Revised Regulations of Anguilla: D8-3

DEPENDENT ADULTS ACT (R.S.A. c. D8)

APPROVAL OF FOREIGN ORDER (PETTY) REGULATIONS

Note: These Regulations are enabled under section 48(2) of the Dependent Adults Act, R.S.A. c. D8.

Interpretation

1. In these Regulations "Order" means an Order of the Superior Court of the Virgin Islands, Division of St. Thomas and St. John, Family No. ST-2015-GU-000003.

Approval of foreign order

2. (1) The Order made in the matter of the guardianship of Mr. Hamilton Petty, by Judge Debra S. Watlington on 21st April 2015, appointing Mr. Fitzroy E. Petty and Mr. Joseph B. Petty as legal guardians of their father Mr. Hamilton Petty, is hereby approved pursuant to section 48(2) of the Dependent Adults Act, R.S.A. c. D8.

(2) The Order is reproduced in the Schedule.

Citation

3. These Regulations may be cited as the Approval of Foreign Order (Petty) Regulations, Revised Regulations of Anguilla, D8-3.

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SCHEDULE

(Section 2(2))

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

IN THE MATTER OF THE GUARDIANSHIP OF:	)	
	)	**FAMILY NO. ST-2015-GU-000003**
HAMILTON PETTY,	)	
	)	**ACTION FOR GUARDIANSHIP**
Ward.	)	
	)	

ORDER APPOINTING GUARDIAN

This matter came on for a hearing on April 10, 2015 on the Petition of Fritzroy E. Petty and Joseph Petty, by and through counsel Darren John-Baptiste, Esq., seeking to be appointed guardian of Hamilton Petty who is an incompetent person. Attorney Vincent Fuller appeared and represented Ms. Elva Petty who was present. Petitioners are the putative ward's sons. Petitioners have submitted an affidavit of consent and oath of guardian and a request for waiver of bond for appointment of guardian. The putative ward, Hamilton Petty was served personally on March 9, 2015 with notice of the hearing but did not appear. An Affidavit of Consent was also filed on behalf of Rosemarie Petty Brookes, the ward's daughter[1].

The Court heard testimony from Dr. Jeffrey Chase, M.D., and the Petitioners Fritzroy E. Petty and Joseph B. Petty. The testimony revealed that the proposed ward is incapable of taking care of his affairs and requires constant care. The Court being satisfied that Fritzroy E. Petty and Joseph B. Petty are fit and proper persons to serve as co-guardians of Hamilton Petty; it is hereby

ORDERED that pursuant to 15 V.I. Code Ann. §§ 841 and 842, Fritzroy E. Petty and Joseph B. Petty are hereby appointed as co-guardians of Hamilton Petty, with full power to have custody, care and tuition of the incapable person; and it is further

ORDERED that Fritzroy E. Petty and Joseph B. Petty is appointed co-guardians of Hamilton Petty with power to have custody and control of the ward during the legal continuance of the guardianship, and they are accordingly authorized and directed to take all steps necessary for the protection and advancement of the rights and interests of Hamilton Petty, until the guardian shall have been discharged according to law; and it is further

[1] Petitioners testified that Hamilton Petty refused to accompany them to Court and their sister Rosemarie remained home with him.

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In the Guardianship of: Hamilton Petty
Fam. No. ST-2015-GU-000003
Order
Page 2 of 2

ORDERED that by no later than May 22, 2014, the guardian shall, in compliance with Rule 207 of the Rules of the Superior Court, file an inventory, under oath, of any interest in property, real or personal, of any kind or nature; or of any income that has come into their possession or knowledge including, but not limited to, management of all his estate; and it is further

ORDERED that the guardian, in compliance with Rule 208 of the Rules of the Superior Court and title 15, section 1162 of the Virgin Islands Code, shall provide the Court with an annual accounting, under oath, of all monies and property of the ward; and it is further

ORDERED that the bond requirements of 15 V.I.C. § 881(b)(1) are waived; and it is further

ORDERED that should the ward at some future date acquire an interest in property of any kind or nature, or should any income be received on the ward's behalf, the guardians shall execute and file a bond in a corresponding amount pursuant to 15 V.I.C. § 881(b)(1) and they shall further provide the Court with an annual accounting in compliance with 15 V.I.C. § 1162 and Sup.Ct.R.208; and it is further

ORDERED that a copy of this Order shall be shall be directed to Darren John-Baptiste, Esq.

DATED: April 21, 2015

DEBRA S. WATLINGTON
Judge of the Superior Court
of the Virgin Islands

ATTEST:
ESTRELLA H. GEORGE
Clerk of the Court

By: _____
Brenda Monsanto
Court Clerk Supervisor 4/22/15

A CERTIFIED TRUE COPY
DATE 10/22/2015
ESTRELLA H. GEORGE
ACTING CLERK OF THE COURT
BY _____
COURT CLERK II

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