

**LOGAN COUNTY OHIO  
PROBATE COURT**

**CASE NO: 12 GI 12**

**In the Matter of:**

**The Emergency Guardianship of  
Clair R. Miller**

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§

**Action to VACATE Steven Fansler's  
motion to replace Kathy McCorkle as  
guardian of person**

**Cert# 7014 0510 0000 8277 0789**

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Now comes Rosanna L. Miller (Rosanna) as the living flesh and blood daughter, applicant of this guardianship as the trusted nominee selected by Clair R. (Clair) and Elizabeth A. Miller (Ann) while in sound mind or memory and free from undue influence or restraint and the lawful/legal successor trustee of THE MILLER LIVING TRUST and states as follows:

Steven Fansler's (Fansler) motion to appoint Kathy McCorkle as guardian of person is not bias or prejudice or retaliation or revenge it is pure hatred. It is a hate crime. Both Fansler and Kathy McCorkle (Kathy) agreed to the appointment of Rosanna as guardian of the person for Clair in the mediation held in September of 2013. However, because the suspect of Ann's murder and the abuser of Clair along with Nancy Miller objected, Judge Ruyle denied Rosanna the rights to take Clair home. Clair was left chemically restrained at the Campbell House where he has had multiple serious health issues. Rosanna has continued to fight for Clair's freedom while Fansler has manipulated to block Rosanna all contact with her father and care for him according to his wishes, in so far as using the law to threaten Rosanna if she goes around her father.

Kathy had a strained relationship with Rosanna's parents as filed entered in record on April 28, 2014. Kathy wrote her parents the following that caused them unbearable grief:

"I have referred Ellen to this scripture many times in the past, but I guess I need it now .....  
"When my father and my mother forsake me, then the Lord will take me up. " (ps 27:10) He is wonderful!

Love, Kathy

P.S. To head off any attack of twisting words, I want to state that I may not have used exact quotes when relating past conversations; maybe my description is not a mirror image of yours,

but the message of what was quoted is correct.”

Kathy said herself she felt Clair and Ann forsook her and attacked her with words. Yet when she needed financial help later they were ready to lend what they could.

Kathy never filed for guardianship of Clair. In fact she walked away knowing Clair was being abused and he was being exploited by James with the help of Fansler. (Ex A)

Kathy had no daily knowledge of Clair’s health issues or business affairs prior to Ann’s death.

Kathy has never shared in the financial cost to protect Clair and keep him free from harm.

Kathy only rejoined the cases after Fansler was awarded guardianship September 12, 2014 who replaced James for control of the estate and not to set Clair free. This is the traits of a double-minded person.

Kathy is profiting from Fansler’s ownership of Clair and this makes Fansler’s motion a massive conflict of interest. Fansler has been representing Kathy and charging the estate for it. Fansler has completely played favorites by his superiors policing their selves. This only assures the judicial branch has thrown out equality in the courts.

Fansler has been hostile and refused Rosanna from seeing Clair so he can continue to profit from the estate. To act like Kathy is there out of love is laughable. One could argue what harm she might do out of lingering animosity. Hurting people should never be rewarded.

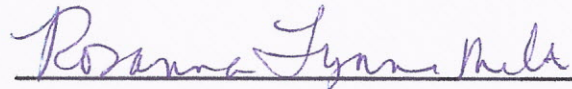
For more reasons than listed here this request from Fansler, for Kathy to be guardian of the person of Clair, is to spite him and Rosanna their life together in good standing.

To pick and choose who should see Clair contrary to those who were in his life before Ann’s murder with the estate being extorted is clear and convincing evidence he was used for his money.

Rosanna demands her property back and returned immediately. Nobody had the authority, power or right to steal Clair and Rosanna’s relationship. The key to the house will be returned to her immediately so she can take her father home. Forcing Clair to endure what he was totally opposed to all his life is a most inhumane act that should be punished with immense torture.



Wherefore, Clair shall be released to Rosanna to go home. The property and assets shall be returned by the principals and agents to THE MILLER LIVING TRUST that have occurred as of November 24, 2006, minus direct expenses for Clair and any other relief as deemed just.



Rosanna L. Miller, Successor Trustee  
10469 Westfall Rd.  
Amanda, Oh. 43102  
740-969-2468

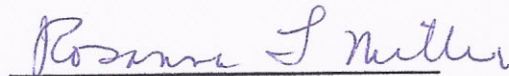
**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the forgoing was served upon the following individuals this 24<sup>th</sup> day of October 2014 by mail.

Kathleen S. McCorkle, 766 Picadilly Ct. Gahanna, Oh. 43230

Nancy A. Miller, 510 N. Stadium Dr. Xenia, Oh. 45385

James R. Miller % and Steven R. Fansler, 212 N. Detroit St. West Liberty, Oh. 43357



Rosanna L. Miller

October 7, 2008

Steven R. Fansler, Attorney at Law  
212 N. Detroit St P. O. Box 764  
West Liberty, Ohio 43357  
(937) 465-5056

EX  
A

SENT BY FAX: (937) 465-9880

Dear Mr. Fansler,

I am in receipt of your October 3, 2008 letter addressed to me. Please let's come to an understanding about the comments in your second paragraph which read:

"I further understand that there seems to be a thought or an indication that directives such as this are really coming from Jim rather than Clair. I want to assure you that Clair himself requested that I send this letter and no one else made the request."

Mr. Fansler, just because you state the above *does not make it so*. I do not and will never believe that my father came up with this thought on his own with no prompting from my brother, James R. Miller, who is a suspect in my mother's open murder investigation.

On September 29, when I was at my father's house with a police escort, Jim came to the door with Dad in the background. Jim was answering all the questions for Dad, Jim was asking all the questions for Dad, and Jim was filming everyone. You want me to believe your letter was Dad's idea? I was at a distance of at least twenty feet from it all, and I did not speak to any of them. Sergeant Peters is a witness to that. So do not accuse me. I was involved in no confrontation. Your client [Jim] is lying.

Within less than two weeks of my mother's burial, Jim was persuading Dad to change his Trust. Have you not seen that document? I will send a copy along with this letter. The last paragraph of that document reads:

*Given Rosanna's involvement in the investigation of her brother, James Ray Miller over their mother's death, should he be convicted of this his share is to be invested in the form of an annuity in a Swiss Bank to be distributed to him upon his release or to an individual of his choosing.*

If my father is incompetent, the last paragraph of "Clair Miller's Trust" would make sense, for there are only two kinds of people who would agree to that: an incompetent with dementia that is easily swayed, or a person with criminal intentions. But if my father is competent and making all his own decisions with no prompting or coercion from Jim, then the last paragraph of "Clair Miller's Trust" is self-incriminating in regards to my mother's murder.

There is plenty of documentation that proves Jim is controlling my father's thought process. If you are not aware of that, then you have not combed the huge volume of my father's guardianship file, you have not read Dr. Tennebaum's competency assessment report, and you have not had any correspondence with Judge Brady, Howard Traul, or any of my father's previous three attorneys that Jim has unscrupulously procured for him.

Regardless of your efforts to persuade myself and others, it is my firm belief that you are aware of the mind control Jim exerts over my father. And now my father has been screened for suicidal risk. I sent you a fax (Sept. 11, 2008) about the abuse and exploitation he suffers at the hand of Jim, and your responsibility under the ORC (5101.61) that requires you to report that reasonable belief of abuse. If you tell me you have no "reasonable belief" of elder abuse of my father then you know nothing about this case.

On March 4, 2007, my sister and I were both holding monies of my father's in safekeeping (documented) to keep Jim from pilfering it. Yet, that day my father willingly left the house to visit with us at a restaurant. After the visit, we hugged before I left to return home. But when I called him that evening, he was angry and violent towards me. The only change that occurred from the time I left the house until my phone call was Dad was now alone with Jim. Jim is



It is my understanding that elder abuse and exploitation is a crime, and that is exactly what is going on in my father's home. If anything happens to my father's well being, I will hold you and others responsible.

EX  
A

677 Picadilly Ct.  
Gahanna, Ohio 43230.

Enclosures: •Clair Miller's Trust  
•Judgment Entry as to Substitute Counsel (documenting you received copy of Dr. Tennenbaum's report)  
•ORC 5101:2-20-01 APS Definitions: Abuse; Exploitation