

*Patricia E. Benabe*

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May 7, 2008

Chief Judge Lee Hayworth  
Silvertooth Judicial Center  
2002 Ringling Blvd  
Sarasota, FL 34237

RE: Helen Woichowski, Dana Guarascio, & Lutheran Services Guardianship Program, Sarasota, Florida.

Dear Judge Hayworth:

I hope this letter finds you and yours in good health and spirits.

My name is Patricia (Pat) Benabe, daughter and next of kin to Helen Woichowski (case no. 2006 GA.006409 nz 10/18/06) and mother of Dana Guarascio.

Mr. Franklin D. Leland, Administrative Assistant II from Governor Christ's office, recommended that I contact your honor to request an investigation into unwarranted and the illegal actions used by the agents of Lutheran Services in the taking of guardianship of my mother, her assets and also into the manufactured charges they pressed against my daughter (exploitation of the elderly) to justify their taking of guardianship.

After nearly two years of trying to navigate the system, trying to obtain legal representation, and filing numerous complaints with the agencies that are charged with protecting the elderly, and being obstructed by Lutheran Services, I am asking that your honor please appoint a court monitor or attorney ad litem to immediately investigate the fraudulent and illegal methods the agents of Lutheran Services have used to obtain guardianship and the emotionally abusive treatment my mother has had to endure from the time her "guardians" stole her rights to live her life according to her end of life wishes..

During the past two years my mother has been relegated to the status of a case number for billing purposes only as they have stripped her of her freedom, family, constitutional, human and civil rights, and property for which she worked all her life. She has been consistently denied her rights as an alleged victim, incapacitated person, resident of an assisted living facility, and most importantly due process rights under Florida Guardianship Statutes.

She is nearing 90 years old and her treatment by the agents of Lutheran Services is certainly illegal and unconscionable and must be stopped. I have grave concerns for her health and safety under this guardianship. She has done nothing to be treated in this manner.

I have been unable to get any help from the state agencies who are supposed to protect the elderly nor am I in a financial position to acquire legal representation for either my mother or myself as the cost of justice in this case is prohibitive and living out of state has made this situation even more complicated for all of us.

There has been significant malfeasance on the part of the agents of Lutheran Services in this case and they should not be allowed to continue to hold my mother against her will or keep her in a state of fear, overly medicated, or without the ability to communicate freely, (her “guardians” have held her incommunicado during most of the past two years) with whom she chooses. She deserves to spend her last days at home with the family member of her choice as the rest of our family has. These were and still are her end of life wishes.

I have names, dates, and other significant information to back up my claims from the two years spent trying to bring a just resolve to this atrocious and unnecessary travesty.

I do hope that your honor will help bring this horrible nightmare to a just end for my mother by appointing someone to conduct an investigation into the actions of the agents of Lutheran Services involved in this case before it is too late. Thank you for your time and consideration.

Sincerely,

Pat Benabe

cc: Judge Andrew Owens Judge Owens was the presiding judge...he never responded to this letter. Mysteriously the trial was postponed from May until June and Chief Judge Haworth presided during the trial and will also do the sentencing.