

GUARDIANSHIP OF CAROL FOGG

Submitted on Briefs September 29, 2016

Decided October 6, 2016

Panel: SAUFLEY, C.J., and ALEXANDER, MEAD, GORMAN, JABAR, and HUMPHREY, JJ.

MEMORANDUM OF DECISION

Carol Fogg, also known as Carol Fletcher, appeals from a judgment of the York County Probate Court (*Nadeau, J.*) adjudicating her incapacitated and appointing the Department of Health and Human Services as her public guardian, without limitation. *See* 18-A M.R.S. §§ 5-101(1), 5-304(b), 5-601 (2015). Contrary to Fogg's contentions, the evidence presented at trial supports the court's finding that she is incapacitated as defined by section 5-101(1). *See Guardianship of McIntosh*, 2015 ME 95, ¶ 16, 120 A.3d 654. Further, the court did not abuse its discretion by appointing the Department as Fogg's full guardian, without limitation. *See In re Cyr*, 2005 ME 61, ¶ 16, 873 A.2d 355; *cf. Guardianship of Hughes*, 1998 ME 186, ¶ 17, 715 A.2d 919.

The entry is:

Judgment affirmed.

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**On the briefs:**

Amy McNally, Esq., Woodman Edmands Danylik Austin  
Smith & Jacques, P.A., Biddeford, for appellant Carol Fogg

Janet T. Mills, Attorney General, and Christopher C. Leighton, Asst. Atty. Gen., Office of the Attorney General, Augusta, for appellee Department of Health and Human Services

York County Probate Court docket number 2015-0421(1)  
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