🗑️-9-29-23-DEADLY DANGEROUS.pdf-**THE LAST TIME I SAW MY MOM BECAUSE I TOOK THE BLACK EYE PIC- (CRIMINAL MEDICAL ELDER NEGLECT AND ABUSE EVIDENCE)
22. *10/18/23-3:36 PM EMAIL-HOSPITAL EVALUATION FOR IRON INFUSION & IV FLUIDS & IV NUTRIENTS
23. 🗑️-10-20-23-HOSPITAL ADMISSION DENIED-MOM NEEDS HOSPITAL ADMISSION A.S.A.P..pdf
24. *11/1/23-4:19 PM EMAIL-HOSPITAL EVALUATION-MY MOM'S BONE MARROW AND BLOODCELLS HAVE BEEN DESTROYED! MOM NEEDS IMMEDIATE HOSPITAL EVALUATION TODAY OR TOMORROW

25. 📧-11-2-23-5:09 AM EMAIL-WARNING IGNORED-BONE MARROW DAMAGE-
ENDANGERING MOMS LIFE!.pdf
26. 11-2-23-MOM'S SEVERE ANEMIA.PDF
27. 11-28-23-10-18-23-📧-📧-IGNORED-IRON INFUSION & HOSPITAL EVALUATION
REQUESTED & ENTIRELY IGNORED-IMMEDIATE URGENT MEDICALLY PROPER STEPS
FOR MY MOM'S HOPEFUL RECOVERY.pdf
28. *1/4/24-(EMERGENCY PETITION COURT SUPPLEMENT)-BLOOD CANCER HOSPITAL
EVALUATION FOR COMPLETE VITAMIN PANEL AND IRON PANEL AND INFECTION
29. ●-1-5-24-5-8-23-DENTAL GUM ABSCESS BACTERIAL BLOODSTREAM INFECTION-
FOLLOWUP TREATMENT NEEDED-Referral and Clinical Notes Elaine Kapusta-1-5-24-
📧-.pdf
30. 1-23-24-DENTAL DENIAL AND DENIAL OF LABS-Letter.Burton-1-23-24.pdf

GEORGE W. DODGE AND "AS ALL OTHER
PREDATORY FIDUCIARIES" ALSO DEFIED AND
IGNORED ALL DR'S ORDERS & ALL EMAILED
REQUESTS FOR URGENT DENTAL AND MEDICAL
CARE-9/20/22 & 10/16/22 & 1/16/23, 1/28/23, 5/8/23,
5/22/23, 5/24/23, 5/27/23, 5/29/23, 6/5/23, 6/17/23,
10/3/23-BLACK EYE GRAVE INJURY AT COBBDALE,
10/18/23, 11/2/23, 1/4/24, 1/5/24, 1/23/24-ATTACHED
EXHIBITS

In addition, I request that my mom finally be medically properly evaluated for all vitamin deficiencies with my mom having not only a complete vitamin panel done, along with a Complete Iron Panel done and for evaluating for an infection and blood cancer and for all Immunodeficiencies in the Virginia Hospital-(Arlington) immediately to occur to finally allow my mom to receive the proper Standard of Care Medical Care and medical treatment for my mom's health to be entirely restored.

And I also respectfully request that my mom is returned home permanently for her complete recovery after blood transfusion being discharged with mom also receiving IV FLUIDS and IV NUTRIENTS for her hopeful complete restoration without needing any antipsychotics or laxatives or suppositories and the like of which all deleterious and dangerous medication was only given at Cobbdale which has entirely caused so very much Injury, Illness, Disease and Infection to my mom without my solely caring for my mom.

I also respectfully ask that the Court order "The Estate" to pay for Dr. Franco Musio-(Medical Expert Witness) to be hired immediately by "The Estate" to comprehensively evaluate all of my mom's 1 1/2 years of her medical labs to tell the entire story of everyone's "Medical Neglect" from "Shifflett" medical neglect causing my mom to become so gravely ill prior to 6/30/22 Virginia Hospital, including my mom wrongly not receiving any Antibiotics for 8 days after 6/30/22 Virginia Hospital Admission and then also from 9/27/22-present day 10/26/23 labs of my mom losing 52% of her once-healthy 2022 blood cells and bone marrow being destroyed by untreated and ignored bacterial bloodstream infections causing anemia with the destruction of her once-healthy blood cells after suffering through her 2nd bacterial bloodstream infection on 8/11/22 and then her 3rd on 10/7/22 when "Dappen", "Dodge" and "Eldertree" also then continued "Medically Neglecting" my mom.

And documenting how after 10/24/22, "Dappen", "Dodge" & "Eldertree" all medically neglected my mom by giving absolutely no Proper Standard of Medical Care and Treatment and entirely withheld all needed dental and medical appointments and proper labs and proper treatment and gave dangerous FDA-BLACK-BOXED unapproved medications and all of the other extremely harmful wrongly prescribed medications and refusing for 5 months to do anything medically proper for my mom after 5/11/23 having brought my mom to the sickest that my mom has ever been.

I request that the Court order that all of my mom's medical information of all Cobbdale Medication Lists and Paragon daily notes and Cobbdale daily notes and any and all recent November and December labs having been done be immediately provided to me today as my mom's medical information has been withheld from me continually since 6/6/23.

"Dappen", "Dodge, and "Eldertree" medical elder neglect of my mom has entirely destroyed my mom and my mom has been entirely refused to be allowed for her to have any proper medical care for more than an entire year of withholding medical care in none of them ever seeking my mom's "Best Interests" for medically properly caring for my "infectious" and "Severely Anemic" mom which has so very uncaringly and so inhumanely being allowed to occur has as a direct result caused my mom to have an entirely destroyed immune system which has as a direct result now caused my mom to suffer multiple weeks from an entireoy ignored "upper respiratory infection" simply because they all did not give my mom any Proper Medica Standard of Care since October 2022.

AFFIDAVIT OF PAUL KAPUSTA

I, Paul Kapusta, being duly sworn, depose and say as follows:

- 1. Attendance at Hearing:** I attended an Emergency Petition Court hearing on January 4, 2024, alongside my cousin, Lynn Kay, concerning allegations of medical neglect and abuse involving Elaine Mae Kapusta.
- 2. Observations During Court Hearing:** During this hearing, I witnessed Lynn Kay inform all relevant fiduciaries present of her concerns regarding the medical neglect and abuse of Elaine Mae Kapusta. Lynn specifically raised the issue that her mother may have been suffering from "possible blood cancer." which was also stated in the Supplement filed for the Court Hearing with Lynn seeking Hospital Admission for Evaluation.
- 3. Response of Fiduciaries and Legal Representatives:** I witnessed the fiduciaries, in attendance fail to do anything to request medical care as well as George W. Dodge's attorney, refute Lynn's claims, denying any concerns regarding Elaine Mae Kapusta's health. I further attest that George W. Dodge's attorney stated that "she was fine," effectively dismissing Lynn's assertions regarding her mother's medical condition.
- 4. Dismissal of Case with both Laurie Kirkland and Elizabeth Wildhack failing to investigate to protect Elaine Mae Kapusta and failed to provide care also denying this right of Elaine's to receive medical and dental care.**
- 5. Without Investigation:** Despite Lynn's statements and concerns of "documented medical neglect and medical abuse" presented for the hearing, the case was dismissed without any court-ordered investigation into the claims of neglect and abuse regarding Elaine Mae Kapusta.
- 6. Subsequent Medical Confirmation:** Within approximately one month following the dismissal of this case, Lynn Kay's assertions were substantiated. Both Dr. Ershler and Dr. Dappen subsequently confirmed the diagnosis of pancytopenia-4-5 months and immunodeficiency and myelodysplastic syndrome-"blood cancer" in Elaine Mae Kapusta, thereby validating Lynn's claims. This confirmation suggests a failure to properly address or investigate the claims initially presented and as a result Elaine has suffered to thisday being denied life-saving care.
- 7. Witness to Statements Denying Neglect:** I further attest to my personal knowledge of statements made by George W. Dodge's legal representative denying that Elaine Mae Kapusta had any medical issues or concerns at the time, in direct contradiction to the later confirmed medical diagnosis which on 1/31/24-George W. Dodge terminated Lynn Kay's

MYCHART ACCESS in order to seek to conceal these "damning medical reports" which Lynn then sought via a court order for her mom's records.

I affirm under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Date: NOV 12 2024

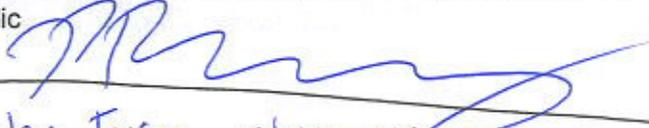
Signature: Paul Kapusta

Paul Kapusta

Notary Public:

Subscribed and sworn to before me this 12 day of November, 2024

Notary Public


Peter Furey, Notary Public of Talbot County, Maryland
EXP: 02/15/2028 (PF)



Code of Virginia

Title 18.2. Crimes and Offenses Generally

Chapter 8. Crimes Involving Morals and Decency

1/17/25

§ 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

☒ Virginia Law Library

The Code of Virginia, Constitution of Virginia, Charters, Authorities, Compacts and Uncodified Acts are now available in EPub eBook format. ☒

☒ Helpful Resources

[Virginia Code Commission](#)
[Virginia Register of Regulations](#)
[U.S. Constitution](#)

☒ For Developers

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



2-7-25-MALLORY-AFFIDAVIT-FIDUCIARIES-CRIMINAL MEDICAL ELDER NEGLECT AND ABUSE OF CONFINEMENT & ISOLATION & DETERIORATION AWAY FROM LYNN'S CARE AND HOME

GEORGE W. DODGE AND ALL OTHER PREDATORY FIDUCIARIES CONTINUALLY DEFIED AND

IGNORED DR'S ORDERS-9/20/22 & 5/8/23, 5/22/23, 1/5/24

Respectfully,

A handwritten signature in black ink that reads "Lynn Kay". The signature is written in a cursive style with a large initial "L" and a long, sweeping tail.

Lynn Kay

NOTICE OF SERVICE

I hereby certify that on the below date OF 3/14/25, a copy of this will be filed and paper copied to be brought to JUDGE'S CHAMBER'S OFFICE and was also EMAILED on 3/14/25 TO ALL PERSONS

INCLUDING counsel for George W. Dodge-(ALONG WITH Alexis Smith-(Judge Tran's Court Clerk) in the same email.

Respectfully,

A handwritten signature in black ink that reads "Lynn Kay". The signature is written in a cursive style with a large initial "L" and a long, sweeping tail.

Lynn Kay

EXHIBITS OF PREDATORY FIDUCIARIES
IGNORING ALL DOCTOR-ORDERED AND EMAIL
REQUESTS FOR BOTH DENTAL AND MEDICAL
CARE SINCE 9/20/22

Virginia CRIMINAL LAW SECTION-Va. Code §
18.2-369 (Abuse and Neglect of Incapacitated
Adults)-(CLICKABLE ELDER NEGLECT AND ABUSE
LINK TO THE VIRGINIA LAW WEBSITE) -www.

VIRGINIA CRIMINAL LAW SECTION-Va. Code §
63.2-1606 (Mandatory Reporting of Adult Abuse,
Neglect, or Exploitation)-(CLICKABLE MANDATED
REPORTING LINK TO THE VIRGINIA LAW
WEBSITE)-www.

FILED 8/6/25

VIRGINIA CIRCUIT COURT OF FAIRFAX COUNTY-VIRGINIA LYNN KAY, Plaintiff,

CASE #2018-11871

AUGUST 4, 2025

-21 PAGES

FILED-8/6/25

**EPIC FRAUD UPON THE COURT
AND CRIMES COMMITTED BY
DECEITFUL ACTS COMMITTED
SINCE 2020-21 PAGES FILED
8/6/25.pdf**

LEGAL STATEMENT REGARDING

****EPIC "CRIMINAL FRAUD UPON THE COURT" BY USING "CRIMINALLY FABRICATED AND FALSIFIED CARE MANAGER REPORTS" AND CRIMINALLY CONCEALED MATERIAL FACTS** "CRIMINALLY BREACHING CONTRACT" AND BREACHING FIDUCIARY DUTY OF CARE AND VIOLATION OF RIGHTS, IN A "CRIMINAL TAKEOVER OF OUR LIVES"**

"SUPPLEMENTAL FILING FOR PROPER JUDICIAL REVIEW FOR RULING OF *JULY 2022- (CONCEALED CRIMINAL MEDICAL ELDER NEGLECT BY CARE MANAGEMENT AND ALL FIDUCIARIES)

COMES NOW, LYNN KAY, and states the following for the record:

- I. **GROSS MALFEASANCE OCCURRING BY ALL FIDUCIARIES AND PHILIP KAPUSTA UNCEASINGLY FOR 5 YEARS OF FRAUDULENT ACTS AND CRIMES BEING COMMITTED AND CONCEALED-(2020-2025)**
 1. **Fraud Upon the Court: The submission of knowingly falsified and entirely concealed care manager reports—fabricated without any factual basis and used in support of the also FRAUDULENT BASELESS CRIMINALLY CONCEALED EMERGENCY PETITION USED FOR "MALICIOUS PROSECUTION WITH WRITTEN THREATS" WHICH WAS DATE-STAMPED FILED ON 7/5/22—CONSTITUTES "FRAUD UPON THE COURT".**
 2. **These "CRIMINALLY FALSIFIED FABRICATED AND CONCEALED REPORTS AND THE ALSO CONCEALED EMERGENCY PETITION ALL contained "ENTIRELY FACTUALLY UNTRUE IMPLICATIONS OF WRONGDOING AND HARM ALLEGEDLY CAUSED BY LYNN KAY."**

3. THIS DEFAMATION in which NO WRONGDOING AND HARM CAN BE SUBSTANTIATED AS BEING FACTUALLY TRUE by any medical records or relevant evidence.
4. THE STATEMENTS OF "DEFAMATORY ALLEGATIONS "WITHOUT ANY SUBSTANTIATION" AND WITHOUT ANY "DUE DILIGENCE" WERE MADE IN BEING ENTIRELY MISLEADING IMPLYING WRONGDOING AND CAUSING HARM TO ELAINE MAE KAPUSTA, WHEN IN FACT, MEDICAL RECORDS DOCUMENTEDLY SHOWS THAT ALL REQUESTS DOCUMENTEDLY PROPERLY MADE BY "MEDICALLY ASTUTE LYNN KAY" AND
5. **EVERYTHING LYNN KAY REQUESTED AND DID WAS IN FACT, "MEDICALLY PROPERLY COPIED BY VIRGINIA HOSPITAL CENTER AND **ALL OCCURRED DAYS PRIOR TO FILING AND CONCEALING THE "DEFAMATORY 7/5/22 EMERGENCY PETITION OF LIES"
6. WHICH MEDICAL FACTS DISPROVE ALL DEFAMATORY ALLEGATIONS
7. BEING SHOWN WITHOUT A SHADOW OF A DOUBT TO BE ENTIRELY BASELESS AND WITHOUT MERIT AS BEING ENTIRELY FRIVOLOUS COURT FILING AND PROCEEDINGS AND
8. THEREFORE LIABLE FOR DEFAMATION AS KNOWINGLY USING FALSEHOODS NEVER INVESTIGATED FOR VERACITY .
9. ALL INVOLVED FIDUCIARIES AND LAWYERS AND PHILIP KAPUSTA DEFAMED THE GOOD NAME AND THE GOOD CHARACTER OF LYNN KAY BY THEIR NEGLIGENCE BY
10. NEVER DOING ANY DUE DILIGENCE EVER FOR 3 ONGOING YEARS OF DEFAMATION, NEVER CEASING!
11. ALL INVOLVED ARE LIABLE FOR 3 ONGOING YEARS OF DEFAMATION CAUSING LIFE-ALTERING IRREPARABLE HARM TO LYNN KAY BY
12. CRIMINAL CONCEALMENT OF UNCEASING FRAUD UPON THE COURT BY THE ONGOING CRIMINAL CONCEALMENT OF CRIMINAL ELDER NEGLECT COMMITTED AND CONCEALED.

13. ALL BEING INFORMED OF CARE MANAGER NEGLECT SINCE 2022 AND THEN AGAIN ON 6/9/25.
14. Concealment of Material Facts: Those same reports intentionally omitted and concealed critical medical and actual facts showing that Elaine Mae Kapusta was in EMERGENT NEED OF CARE due to serious and documented neglected medical conditions.
15. IGNORED AND CONCEALED BY GOING TO THE GREAT LENGTHS OF CONCEALMENT BY FALSIFYING AND WITH THE FABRICATION OF EVIDENCE AND ALSO
16. AGAINST COURT ORDER TERMINATING MYCHART ACCESS ON 7/8/22 FOR 4 MONTHS by ALL FIDUCIARIES SEEKING TO CONCEAL THEIR
17. FRAUDULENT AND CRIMINAL ACTS OF CRIMINAL ABDUCTION OF ELAINE MAE KAPUSTA AND LYNN KAY IN JULY 2022 TO PRESENT DAY AND
18. THE CRIMINAL ABDUCTION AND ARMED KIDNAPPING OF ELAINE MAE KAPUSTA ON 6/6/23 IN ORDER TO FURTHER COLLECTIVELY CONCEAL THEIR CRIMES COMMITTED SINCE JULY 2022, USING “CRIMINAL WRITTEN THREATS OF ABDUCTION AND HOMELESSNESS”.
19. This VIRGINIA HOSPITAL CENTER 6/30/22-7/14/22 EMERGENT AND EXTENSIVE SERIOUS HOSPITALIZATION includes HOSPITAL-CONFIRMED DIAGNOSES OF GRAVE INJURIES OF ELDER MEDICAL NEGLECT OF UROSEPSIS, METABOLIC ENCEPHALOPATHY, OBSTRUCTIVE UROPATHY, AND SEVERE KIDNEY AND CARDIAC INJURY—FACTS KNOWN TO THE CARE MANAGERS AND DELIBERATELY CONCEALED FROM ALL AUTHORITIES AND FROM THIS COURT.
20. NEVER PROVIDING LYNN KAY WITH EITHER THE CRIMINALLY FALSIFIED 6/8/22 OR THE CRIMINALLY FALSIFIED 6/30/22 CARE MANAGER REPORTS FABRICATED BY PREMIER LIFE PLANNING CARE MANAGEMENT TO ATTEMPT TO DEFLECT CRIMINAL LIABILITY IN THEIR PRETENDING THERE WAS NO CRIMINAL ELDER NEGLECT.
21. THE CRIMINAL FABRICATION AND THE CONCEALMENT OF ALL OF THE MEDICAL RECORDS IMPLICATES ALL OF THE INVOLVED AS “GUILTY”.

22. **MANDATED REPORTER VIOLATIONS-(Va. Code § 63.2-1606):** The failure by multiple individuals—care managers and fiduciaries—to report known or suspected or informed elder neglect and abuse constitutes a violation of their legal duty as mandated reporters.
23. This non-reporting spanned from 2021 through the present by “THE DECEPTION OF THE CONCEALMENT OF FIDUCIARIES CRIMES COMMITTED”, despite repeated and documented alerts by the undersigned for 4+ years to present day.
24. ****1ST INFORMED LIZ SHIFFLETT IN APRIL 2021 THAT 3 ROOT CANALS WERE ORDERED BY DR. HU-MCLEAN DENTAL AND THIS WAS RECORDED BY DR. CUSUMANO ON 4/13/21 OFFICE VISIT RECORDS”.**
25. **Obstruction of Justice and Perjury by Omission:** These actions further amount to obstruction of justice under Va. Code § 18.2-460 and perjury by omission under Va. Code § 18.2-434. **ALONG WITH AIDING AND ABETTING 18.2-18.**
26. Under Virginia law, aiding and abetting a crime—including crimes against the elderly—is a criminal offense under § 18.2-18. This law treats someone who helps, encourages, or assists another person in committing a felony as if they committed the crime themselves.
27. So if someone in Virginia helps another person neglect or exploit or abuse an elderly individual—financially, physically, or otherwise—they can be charged and punished just like the person who did the direct harm.
28. Concealment of crime is definitely prohibited.

II. CRIMINAL TAKEOVER OF OUR LIVES:

1. **CRIMINALLY FABRICATED CARE MANAGER REPORTS USED IN SUPPORTING THE ALSO FRAUDULENT CONCEALED EMERGENCY PETITION ON 7/5/22 WITHOUT EVER PROVIDING ANY SUPPORTIVE EVIDENCE OF ALLEGATIONS BY DECEPTIVELY USING THE FALSIFIED CARE MANAGER REPORTS FOR “VIOLATING**

RIGHTS AND BREACHING CONTRACT” IN “THE ACTS OF FRAUDULENTLY ABUSING THE COURT SYSTEM DECEPTIVELY TO TAKE COMPLETE CONTROL OF BOTH ELAINE MAE KAPUSTA AND LYNN KAY BY CRIMINAL FRAUD AND CRIMINAL ABDUCTION AND THE CRIMINAL KIDNAPPING OF ELAINE MAE KAPUSTA BY FORCE OF PRIVATE ARMED GUARDS WITH GUNS WITH ELAINE MAE KAPUSTA FORCIBLY KIDNAPPED AGAINST WILL AND FOR MALFEASANCE TO CONTINUE CONCEALMENT OF CLASS 4 CRIMINAL ELDER NEGLECT”.

- 2. Knowing falsehoods were used in sworn filings, and WILLFULLY AND KNOWINGLY THERE HAS BEEN NO ATTEMPT MADE TO PROPERLY RETRACT FALSE ALLEGATIONS with THE FAILURE TO SEEK THE PROPER COURT AMENDMENT FILING FOR FULL RETRACTION FOR CORRECTION ALSO IMPLICATES THE “GUILTY”.**
- 3. Being provided evidence of falsity ON 6/9/25 AND PROVIDED COURT SUPPLEMENT AND DEFAMATION DEMAND LETTER**
- 4. THERE HAVING BEEN ABSOLUTELY NO ACTION OF JUDICIALLY PROPER ACTION TAKEN BY ANY OF “THE CRIMINAL CONCEALERS” FOR 2 MONTHS TO JUDICIALLY SEEK TO RETRACT ALL COURT FILINGS IN 2022-2025.**
- 5. PROLONGING AND COMPOUNDING THE INJURIES OF THE LIFE-ALTERING HARM CAUSED BY 3 YEARS OF “CRIMINAL CONCEALMENT” AFFECTING ELAINE MAE KAPUSTA AND LYNN KAY BY ALL OF THE CRIMES COMMITTED AND CONCEALED FOR 3+ YEARS.**

III. DEFAMATION BY DECEIT, PRETENSE, AND COVERT IMPLICATION

- 1. DEFAMATION BY DECEIT AND PRETENSION OF INNOCENCE.**
- 2. DEFAMATION BY DECEPTION OF THE TRUTH.**
- 3. DEFAMATION BY DECEPTION OF FAILING TO BE FORTHRIGHT AND IMPLICATION OF HARM BY THE DISHONESTY OF “ALL MATERIAL**

FACTS” BEING CONCEALED, THEREBY CAUSING DEFAMATION BY CAUSAL IMPLICATION.

- 4. REMAINING SILENT AND IMPLYING LYNN KAY IS INSANE” AND “IMPLYING ALL ALLEGATIONS AGAINST THE CRIMINALS ARE UNTRUE.**
- 5. AND PERJURING IN STATING THAT “LYNN HAS A HISTORY OF FILING FALSE POLICE REPORTS”. ONCE AGAIN, IMPLYING THE REPORTS OF ALLEGATIONS ARE FALSE WHEN IN FACT THE CRIMINALS ACTIONS AND INACTIONS ARE FACTUALLY TRUE WITH THE LYING TO ALL AUTHORITIES AND TO THIS COURT FOR SELF-PROTECTION OF CRIMINAL INVESTIGATIONS AND PROSECUTIONS”.**
- 6. CAUSING “FURTHER INJURY TO THE GOOD NAME OF LYNN KAY”.**

The Respondents have engaged in a pattern of defamation by deceit—a form of reputational harm committed not merely through false statements, but by intentional omission of truth, deceptive silence, and manipulative implication.

Defamation by Pretense of Innocence and Deception of the Truth:

The parties, while outwardly claiming innocence, have intentionally withheld key facts that would reveal their own wrongdoing. In doing so, they created a misleading narrative that falsely casts Lynn Kay as the aggressor, fabricator, or unstable party—when in fact she is the injured party reporting genuine harm.

Defamation by Causal Implication and Failure to Be Forthright:

By deliberately remaining silent in the face of serious allegations, the Respondents have allowed an unspoken but powerful implication to form—that Lynn Kay is mentally unstable, untruthful, or habitually dishonest. This silence has operated as a tool of defamation. It falsely suggests that her allegations are baseless or malicious, and that she has a history of filing false police reports. These implications are entirely unsupported and untrue.

This conduct constitutes defamation by implication—a legally recognized form of defamation wherein the damaging message is delivered not by direct statement, but through omission, suggestion, or context that a reasonable listener would understand as defamatory.

Ongoing Injury:

The reputational damage to Lynn Kay is not hypothetical. These actions have harmed her credibility, dignity, and standing in her community and professional life. They have caused her serious emotional distress, compounded the original harm she suffered, and represent a continued effort to discredit her voice and truth.

Such tactics are not only unethical—they are actionable. The law recognizes that silence, half-truths, and innuendo can injure just as deeply as outright lies.

IV. CRIMES NOW REMAINING “HIDDEN NO LONGER BY ALL CONCEALED CRIMINAL EVIDENCE BEING BROUGHT FORTH.”

Fraud upon the court occurs when officers of the court, such as attorneys, engage in deception or concealment of material facts to manipulate legal proceedings. This includes failing to disclose known crimes or misleading the court to obtain unjust restrictions. Such actions are not only unethical but leads to sanctions of disbarment, for violating the duty of honesty and integrity required of legal professionals.”

V. “LAWYERS” BECOME “LIARS AND CRIMINALS”:

- 1. When licensed attorneys engage in deception—including concealment of material facts and intentional misrepresentations during legal proceedings—they violate not only their professional ethics but also their sworn duty as officers of the court.**

2. Where attorneys act collectively to commit, conceal, or perpetuate fraudulent or unlawful conduct—and knowingly misuse the legal process to harm others—such behavior meets the standard of egregious misconduct and must result in permanent disbarment.

This includes any and all attorneys who:

3. Knowingly engaged in deceit or misrepresentation;
4. Concealed evidence of their wrongdoing since 2022;
5. Abused court process or threatened opposing parties to silence exposure;
6. Failed to uphold their ethical duty of candor toward the tribunal.
7. The evidence in this matter reflects that seven (7) individuals—licensed as attorneys—engaged in a pattern of coordinated misconduct. These actions have caused irreparable harm, undermined public confidence in the legal system, and cannot be tolerated.

Accordingly, I call for immediate investigation, sanction, and permanent disbarment of all individuals who participated in these unlawful and unethical acts. Officers of the court who betray the trust of that role must no longer be allowed to practice law in the Commonwealth of Virginia.

8. ****"WHEN LAWYERS DECEPTIVELY LIE BY CONCEALMENT OF THEIR WRONGDOINGS OF DECEITFUL ACTS COMMITTED AND PRACTICED IN LEGAL PROCEEDINGS-**

9. **THEY ARE LABELLED AS “LIARS” AND “NO LONGER HAVING ANY RIGHT TO BE ALLOWED TO PRACTICE AS “LAWYERS”-OFFICERS OF THE COURT”-NOW TO ALL BE SANCTIONED FOR PERMANENT DISBARMENTS FOR ALL OF THEIR FRAUDULENT AND CRIMINAL ACTS COLLECTIVELY COMMITTED AND SUPPORTED AND CONCEALED SINCE 2022.**

10. **TO ALL NOW TO BE SANCTIONED FOR PERMANENT DISBARMENTS FOR FRAUDULENT AND CRIMINAL ACTS COMMITTED AS “SO-CALLED LAWYERS-OFFICERS OF THE COURT”.**

11. **ALL NAMED INVOLVED “7 LIARS” TO BE PERMANENTLY DISBARRED FOR “ALL EGREGIOUS CRIMES COMMITTED AND CONCEALED FOR 3+ YEARS” ARE:**

CARY CUCINELLI

VALERIE GEIGER

ELIZABETH WILDHACK

LAURIE KIRKLAND

JUSTIN BERGER

GEORGE W. DODGE

STEPHEN HALL

12. **The continued reliance on such fraudulent records also supports claims for MALICIOUS PROSECUTION with 2022-2025 written LIFE-ALTERING CRIMINAL WRITTEN THREATS , BREACH OF CONTRACT, BREACH OF FIDUCIARY DUTY OF CARE, HARRASSMENT and VIOLATIONS OF RIGHTS and DEFAMATION, particularly where those responsible have refused to retract or correct the record-being informed on 6/9/25.**

VI. **ONGOING HARM:** These actions have caused prolonged emotional, physical, and financial and reputational and psychological harm to both Elaine Mae Kapusta and myself, and amount to a coordinated abuse of legal process intended to strip us of our rights, our housing, medical care, and dignity and **LIVELIHOOD AND PEACE OF MIND.**

ALL NAMED HAVE COLLECTIVELY DESTROYED FOR 100+ MILLION SECONDS OF THE DESTRUCTION OF OUR LIVES BY CRIMES COMMITTED SINCE EVEN PRIOR TO 5/18/22 AS “ELAINE MAE KAPUSTA DEPRIVATION OF DR. ORDERED ROOT CANALS BEGAN IN APRIL 2021”.

VII. VALIDATION OF DENTAL OFFICE VISIT RECORDS TO BE VALIDATED BY DR.CUSUMANO BY SUBPOENA TO BE COURT-ORDERED TO ATTEST TO ROOT CANALS AND SEVERE GUM DISEASE AND SEPSIS BY THE 4/13/21, 3/2/22, 9/20/22, 5/8/23 AND 1/4/24 AND ALL THEREAFTER THAT 681 DAYS QUARTERLY DENTAL CLEANINGS DENIED HAS BEEN IGNORED BY ALL FIDUCIARIES TO PRESENT DATE BY “DEPRIVATION OF THE PROPER AND DOCTOR-ORDERED ROOT CANALS-(2021-2025)”: **SUBPOENA OF DR. CUSUMANO**

Gum disease, specifically severe gum disease (periodontitis), can potentially lead to sepsis if left untreated. Sepsis is a life-threatening condition where the body’s response to infection spirals out of control and damages its own organs and tissues. The bacteria causing gum disease can enter the bloodstream and trigger this systemic inflammatory response.

Dental Sepsis:

Dental sepsis refers to a severe infection originating in the mouth that spreads to the rest of the body, potentially causing sepsis.

How it starts:

Gum disease, if not treated, can progress, leading to the formation of pockets between the teeth and gums, which harbor bacteria. These bacteria can then enter the bloodstream through the damaged gum tissue.

Sepsis:

Once in the bloodstream, the bacteria or their toxins can trigger a widespread inflammatory response throughout the body. This can lead to organ damage and, if severe, sepsis.

Risk Factors:

Poor oral hygiene, smoking, diabetes, and a weakened immune system can increase the risk of developing gum disease and, consequently, the risk of sepsis from a dental infection.

**LYNN KAY 1ST INFORMED ON 5/18/22-LIZ SHIFFLETT-"MOM SAID SHE'S NOT FEELING WELL..."
IGNORED ENTIRELY AND THEN CRIMINAL DECEIT BEGAN NOT LONG AFTER WITH 6/8/22
FALSIFIED CARE MANAGER REPORT SHOWING FABRICATIONS AND THEN 6/30/22
FABRICATIONS OF EVEN GREATER PROPORTIONS TO CRIMINALLY CONCEAL THE FACTS AND
THE TRUTH TO PREVENT BEING CHARGED WITH CLASS 4 FELONY OF VIRGINIA CRIMINAL LAW
SECTION 18.2-369-B-ELDER NEGLECT AND ABUSE-(CLASS 4 FELONY)
SUBPOENAS TO PREMIER LIFE PLANNING CARE
MANAGEMENT-LIZ SHIFFLETT AND SUZANNE HANAS**

VIII. LEGAL EFFECT-

**1.PERMANENT DISSOLUTIONS AND THE VACATING OF CASE #2018-11871 NO
LONGER BEING VALID MADE VOID IN ITS ENTIRETY DUE TO 2020-2025
FRAUDULENT ACTS COMMITTED AND CONCEALED.**

**2. Because fraud was practiced on the court and material facts were deliberately
concealed,**

**3. ALL 2022-2025 JUDGMENTS ARE TO BE RIGHTFULLY OVERTURNED, VACATED
AND EXPUNGED**

**4. as all judgments issued in 2022-2025 to present day HAVE BEEN "TAINTED BY
FRAUD"**

**6. AND ARE ALL NOW TO BE DECLARED VOID and should be vacated and
expunged in their entirety.**

7. ALONG WITH THE DECLARATION OF "BREACH OF FIDUCIARY DUTY" AND

**8. "BREACH OF CONTRACT" BY USING THE CRIMINALLY CONCEALED DOCUMENTS
IN FRAUDULENT ACTS**

9. ****ENTIRELY DISSOLVES IN ITS ENTIRETY PERMANENTLY ALL CONSERVATORSHIP AND GUARDIANSHIP ORDERS ENACTED ON 1/7/20 AND 7/31/20 FOR 7/8/22 BREACH OF CONTRACT CAUSING TREMENDOUS LIFE-ALTERING DECIMATION AND DESTRUCTION OF THE LIVES OF ELAINE MAE KAPUSTA AND LYNN KAY AND "THE ESTATE"**
10. **AND ALL THEREAFTER BEING DECLARED FRAUDULENTLY SOUGHT AND DECLARED TO BE ENTIRELY VOIDED AS FAILING TO EVER BE PRACTICED IN FORTHRIGHTNESS, EVER, BY ANYONE.****
11. ****SINCE 7/31/20 BREACHED ON DAY 1 BY "FRAUDULENTLY TERMINATING ADVANCE MEDICAL DIRECTIVE HELD BY LYNN KAY FOR 8 YEARS".****

AND WITH

12. ****PHILIP KAPUSTA INVOLVED IN SUPPORTING ALL OF THESE CRIMES SINCE 2022**
13. ****ENTIRELY AND PERMANENTLY DISSOLVES ALL AGREEMENTS AND ALL COURT ORDERS AND COURT JUDGMENTS.**
14. **NOW SHOWING CLEAR DANGER TO ELAINE MAE KAPUSTA AND LYNN KAY.**
15. **THE CLEARLY STATED DECLARATIONS OF DANGER-**
16. **"PHILIP KAPUSTA AS A PSYCHOPATH SEEKING ONLY HARM FOR ELAINE MAE KAPUSTA AND LYNN KAY AND**
17. ****PHILIP KAPUSTA IS NOW BEING DECLARED TO BE A "CLEAR AND PRESENT DANGER TO ELAINE MAE KAPUSTA AND LYNN KAY FOR 7 YEARS SINCE 2018" WHEN "FRAUDULENCE BEGAN BY PHILIP KAPUSTA ALSO "ATTEMPTING TO ALSO FABRICATE WRONGDOING BY LYNN KAY", WHEN THERE NEVER WAS ANY AT ALL, EVER.****
18. **FYI: IF THERE WAS EVER A "COURT- APPOINTED UNIFIED LAWYER FOR ELAINE MAE KAPUSTA AND LYNN KAY AND THE ESTATE," OUR LIVES AND THE ESTATE**

NEVER WOULD HAVE BEEN “DECIMATEDLY DESTROYED FOR 5 YEARS BY CRIMINALS, INCLUDING BY THE CRIMINAL ACTS OF PHILIP KAPUSTA”.

19. DECEPTION USED IN ORDER TO OBTAIN A “COURT ORDER” OR A “COURT-ORDERED RESTRICTION” IS FRAUD UPON THE COURT.

IX. CRIMINAL DECEPTIONS

- 1. “FAILING TO BE FORTHRIGHT” AND “THE CONCEALMENT OF ALL MATERIAL FACTS” AND “THE CONCEALMENT OF KNOWN CRIMES COMMITTED AND CONCEALED” IS**
- 2. **FRAUD UPON THE COURT IN ABUSING THE COURT SYSTEM TO CONCEAL CRIMES COMMITTED AND CONCEALED AND TO HARASS AND RESTRICT AND THREATEN ANOTHER WITH NO LEGAL JUST CAUSE, IF HAVING BEEN FORTHRIGHT WITH “ALL MATERIAL FACTS NOT HAVING BEEN CONCEALED”**
- 3. FRAUDULENCE USED DECEPTIVELY IN ORDER TO OBTAIN A “FRAUDULENTLY SOUGHT COURT JUDGMENT(S) OR “COURT-ORDERED RESTRICTIONS” IS DEFINED AS FRAUD UPON THE COURT-ABUSE OF THE COURT SYSTEM FOR MALFEASANT PURPOSES SOUGHT.****

X. CONCLUSION:

- 1. THESE LAST 3+ YEARS ALL SHOWS THAT ALL FIDUCIARIES AND PHILIP KAPUSTA ARE ALL “CRIMINALS OF DECEIT AND CORRUPTION AND ELDER CRUELTY CRIMES AND FRAUD, AND ALL OTHER LISTED VIOLATED CRIMES AND THIS INCLUDES ALL LAWYERS AND PHILIP KAPUSTA”.**
- 2. **THEREFORE, THIS CASE #2018-11871 IS TO BE HEREBY TERMINATED IN ITS ENTIRETY FOR 5 YEARS OF FRAUD AND CRIMES COMMITTED SINCE DECEPTION BEGAN ON 7/31/20 WHEN ALL TERMS WERE MALICIOUSLY ALTERED FROM LYNN KAY PREVIOUSLY FOR 8 YEARS-(2013-2020) HAVING FULL AND SOLE GUARDIANSHIP WITH THEN IN 2020 IN THE GUARDIANSHIP SETTLEMENT AGREEMENT THE ADDITION OF A CARE MANAGER FOR ASSISTANCE AND OVERSIGHT.****

3. NEVER STATED LYNN WOULD NOT HAVE FULL AND SOLE CONTROL OF GUARDIANSHIP WITH ALL POWERS AS BEING HELD BY ADVANCE MEDICAL DIRECTIVE FOR 8 YEARS- (2013-2020).
4. FRAUDULENTLY AND DECEPTIVELY CHANGED TO LYNN NO LONGER HAVING FULL CONTROL OF ELAINE MAE KAPUSTA WITH THEN EXISTING ADVANCE MEDICAL DIRECTIVE BEING FRAUDULENTLY ENTIRELY TERMINATED BY
5. ****CARY CUCINELLI ON 7/31/20 FOR CRIMINALLY SEEKING FULL CONTROL SINCE DAY 1 AND CONSERVATORS AND CARE MANAGER HAVING FULL CONTROL TO ABUSE AND NEGLECT AND EXPLOIT AND REMOVE BOTH ELAINE AND LYNN FROM OUR HOME.****
6. ALONG WITH ALL "MALICIOUSLY ADDED ADDITIONS NOT AGREED TO IN 1/7/20 GUARDIANSHIP SETTLEMENT AGREEMENT.
7. THESE MALICIOUS STATEMENTS WERE FRAUDULENTLY AND DECEPTIVELY ADDED IN ORDER FOR ALL SOCIOPATHIC PREDATORY FIDUCIARIES" AND "THE PSYCHOPATH PHILIP KAPUSTA" TO "CRIMINALLY STRIP MOM AND I FROM OUR RIGHTS AND OUR HOME."
8. ****THIS FRAUDULENT PREDATORY CONSERVATORSHIP AND PREDATORY GUARDIANSHIP SINCE DAY 1 SHOWS THAT**
9. *****ELAINE MAE KAPUSTA AND LYNN KAY HAVE NEVER EVER BEEN PROTECTED FROM HARM, EVER.*****
10. UNCEASING BLATANT FRAUD OF DECEPTION AND DEFIANCE OF ALL OF THE COURT-ORDERED TERMS OF LYNN KAY HAVING RECEIVED NO ANNUAL GUARDIANSHIP SALARY, RECEIVING NO DETAILED OR ANY FINANCIAL ACCOUNTING, ETC. AND UNNECESSARY LIQUIDATION OF MULTI-MILLIONS LOST TO THE ESTATE FOREVER BY SELLING RENTAL PROPERTIES ENTIRELY RECENTLY RENOVATED AND HELD SINCE 1960'S AND 1970'S LOSING MULTI-MULTI-MILLIONS.**
11. *****ALL GROSS FINANCIAL MISMANAGEMENT REQUIRES "THE IMMEDIATE FREEZING AND FORFEITURE OF THE ENTIRE CONSERVATORSHIP BOND FOR DEPLETING THE ESTATE UNNECESSARILY"-AS LYNN KAY REQUESTED TO CARY CUCINELLI IN 2020 THAT**

THESE RENTAL PROPERTIES THAT SHE GAVE OF HER LIFE AND TIME FOR MORE THAN 10 YEARS TO RENOVATE AND GREATLY IMPROVE TO BECOME HER INHERITANCE.**

12. **\$1+ MILLION/3 YEARS EARNED IN RENTAL INCOME LOST EVERY 3 YEARS AND \$2 MILLION IN TAXES LOST AND WITH UNTOLD MILLIONS LOST IN CONTINUING INCREASING REAL ESTATE AND RENTAL VALUE BY NEVER BEING SOLD.****

13. **UNNECESSARY DEPLETION OF THE ESTATE AND 5 YEARS LIFE-ALTERING HARM DONE BY CARY CUCINELLI GROSS INCOMPETENCE AND FRAUDULENT ACTS DEMANDS FORFEITURE OF THE ENTIRE CONSERVATORSHIP BOND TO MAKE ENTIRELY WHOLE FINANCIALLY FOR UNNECESSARY REAL ESTATE LIQUIDATION AND ALL HARM CAUSED TO ELAINE KAPUSTA AND LYNN KAY AND THE ESTATE FOR 5 YEARS OF "STUPIDITY AND INHUMANENESS PRACTICED BY ALL FIDUCIARIES AND PHILIP KAPUSTA.

XI. SEEKING FULL AND COMPLETE LEGAL AND CRIMINAL AND FINANCIAL JUSTICE

1. FOR FIDUCIARY LAWSUITS TO BE FILED AGAINST CARY CUCINELLI AND THEN ALONG WITH LYNN KAY AND ELAINE MAE KAPUSTA AND THE ESTATE LAWSUITS AGAINST ALL 21+ PERSONS AND ENTITIES OF CRIMINAL MALFEASANCE AND CRIMINAL NEGLIGENT HARM CAUSED AS FIDUCIARIES AND LAWYERS AND PHILIP KAPUSTA CONSISTING OF COMMITTING FRAUD UPON THE COURT AND MALICIOUS PROSECUTION AND COMMITTING AND AIDING AND ABETTING IN SUPPORTING MEDICAL ELDER CRUELTY CRIMES, OBSTRUCTION OF JUSTICE, BREACH OF CONTRACT, BREACH OF FIDUCIARY DUTY, DEFAMATION, VIOLATION OF RIGHTS BY WRITTEN THREATS AND CRIMINAL ABDUCTION AND CRIMINAL FORCED ARMED KIDNAPPING AND ASSISTED LIVING AND PARAGON NEGLIGENT ELDER INJURIES CAUSED AND MEDICAL MALPRACTICE AND DEPRIVATION OF MY RELATIONSHIP WITH MY MOM AND ALL REPUTATIONAL AND FINANCIAL AND PHYSICAL AND PSYCHOLOGICAL HARM TO MOM AND I, COLLECTIVELY DONE BY ALL CRIMINAL ACTS BY:

CARY CUCINELLI

VALERIE GEIGER

ELIZABETH WILDHACK

LAURIE KIRKLAND

LIZ SHIFFLETT

SUZANNE HANAS

PREMIER LIFE PLANNING CARE MANAGEMENT

GEORGE W. DODGE

JEANNE BLUE

KATE MAHONEY

RACHELLE DORNAN

ELDER TREE

DR. ALAN DAPPEN

DOC TALKER

PARAGON CARE

DR. NAVEEN DOKI

COBBDALE ASSISTED LIVING

VIENNA MANOR

PHILIP KAPUSTA

***JUSTIN BERGER-ALSO CORRUPT REPRESENTING LAWYER OF DECEIT**

***STEPHEN HALL-(ALSO CORRUPT REPRESENTING LAWYER OF DECEIT IN HIS SUPPORTING AND CRIMINALLY CONCEALING ELDER CRUELTY CRIMES SINCE MARCH 2024 HIRED AS "CRIMINAL LAWYER FOR "THE SOCIOPATHIC GEORGE W. DODGE'S CRIMINAL ELDER CRUELTY ACTIONS AND INACTIONS OF ELDER CRUELTY CRIMES" AS DEFINED BY VIRGINIA CRIMINAL LAW SECTION 18.2-369-B.**

- 2. BECAUSE ALL OF THESE PERSONS REALIZED THAT THEY CAUSED HARM BY BOTH THEIR ACTIONS AND THEIR INACTIONS THEY ALL THEN REMAINED SILENT AND ATTEMPTED TO COLLECTIVELY COVER-UP 5 YEARS OF MALFEASANCE COLLECTIVELY CONCEALING**

EVERYTHING AND CAUSED EVEN GREATER AND FURTHER 3 YEARS OF HARM FROM THEIR COLLECTIVE CONCEALMENTS!

- 3. AND NONE OF THIS WOULD HAVE EVER OCCURRED IF NOT FOR "THE PSYCHOPATH PHILIP KAPUSTA SEEKING ONLY HARM FOR MOM AND I SINCE 2018!**
- 4. **THERE HAS NOT BEEN EVEN 1 COMPETENT AND HUMANE PERSONS WHO REPORTED THE ELDER CRUELTY FOR NOW 4 YEARS OF CONTINUAL DEPRIVATION OF CARE TO ELAINE MAE KAPUSTA SINCE 2021!****
- 5. ALL OF THE CRIMES COMMITTED HAS DIRECTLY ORIGINATED FROM "CRIMINALLY FABRICATED FRAUDULENTLY FALSIFIED CARE MANAGER REPORTS CONCEALED FOR 3 YEARS AND ENTIRELY USED FOR THE ALSO CRIMINALLY CONCEALED 7/5/22 EMERGENCY PETITION WHICH WAS USED AS THE AVENUE FOR "THE CRIMINAL CONCEALMENTS.**
- 6. "THE INANE STUPIDITY OF CARY CUCINELLI AND ALL OTHER CRIMINAL FIDUCIARIES AND LAWYERS AND PHILIP KAPUSTA" WITH ALL OF THEM "INVOLVED IN EPIC CRIMES COMMITTED AND CONCEALED FOR 3+ YEARS TO PRESENT DAY" BY "USING CRIMINALLY FABRICATED AND FALSIFIED CARE MANAGER REPORTS BY PREMIER LIFE PLANNING CARE MANAGEMENT CRIMINALS-SUZANNE HANAS AND LIZ SHIFFLETT"**
- 7. **THESE "CRIMINAL ACTS BY THE FURTHER CRIMES OF CARY CUCINELLI, VALERIE GEIGER, ELIZABETH WILDHACK, LAURIE KIRKLAND, JUSTIN BERGER AND PHILIP KAPUSTA-(PSYCHOPATHIC SON) BROUGHT ALL FURTHER CRIMINALS CAUSING LIFE-ALTERING HARM AND DECIMATION INTO OUR LIVES AFTER JULY 2022 BREACHES OCCURRING BY CRIMINAL FRAUD.****
- 8. **THE CRIMINAL BREACH OF CONTRACT ON 7/8/22 WAS IN FACT CRIMINAL DUE TO THE METHOD OF BREACHING BY CRIMINALLY CONCEALING KNOWN CRIMES COMMITTED AND CONCEALED TO PRESENT DAY ALONG WITH THE "MALICIOUS PROSECUTION WITH CRIMINAL WRITTEN THREATS TO OUR LIVES AND OUR HEALTH AND OUR HOME TOGETHER" AND "THE CRIMINAL ABDUCTION" AND "CRIMINAL VIOLATION OF OUR RIGHTS WHICH BEGAN ON 7/8/22 TO PRESENT DAY.****
- 9. 7/8/22-CARY CUCINELLI IN A DESPERATE "CRIMINAL ATTEMPT TO CRIMINALLY CONCEAL CRIMINAL ELDER CRUELTY CRIMES HAVING BEEN COMMITTTED"- 18.2-369-**

B-CAUSING ALMOST DEMISE AND HAVING DIRECTLY CAUSED HORRENDOUS GRAVE INJURIES TO ELAINE MAE KAPUSTA-LEFT UNABLE TO WALK FOR WEEKS FROM CARE MANAGER AND ALL FIDUCIARIES ELDER NEGLECT CRIMES-

- 10. "CARY CUCINELLI CRIMINALLY CONCEALED MYCHART ACCESS OF MEDICAL RECORDS AGAINST COURT ORDER.**
- 11. STATED IN THE 7/8/22 COURT ORDER AT THE TOP OF PAGE 5 IS: ORDERED that Philip Kapusta, Lynn Kay, and any care manager for Elaine Kapusta shall be continue to have a right of access to Elaine Kapusta's protected health information and medical records;**
- 12. CARY CUCINELLI HAVING "CRIMINALLY TERMINATED ELAINE MAE KAPUSTA'S MYCHART ACCESS AGAINST COURT ORDER TO LYNN KAY FOR 4 MONTHS BY CARY CUCINELLI DIRECTLY HAVING DEFIED THE COURT ORDER TO**
- 13. CRIMINALLY CONCEAL THE ELDER CRUELTY CRIMES ENTIRELY BEING SUPPORTED BY MEDICAL RECORDS CONCEALED" WHILE ALSO**
- 14. CRIMINALLY CONCEALING THE FALSIFIED UNWARRANTED FRAUDULENTLY SOUGHT EMERGENCY PETITION AND ALSO**
- 15. CRIMINALLY CONCEALING "THE FELONIOUS FRAUDULENTLY PREPARED LIZ SHIFFLETT-(PREMIER LIFE PLANNING CARE MANAGEMENT CRIMINALLY FABRICATED FALSIFIED REPORTS OF 6/8/22 AND 6/30/22"**
- 16. "CRIMINAL FRAUD UPON THE COURT WITH WRITTEN AND PHYSICAL THREATS TO LIFE AND HEALTH AND HOME* AND**
- 17. "CRIMINAL MALICIOUS PROSECUTION WITH CRIMINAL ABDUCTION-(VIOLATION OF THE RIGHTS OF ELAINE MAE KAPUSTA AND LYNN KAY TO LIFE AND HEALTH AND HOME)-7/8/22-BREACH OF CONTRACT.**
- 18. FOR OVERTURNING AND VACATING AND EXPUNGING ALL 2020-2025 COURT JUDGMENTS AND ALL COURT ORDERS FOR FULL AND PERMANENT DISSOLUTIONS BY BREACH OF CONTRACT AND BREACH OF FIDUCIARY DUTY AND ALL FURTHER CRIMES COMMITTED**

19. BASED UPON ALL FIDUCIARIES CRIMES AND DECEPTION COMMITTED BY 2022 FRAUD UPON THE COURT: HAVING TAINTED ALL LEGAL PROCEEDINGS-
20. 2022-2025 CRIMINALLY FALSIFIED AND FELONIOUSLY FRAUDULENT CONCEALED CRIMINAL EVIDENCE OF CRIMINAL ELDER CRUELTY CRIMES COMMITTED AND CONCEALED "UNDER SEAL COURT FILED IN 2022 BY ALL 2022-2025 FIDUCIARIES AND PHILIP KAPUSTA."

COURT SUPPLEMENT OF EXHIBITS:

- ✓ EXHIBIT A-CRIMINAL FRAUD UPON THE COURT-CRIMINALLY FALSIFIED CONCEALED SEALED RECORDS- 2022.pdf
- ✓ EXHIBIT B-FRAUD UPON THE COURT-BREACH OF CONTRACT-DEFAMATION-6-9-25-EMAILED DOCUMENTS FOR RETRACTION OF 2022-2025 COURT FILINGS.pdf
- ✓ EXHIBIT C: CRIMINAL FRAUD UPON THE COURT- CRIMINAL MALICIOUS PROSECUTION WITH THREATS-(CRIMINAL ABDUCTION-VIOLATION OF RIGHTS)-BREACH OF FIDUCIARY DUTY, BREACH OF CONTRACT AND DEFAMATION: TEXTS AND EMAILS TO FIDUCIARIES AND 8-17-22-REAPPOINTMENT
- EXHIBIT D: REBUTTAL FILES- ELAINE DENTAL AND HEALTH RECORDS AND VHC-(6/30/22-7/14/22
- EXHIBIT E: CRIMINAL FRAUD UPON THE COURT-CRIMINAL MALICIOUS PROSECUTION WITH THREATS TO LIFE & HEALTH & HOME-CRIMINAL ABDUCTION AND THE CRIMINAL TAKEOVER OF OUR LIVES BY CRIMINAL FRAUD COMMITTED- (2022-2025)

SANCTIONS FOR DISBARMENT OF ALL LAWYERS:

6/9/25-JUDICIAL REFUSAL TO FILE COURT AMENDMENT OF RETRACTION OF FALSE STATEMENTS:

CARY CUCINELLI, VALERIE GEIGER, ELIZABETH WILDHACK, LAURIE KIRKLAND AND JUSTIN BERGER

****FYI-THERE ARE 2 OTHER VICTIMS OF THE FRAUDULENT ACTS OF CARY CUCINELLI IN HER ALSO FRAUDULENTLY SEEKING CONTROL OF LIVES.**-**

THEY CONTACTED ME FROM FINDING "CRIMES COMMITTED BY CARY CUCINELLI" ON JUSTANSWER.COM AND FROM MY WEBSITE CONTACT PAGE:

MY WEBSITE IS TO MAKE AWARE THE LIFE-ALTERING DAMAGE THAT CAN OCCUR IN PREDATORY CONSERVATORSHIP AND PREDATORY GUARDIANSHIP AS FOR "PUBLIC AWARENESS".

www.wearefightingforourlives.org

AWARENESS THAT I WISH I HAD KNOWN OF PRIOR TO 2020 WHEN OUR LIVES BECAME

****A "TRUE LIFE CRIME STORY OF EPIC PROPORTIONS BY 20+ PERSONS AND ENTITIES CRIMES COMMITTED FOR "5 YEARS OF HELL SUFFERED BY MOM AND I" BECAUSE "NOT 1 OUNCE OF PROTECTION HAS EVER BEEN AFFORDED TO MOM AND I, EVER, FROM A.P.S. OR THE POLICE OR THIS COURT, EVER.****

ELAINE MAE KAPUSTA AND LYNN KAY AND THE ESTATE ARE ALL NOW HEREBY, SEEKING FULL CRIMINAL, LEGAL AND FINANCIAL JUSTICE FROM ALL 20+ PERSONS & ENTITIES INVOLVED IN ALL WAYS COLLECTIVELY FOR 5 YEARS OF OUR HELL SUFFERED BY CRIMES COMMITTED AND CONCEALED.

3 YEARS OF OUR LOST LIVES BY CRIMINAL FRAUD ENACTED SINCE PRIOR TO 2022 CANNOT EVER BE COMPENSATED AS TIME LOST IS NOT REPLACEABLE ONCE LOST!

THIS IS TRULY EPIC FRAUD AND DECEIT COMMITTED BY ALL CRIMINALS CAUSING DETRIMENTAL AND IRREPARABLE LIFE-ALTERING HARM TO MOTHER AND DAUGHTER!

RESPECTFYLLY SUBMITTED



LYNN KAY
TWEETERY7@YAHOO.COM
8/4/25

NOTICE OF SERVICE:

**I HEREBY ATTEST TO ALL PERSONS EMAILED THIS ALONG WITH ALEXIS SMITH ON 8/4/25-
BLACK & WHITE FILED ON 8/6/25-AND BROUGHT TO JUDGE'S CHAMBERS.**



LYNN KAY

TWEETERY7@YAHOO.COM

571-421-6813

8/4/25

**EPIC FRAUD UPON THE COURT
AND CRIMES COMMITTED BY
DECEITFUL ACTS COMMITTED
SINCE 2020.pdf-8/6/25**

Incident/Investigation Report

Agency: FCPD

Case Number: 2025-0550131

Date: 3/27/2025 15:31:47

Notes/Narratives

BWC Activated

Lynn Kay called dispatch to report that she needs an investigation into her mother's welfare. She has a history of reporting that her mother is being mistreated in her nursing home. The is an assigned guardian who takes care of her mother's arrangements.

This co-responder unit [REDACTED] responded and spoke with Ms. Kay. Ms. Kay is quite upset and seems to truly believe that her mother is in danger.

[REDACTED] performed a risk assessment and determined that an ECO was not appropriate. Ms. Kay did share that the only suicidal ideation that she has ever experienced was in the early 1980's, but she is fine now. She stated that she gets 4 hours of sleep a night. The home looked well kept.

I provided a case number and business card to Ms. Kay and [REDACTED]

Warrant Check Negative

Info APS and MCB

Case Closed Service

Notes/Continuation

4/2/25-I SPOKE WITH OFFICER RICHARD WHO TOOK THE 2/24/25 POLICE REPORT OF ELDER CRUELTY- ATTEMPTED MURDER BY DEPRIVATION OF CARE BY ALL FIDUCIARIES IN THE CARY CUCINELLI CONSERVATORSHIP FOR THE POLICE REPORT SAYING THAT IT WOULD BE INVESTIGATED. TODAY HE TOLD ME THAT HE EMAILED THE MAJOR CRIMES BUREAU LAST WEEK TO ASK WHY IS NOT BEING INVESTIGATED. I ASKED IF HE COULD DO SO AGAIN TODAY AND HE SAID HE WOULD AND I ASKED IF HE WOULD CC ME AND HE SAID HE WOULD.

Incident/Investigation Report

Agency: FCPD

Case Number: 2025-0550131

Date: 3/27/2025 15:31:47

Incident Information

Date/Time Reported 02/24/2025 12:04	Date/Time 02/24/2025 12:04	Date/Time 02/24/2025 12:04	Officer CASTILON, R.
Incident Location 4136 North River St, Mclean, VA 22101			Supervising Officer WOLOSZYN, J.
Disposition			Case Status SERVICE
Weather and Light Conditions CLEAR/DAYLIGHT			

Events

1	Charge Type State	Description SERVICE [REDACTED]	Statute SERV-10	UCR 999	<input type="checkbox"/> Att. <input checked="" type="checkbox"/> Com.
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Criminal Activity	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. 2. 3.	
Entry	Exit	Security	How Left Scene	Location Type HOUSE	
Bias Motivation		Bias Target	Bias Circumstances	Hate Group	

Other Persons Involved

Name Code Involved, Other	Seq. # 1	Name (Last, First, M) KAY, LYNN T [REDACTED]			
Race W	Sex F	DOB	SSN		
Address			Home Phone	Cell Phone	
Employer Name/Address				Business Phone	

FAIRFAX COUNTY POLICE REPORT CASE #2025-0550131 HAS BEEN ESCALATED BASED ON "CRIMINAL EVIDENCE PROVIDED ON 2/24/25 BY LYNN KAY TO "FAIRFAX COUNTY POLICE OFFICER RICHARD CASTILON" HAS BEEN SENT UP TO "THE MAJOR CRIMES BUREAU" FOR "SERIOUS ELDER CRUELTY CRIMES AND ALSO TO ADULT PROTECTIVE SERVICES-(A.P.S.) NOW BEING INVESTIGATED"- CRIMINAL EVIDENCE PROVIDED IS ATTACHED



On Mon, Aug 25, 2025 at 11:28 AM, Nicolio, Amy

<Amy.Nicolio@Fairfaxcounty.gov> wrote:

Thank you for submitting your report through the Financial Crimes Online Reporting System (FiCOR). Your report was reviewed by a financial crimes investigator and police report will be written for this incident and your case number is 2025-2370088. Please keep this case number for future reference as it is your record of your report.

Amy

Investigator Amy Nicolio, CFE
Fairfax County Police Department
Financial Crimes Squad-FICOR
12099 Government Center Parkway
Fairfax, Virginia 22035
C:571-641-6560

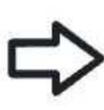
Amy.Nicolio@Fairfaxcounty.gov



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Incident Details

Did any part of the incident occur in Fairfax County?

Not Specified

Please provide an address for the event.

4136 NORTH RIVER STREET, MCLEAN, VA 22101

Please provide a date or time frame for the incident.

7/9/22 TO PRESENT DAY CRIMINAL FRAUD FOR COMMITTING GRAND THEFT CRIMES BY PERSONS-(6 OF THEM ARE LAWYERS)-AND 2 CARE MANAGERS AND PSYCHOPATH SON PHILIP KAPUSTA

Is the victim a business or person?

What is the name of the business?

Does the person have a position of trust in the company?

Yes

Please describe the person's position of trust.

4 FIDUCIARIES WHO ARE LAWYERS AND PHILIP KAPUSTA'S LAWYER AND 2 CARE MANAGERS AND PSYCHO SON

What type of evidence do you have?

GRAND THEFT OF ALMOST \$300,000 BY CRIMINAL BREACH OF GUARDIANSHIP CONTRACT USING CONCEALED FABRICATED AND FALSIFIED 3 DOCUMENTS

Narrative

7/9/22-FIDUCIARY GRAND THEFT OF FUNDS TALLING ALMOST \$300,000-CRIMES BY ALL JULY 2022 PARTICIPANTS IN THE CRIMINAL CONCEALMENT OF CRIMINAL FRAUD COMMITTED BY THE UNLAWFUL TERMINATION OF MY GUARDIANSHIP WITH NO JUST CAUSE USING CRIMINALLY FABRICATED AND FALSIFIED DOCUMENTS AS THE AVENUE FOR THE CRIMINAL FRAUD AND BEING CONCEALED SINCE JULY 2022 UNTIL DISCOVERED BY ME IN COURT-SEALED DOCUMENTS ON 5/22/25-

THIS IS CONSIDERED GRAND THEFT LARCENY BY FIDUCIARIES. THOUGH THEY RECEIVED NONE OF THE MONEY I AM OWED. THEY CAUSED GRAND THEFT LARCENY TO OCCUR BY THE FRAUDULENT TERMINATION OF GUARDIANSHIP BY CRIMINALLY RELYING UP CRIMINALLY FALSIFIED DOCUMENTS TO TERMINATE MY GUARDIANSHIP UNLAWFULLY AND IF DUE DILIGENCE AND NOTIFICATION HAD EVER BEEN DONE, THIS NEVER WOULD HAVE OCCURRED.

Virginia law covers fiduciaries who cause grand theft through criminal negligence or aiding and abetting, even without directly receiving stolen funds.

FALSIFIED FABRICATED DOCUMENTS USED FOR MY GUARDIANSHIP TERMINATION AND THOSE DOCUMENTS WERE CRIMINALLY FALSIFIED TO ESCAPE ELDER CRUELTY NEGLECT NEGLIGENCE INVESTIGATION OF THE CARE MANAGER CAUSING ALMOST DEATH TO MY MOM AND WITH A 15 DAY HOSPITAL STAY AND MOM WAS MEDICALLY ABANDONED IN THE HOSPITAL AND LEFT WITHOUT ANTIBIOTICS FOR 8 DAYS OF SUFFERING! AND MOM WAS LEFT UNABLE TO WALK FOR WEEKS DUE TO "CRIMINAL ELDER CRUELTY AND ABUSE AND MEDICAL ABANDONMENT" SINCE 5/18/22 IGNORING ALL REPORTED BY ME PHYSICAL DETERIORATION. THEN FABRICATING AND FALSIFYING MEDICAL RECORDS AND SUBMITTING THEM IN CRIMINALLY CONCEALED COURT FILINGS IN JULY 2012 AND ALL OF THIS WAS CRIMINALLY CONCEALED FROM LYNN KAY-GUARDIAN/DAUGHTER-(2020-2022).

SEEKING TO CRIMINALLY DEFLECT BLAME BY DEFAMATION OF LYNN KAY AND PREVENTING CRIMINAL INVESTIGATIONS BY THE POLICE AND A.P.S.-OBSTRUCTING JUSTICE AND AIDING AND ABETTING AND PERJURY. THEN CRIMINAL BREACH OF CONTRACT AND DEFAMATION AND CRIMINAL ABDUCTION OF MOM AND I-"CRIMINAL TAKEOVER OF OUR LIVES IN OUR OWN HOME" SINCE THE 6/30/22 DECEPTION AND INHUMANENESS AND HOSPITAL STAY BEGAN THESE CRIMES OF EPIC PROPORTIONS!