

FEB 10 2025

Clerk of Court
DOUGLAS COUNTY COURT
OMAHA, NEBRASKA

IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

IN THE MATTER OF THE **PR 22 1652**
GUARDIANSHIP FOR:
LINDA LEFEBVRE DONAHUE

PETITION FOR APPOINTMENT
OF PERMANENT GUARDIAN
AND PERMANENT CONSER-
VATOR

Ward/Protected Person

JUDGE JOHN E. HUBER

1. Petitioner, Steven John Donahue, as spouse, of Linda Lefebvre Donahue—Ward/Protected Person, and who may have Priority under Neb. Rev. Stat. § 30-2627, is an interested party in her welfare pursuant to Neb. Rev. Stat. § 30-2619 and § 30-2633 and in these proceedings.

2. Nebraska is the Petitioner's residency.

3. Linda Lefebvre Donahue, for whom a new Permanent Guardian and Conservator is sought, and who had a debilitating stroke on March 31, 2010, and numerous medical setbacks 2021-2022, has been a resident at the Prestige Care Center in Plattsmouth, Nebraska for about 26 months. This spouse and Linda's brother-in-law, Robert Donahue have been the only visitors Linda has had during this time frame. Finally, this Petitioner has been her primary caregiver since the onset of her 2010 stroke.

4. Venue for this proceeding is proper in Douglas County because the above named person, Linda Lefebvre Donahue resided in Douglas County as defined as Neb. Rev.



Stat § 30-2618 at the the time of the prior filings. She has never been legally separated from her spouse, Steven John Donahue since their marriage on April 6, 2009 in Hollywood, Florida. Attached hereto and incorporated herein, is our Marriage Certificate, marked as Exhibit 1.

5. Linda Lefebvre Donahue is a 66-year-old female. She is currently a Ward/Protected Person and new appointment is necessary and desirable as a means of providing her continued care with a Permanent Guardianship and Conservatorship. The current Permanent Guardian and Conservator, Carol Lefebvre Toto has recently filed a motion to Withdraw. More recently, Carol Lefebvre Toto has filed another Motion to continue as Guardian and Conservator, stating in part that she "does not want an unknown person to potentially become the successor guardian." Carol Lefebvre Toto is a permanent resident of the State of Florida and has not seen her sister in many years.

6. An emergency exists in that the above-captioned person is currently isolated and being denied spousal visitation, delivery of homemade meals, and has had Assistive Technology removed from her room. The rights that the ward retains include: Right to privacy, both regarding the body and with communications with others via mail, phone, or personal visits. In addition, she is not getting informed, adequate and current medical care; such as, being examined by a physician, being referred to mental health therapies in order to be treated for past family-related trauma(s) and other current issues. A specific description of the functional limitations and physical and mental condition ought to be conducted for Linda by an outside, neutral source.

7. No other suitable Guardian is available save for Linda's spouse, Steven John Donahue. Petitioner has completed the Public Guardian's training curricula per Neb. Rev. Stat. § 30-2601.01, and other requirements. Moreover, Linda Lefebvre Donahue has

expressed her wish that her spouse be appointed as her new Guardian/Conservator.

8. Linda Lefebvre Donahue still needs help or lacks sufficient understanding or ability or consistent focus to make or communicate responsible decisions in the following areas:

- (a) Selecting her place of abode within The State of Nebraska;
- (b) Arranging for her treatment or medical care;
- (c) Protecting her personal effects;
- (d) Giving necessary consents, approvals, or releases;
- (e) Arranging for training, education, or other rehabilitative services that are appropriate to her circumstances;
- (f) Applying for governmental or private benefits for which she may be entitled;
- (g) Instituting proceedings to compel any person liable for her support to support her;
- (h) Entering into any contractual agreements;
- (i) Receiving money and tangible property deliverable to her, and applying such money and applying such money or property to her expenses for room, board, treatment, medical care, personal care, personal effects, training, education, and rehabilitative services.

9. No other less restrictive measures have been attempted, contemplated, or discussed with the Protected Person or spouse by the present Guardian.

10. No Guardian or Conservator has been appointed by Will. This Court has previously issued Letters of Guardianship to Carol Lefebvre Toto.

11. The Petitioner has nominated himself. Steven John Donahue, whose address is 1511 Farnam Street, Apt. 110, Omaha, Nebraska 68102, who is a competent, suitable, and proper person to be appointed as Guardian and Conservator for spouse, Linda

Lefebvre Donahue.

Attached hereto and incorporated herein, are the following documents, marked as Exhibits 2(a)-(g).

- (a) Certificate of Completion as Guardian Education.
- (b) Affidavit of Sex Offender Registry Search;
- (c) Nebraska State Patrol Criminal History Record;
- (d) Nebraska State Sex Offender Registry Results;
- (e) State of Nebraska Abuse Registry.(Awaiting my Request to be processed);
- (f) Three(3) Credit Cover Sheet Reports.(Full report(s) upon the Court's Request);
- (g) Abbreviated Resume for Steven Donahue.

12. The nominated Guardian and nominated Conservator is neither indebted to nor a creditor of the estate of the incapacitated person.

13. The Petitioner has no information about a designated Power of Attorney, though understands that Carol Lefebvre Toto has such.

14. The following persons are required by law to be notified and be given notice and time and place of the hearing on this Petition:

SSA
604 No. 109 th Ct.
Omaha, NE 68154

Linda Lefebvre Donahue
Prestige Care Center
602 S. 18th Street
Plattsmouth, NE 68048

Richard Lefebvre
3 Oceans Blvd. Unit 5C3
Daytona Beach, FL 32118

Carol Lefebvre Toto
2100 S. Ocean Lane No. 1503
Fort Lauderdale, FL 33316

Kathleen Pallesen, esq.
11819 Miracle Hills Drive
Suite 104 Omaha, Nebraska 68145

Kelly Henry Turner, esq.
Goosman Law Firm
17838 Burke St. Omaha, NE 68118

15. The Petitioner does not have current knowledge of the schedule of property from Social Security and/or Food Stamps to be protected. However, most of Linda's material goods; such as: cosmetics, her Wedding Dress, shoes, jewelry, cooking utensils, clothing, etc., are still in our apartment and are insured with Renter's Insurance. In addition, we have a spousal burial plot at the Catholic Cemetery in Plattsmouth, Nebraska.

16. Petitioner, Steven John Donahue, is currently not serving as guardian and/or conservator for any ward/protected person.

17. The Petitioner hereby waves the requirement for service of notice upon himself.

FILED
COUNTY COURT
PROBATE DIVISION
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Clerk of Court
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OMAHA, NEBRASKA