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Shelby Cnty Judge of Probate, AL  
11/19/2024 10:10:20 AM FILED/CERT

IN THE PROBATE COURT OF SHELBY COUNTY, AL

IN THE MATTER OF THE ESTATE

ROBERT ANTHONY DUKE,

An incapacitated person.

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CASE NO. PR-2022-001122

**ORDER**

This cause came before the Court on November 12, 2024 for hearing. Notice was given as required by law. Present in open court for the hearing were: Monica Share Duke and Austin Jordan Duke, along with Joseph E. Walden, Esq., their attorney of record; Yawanna N. McDonald, Esq. and Sarah Beth Sanders, proposed counsel for Robert Anthony Duke; Sarah Garcia, the Court Representative; and Robert Anthony Duke, along with Nicole Davis Edwards, Esq., the court appointed guardian ad litem.

This matter was previously before the Court on September 17, 2024, for hearing on the Partial Settlement filed on August 6, 2024 by Monica Share Duke and Austin Jordan Duke, as Co-Conservators of the estate of Robert Anthony Duke. On September 13, 2024 a Petition For An Order Allowing Respondent Robert Anthony Duke To Enter Into A Contract For Legal Services and Motion For Status Conference And Motion To Continue Hearing On Partial Settlement were filed by Yawanna N. McDonald, Esq., as proposed counsel for Robert Anthony Duke. After discussion with counsel and proposed counsel, the case was continued to allow time for further medical evaluation and for the parties to prepare to present evidence regarding whether the protected person should be restored to capacity and the guardianship and/or conservatorship terminated.

The Court notes the filing of the Neuropsychological Evaluation and Capacity Report for Mr. Anthony Duke prepared and filed by Adam Gerstenecker, Ph.D. on November 5, 2024; the Judicial Guardianship Evaluation Worksheet prepared and filed by Sarah Garcia on November 12, 2024; and the Report of the Guardian Ad Litem For Letters of Guardianship and Conservatorship filed by Nicole Davis Edwards, Esq. on November 12, 2024.

The case was called and the court proceeded to consider the motions and arguments of counsel. Based on the foregoing, the Court **ORDERS** as follows:

1. The Respondent has demonstrated that he is no longer incapacitated and that he no longer needs the assistance or protection of a Guardian or Conservator to provide continuing care and supervision for his well-being or for the proper management and conservation of his estate.





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It is therefore **ORDERED, ADJUDGED and DECREED** as follows:

1. The Guardianship and Conservatorship Ordered by this Court on January 18, 2023 are due to be and hereby are **TERMINATED** and the Letters of Guardianship issued on January 18, 2023 and the Letters of Conservatorship issued on February 15, 2024 to Austin Jordan Duke and Monica Cher Duke are due to be and hereby are **REVOKED**.
2. The Respondent's rights are due to be restored to him effective immediately.
3. The Petition For Order Allowing Respondent To Enter Into Contract For Legal Services is due to be and hereby is **GRANTED**.
4. The Co-Conservators shall prepare and file a Full Accounting and Final Settlement for the period of February 14, 2023 through November 18, 2024 on or before 4:30 PM on December 20, 2024.

**DONE and ORDERED** this the 18<sup>th</sup> day of November, 2024.

ALLISON S. BOYD  
Judge of Probate

cc: Joseph E. Walden, Esq.  
Nicole Davis Edwards, Esq.  
Sarah Garcia  
Autumn Duke  
Robert Anthony Duke  
Old Republic Surety Company  
Yawanna N. McDonald, Esq.  
Sarah Beth Sanders, Esq.  
Robert Anthony Duke