

CAUSE NO. G08273

GUARDIANSHIP OF
THOMAS JOSEPH SHAIN
AN INCAPACITATED PERSON

IN THE COUNTY COURT AT
LAW
OF
BOSQUE COUNTY TEXAS

STATE OF TEXAS

To any Sheriff or any Constable within the State of Texas:

YOU ARE HEREBY commanded to cause to be posted at the County Courthouse, Meridian, Bosque County, Texas, at the place in or near where public notices customarily are posted, a copy of the following notice:

STATE OF TEXAS

TO ALL PERSONS INTERESTED IN THE WELFARE OF THE PERSON OF
THOMAS JOSEPH SHAIN, AN INCAPACITATED PERSON.

An **APPLICATION FOR APPOINTMENT OF GUARDIAN OF THE PERSON AND THE ESTATE**, filed by **MARY HENNINGTON** has been entered in the records of said Court; cause number **G08273** on the **8th day of April, 2025**.

Applicant requests that **MARY HENNINGTON** be appointed **Permanent Guardian of the Person and Estate of THOMAS JOSEPH SHAIN**.

Hearing on said **APPLICATION FOR APPOINTMENT OF GUARDIAN OF THE PERSON AND THE ESTATE** will be held on or after the **21st day of April, 2025**, at the County Court at Law Judicial Annex in Meridian, Bosque County, Texas.

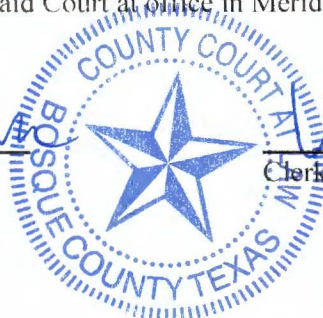
All persons interested in said cause are hereby cited to appear before said Honorable Court at said above mentioned time and place by filing a written answer contesting said request if they so desire.

You are notified that you have the right under Texas Estates Code Section 1051.252 (Texas Probate Code Section 632 (j)) to file with the clerk a written request that you be notified of any or all specifically designated motions, applications, or pleadings filed by any person, or by a person specifically designated in your request, relating to the application for the guardianship that has been filed or relating to any subsequent guardianship proceeding involving the ward after the guardianship is created, if any. If you make such a request, you are responsible for the fees and costs associated with furnishing you the documents specified in the request. The clerk may require a deposit to cover the estimated costs of furnishing you with the request notice.

The officer executing this Writ shall promptly post the same and make due return as the law directs.

Given under my hand and seal of said Court at office in Meridian, Texas the **9th day of April, 2025**.


Tabatha Ferguson,
Bosque County Clerk




Clerk

OFFICER'S RETURN ON CITATION

Came to hand on the 9 day of April, 2025, at
12:43 o'clock P M. and executed on the 9 day of April, 2025
by posting a copy of the within citation for ten days, exclusive of the day of posting,
before the return day hereof, at the County Courthouse door of Bosque County,
Texas, or at the place in or near the said courthouse where public notices customarily are
posted, that is from 4/9, 2025, through 4/21,
2025, inclusive.


CONSTABLE
BOSQUE COUNTY, TEXAS

Printed name: Scott Ferguson

G08273
 No. _____

IN THE GUARDIANSHIP OF	§	IN THE COUNTY COURT
	§	
THOMAS JOSEPH SHAIN,	§	AT LAW OF
	§	
AN INCAPACITATED PERSON	§	BOSQUE COUNTY, TEXAS

**APPLICATION FOR APPOINTMENT OF
 GUARDIAN OF THE PERSON AND ESTATE**

Mary Hennington, *Applicant*, files this *Application for Appointment of Guardian* and shows the Court as follows:

1. This application is filed as provided in Section 1101.001 of the Texas Estates Code.

2. **APPLICANT:** The Applicant is Mary Hennington, currently residing at 367 PR 1400W, Morgan, Bosque County, Texas 76671. The last three digits of Applicant's Social Security Number and Texas driver's license are 999 and 808, respectively.

3. **VENUE:** This Court has venue over this proceeding under Section 1023.001 of the Texas Estates Code because the proposed ward resides in this county on the date the application was filed.

4. **PROPOSED WARD:** The person who is the subject of this guardianship proceeding is:

Name: Thomas Joseph Shain, an incapacitated person
 Address: 367 PR 1400W, Morgan, Bosque County, Texas 76671
 Social Security number (last 3 digits): 764
 Driver's license (last 3 digits): 610
 Sex: Male
 Date of birth: 06/11/1949

5. **PROPOSED GUARDIAN:** The Proposed Guardian is Mary Hennington, *Applicant*, and is the proposed ward's wife. She currently resides at 367 PR 1400W, Morgan, Bosque County, Texas 76671. The last three digits of the Proposed Guardian's Social Security Number and Texas driver's license are 999 and 808, respectively.

6. **TYPE OF APPOINTMENT:** Applicant requests appointment of a Guardian of the Person and Estate of Thomas Joseph Shain.

7. ALTERNATIVES CONSIDERED: Alternatives to guardianship and available supports and services to avoid guardianship were considered and determined to be insufficient and not feasible to avoid the need for a guardianship under the circumstances of this case.

8. INCAPACITY: The nature and degree of incapacity of the proposed ward are as follows: dementia and physical impairment from broken hip.

9. REQUESTED ASSISTANCE: The following specific areas of protection and assistance are requested: Provide for Proposed Ward daily needs, make financial decisions, determine residence, administer medicines and tend to medical needs.

10. RIGHTS AFFECTED: The limitation or termination of rights Applicant requests to be included in the order are:

- (a) The right to vote in public elections;
- (b) The right to hold or obtain a license to operate a motor vehicle under Chapter 521 of the Texas Transportation Code;
- (c) The right to make personal decisions regarding residence; and

11. FACTS: The facts requiring the appointment of a guardian are as follows: Proposed Ward has been showing signs of cognitive decline in past year by making poor and impulsive financial purchases, being suspicious of family and continuing to lose weight. In March Proposed Ward fell and broke his hip. On March 13, 2025 he was at Lutheran Sunset Home when he became combative. He was transferred to the emergency room for physiological evaluation and not allowed to return to the Lutheran Sunset Home. His declining mental status has been observed by Dr. Justin Squyres and it has become necessary to handle all Proposed Ward's affairs.

12. INTEREST OF APPLICANT: The Applicant in this proceeding is the Proposed Ward's spouse.

13. EXISTING GUARDIANSHIP: There is no existing guardianship for the proposed ward in any other state.

14. CARE AND CUSTODY: No person or institution has the care and custody of the proposed ward.

15. VALUE OF THE ESTATE: The approximate value of the proposed ward's estate is more than \$300,000.

16. THE ESTATE: The following is a description of the ward's estate, including any compensation, pension, insurance, or allowance to which the proposed ward may be entitled: House and other real estate, bank accounts, social security, and IRA accounts.

17. POWER OF ATTORNEY: The Applicant has power of attorney over the proposed ward that was signed by the proposed ward.

18. FAMILY: The names and addresses and other information required by Section 1101.001(b)(13) of the Texas Estates Code is as follows:

Spouse: Mary Hennington, *Applicant*
Address: 367 PR 1400W, Morgan, Texas 76671

Child:
Name: Tara Lynne Shain
Age: 53
Address: Carrer de Muntaner, 382, 2-2, 08006 Barcelona, Spain

Father: Lewis G. Shain
DECEASED on May 23, 1986

Mother: Wilfrieda Mae Josten Shain
DECEASED on December 13, 2015

Siblings:
Sister
Name: Lewrieda A. Davies
Age: 79
Address: 2669 Dodge Street, Apt. 411, Omaha, Nebraska 68131

Sister
Name: Constance Carpenter
Age: 74
Address: 763 North 17th Street, San Jose, California 95112

19. PRIOR CONSERVATORSHIP PROCEEDING: The proposed ward was not the subject of a legal or conservatorship proceeding in the preceding two years.

APPLICANT PRAYS that all necessary notices be given and citations be issued and that, after hearing, Mary Hennington be appointed Guardian of the Person of Thomas Joseph Shain, and that the Court appoint an attorney ad litem to represent the proposed ward.



Patricia Ferguson
Attorney for Movant
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pferguson@bosquelaw.com

STATE OF TEXAS
COUNTY OF BOSQUE

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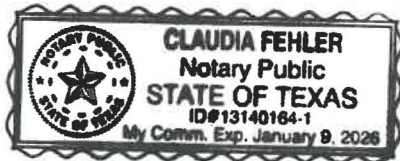
BEFORE ME, the undersigned authority, on this day personally appeared the person known by me to be Mary Hennington, who after being by me duly sworn, upon oath deposed and stated under oath as follows:

"I am the Applicant in the above Application for Appointment of Guardian, I have personal knowledge of the matters stated therein, and all matters and facts stated in the Application are true and correct."



Mary Hennington, Applicant

SUBSCRIBED AND SWORN TO BEFORE ME on this the 8 day of April, 2025 by Mary Hennington.



Notary Public, State of Texas