

**LOGAN COUNTY OHIO  
PROBATE COURT**

CASE NO: 12 GI 12

In the Matter of:

The Emergency Guardianship of  
Clair R. Miller

§  
§  
§  
§  
§

**Action to VACATE Steven Fansler's  
accounting for  
Breach of Fiduciary Duty and Remove  
him as guardian appointing  
Rosanna L. Miller**

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:

Clair Miller, who is an elderly man with dementia and mentally impaired, has lived in deplorable conditions that he has never experienced his whole life due to the superior and plenary guardians need to pilfer the estate for profit. Clair has tried to kill himself since Steven Fansler (Fansler) was awarded guardianship of him in September 12, 2012. Because of the need to keep ownership of Clair to plunder the estate to ruins for profit, Fansler needed to chemically restrain Clair on psychotropic drugs that have been disastrous to his health. Clair has suffered to many health conditions that were needless. Clair has been removed from loving active good standing family members in his life. Fansler acted with deliberate conscious disregard for the well-being of a man who deserved better. Clair had rights guaranteed by the Organic Laws from our founding forefathers that the guardians violated. It was our heritage. Only domestic enemies could take those away. Fansler aided James Miller to keep Rosanna and others away from Clair for control and profit. (Ex A) Fansler has a history of intimidating other people.

The inventories and accountings submitted by Steven Fansler for the Miller estate are egregious errors of approximately \$850,000 that are concealed, embezzled and frivolously spent. Fansler accepted this position with all its ongoing errors that he was party too and is responsible for restitution.



\* Fansler knew Howard Traul's Final Inventory of assets filed on November 9, 2009 in case 07GI01 concealed the Navy Federal Credit Union of \$60,375.55 filed on January 2?, 2008.

\* Fansler knew the order filed October 29, 2007 released \$200.00 *weekly* expenses withdrawn from the \$173,194.34 *cash* but inventory was never recounted to reflect the withdrawals.

\* Fansler knew Savings Bonds were missing in the 08ES260 on November 20, 2008 recorded hearing. This only reflects a few concealed errors.

\* Rosanna objected multiple times in 07GI01 to the accounting. They were denied.

\* The accurate inventory for the real assets of the Miller estate was filed with Affidavit of Facts on January 22, 2013 captioned Removal of Guardian and Breach of Fiduciary Duty. It was denied.

\* Rosanna filed a restraining order Oct. 19, 2012 to keep Fansler out till inventory was taken before evidence was thrown out. It was denied.

\* Rosanna filed to reopen guardianship 07GI01 with a Trial by Jury on May 22, 2013 after finding new evidence to prove concealing and embezzling of the accounts. It was denied.

\* Rosanna filed for Complete and Full accounting on October 4, 2013. It was denied.

\* Rosanna filed to Vacate and Object on May 15, 2014 to the erred accounting and inventory. Again it was denied by the superior guardians, who are judging and policing for their own cause.

The personal property is in gross errors missing (but not limited too) guns, ammunition, paintings, massive brand new electronics, self-defense weapons that could stock a store, large monitor TV screen, computer, 2 salvage cars and a 1969 restored Pontiac Firebird, etc. There was a restraining order filed on James Miller. (Ex B) Fansler and Law enforcement were notified James was in the house and property taken. Charges were never filed on James. They need to be held accountable and find the property.

The real estate was in pristine immaculate condition at the time of Ann's death. The property needs reevaluated with those standards applied. It would have rendered top dollar. The value Fansler is reporting is a great loss. The deprivations of these two people's lives are from the errors of the superior and plenary guardians in charge. The difference will be charged to those guardians.

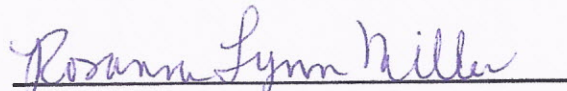
The only expenses that will be authorized by THE MILLER LIVING TRUST will be those for *direct* use of Clair only and while he is *living in his home* where he wishes. The accounts will be restored to their original value with damages.

Any charges that do not fall within the stipulations listed here will not be approved by THE MILLER LIVING TRUST. The charges listed on Fansler's accounting benefit the guardian to plunder the estate into ruin that is contrary to the wishes of Clair and Ann Miller. Let it be completely understood THE MILLER LIVING TRUST has no intentions of paying for anything that is not a direct benefit for Clair and only at the point where it would have incurred while he was living in his

home. Anything outside those conditions will not be embezzled from THE MILLER LIVING TRUST. For anybody to force that by gun point is terror and extortion.

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. The Logan County Probate Court has no jurisdiction over THE MILLER LIVING TRUST or power to abrogate it pursuant to the Constitution for the United States of America Art 1 Sec 10 Cl 1 and the Ohio Constitution Art II, Sec. 28. To do otherwise is treason against the country.

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

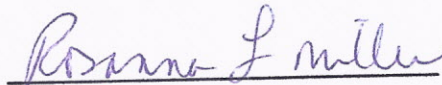
#### **CERTIFICATE OF SERVICE**

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

the problem. Jim is the abuser. Jim is the exploiter. Jim is the prison guard. And you, Judge Brady, Howard T'raul, and [Jim's] former attorneys are enablers in building this mental prison where my father resides.

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.

Very truly yours,

Kathy McCorkle,  
Daughter of Clair and Ann Miller

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

EX  
A



EX  
B

LOGAN COUNTY FAMILY COURT  
PROBATE DIVISION

MICHAEL L. BRADY, JUDGE

DAN W. BRATKA, JUDGE

TERRI ROPP, Chief Deputy Clerk

TO: Steve Jansler

FROM: Logan Co. Family Court

DATE: 3-27-13

FAX NO. 465-9880

TOTAL PGS: 2 (INCLUDING COVER SHEET)

COMMENTS: Restraining Order - 12G112

FYI: Copy of motion and certified  
copy of Restraining Order faxed  
to: Logan Co. Sheriff, West Liberty Police  
Bellefontaine Police Departments.

This transmission is from:

☒ Terri Ropp

☐ Mary Newkirk

☐ Alisa Geboy

PLEASE CALL IF TRANSMISSION IS INCOMPLETE

DEPUTY CLERKS: MARY NEWKIRK AND ALISA GEBOY  
140 NORTH MAIN STREET, BELLEFONTAINE, OHIO 43311-2081 PHONE (937) 599-7252  
E-MAIL: [familycourtprodiv@co.logan.oh.us](mailto:familycourtprodiv@co.logan.oh.us)