

Filing # 78416330 E-Filed 09/25/2018 05:12:01 PM

IN THE CIRCUIT COURT OF THE  
FIFTEENTH JUDICIAL CIRCUIT, IN AND  
FOR PALM BEACH COUNTY, FLORIDA.

CASE NO.:

DOLLY DAVIS as Personal Representative of  
the Estate of DOLLY MALLAN, deceased,

Plaintiff,

vs.

MICHAEL DESALVO and SENIOR LIVING  
PROPERTIES V, LLC d/b/a SAVANNAH  
COURT OF THE PALM BEACHES,

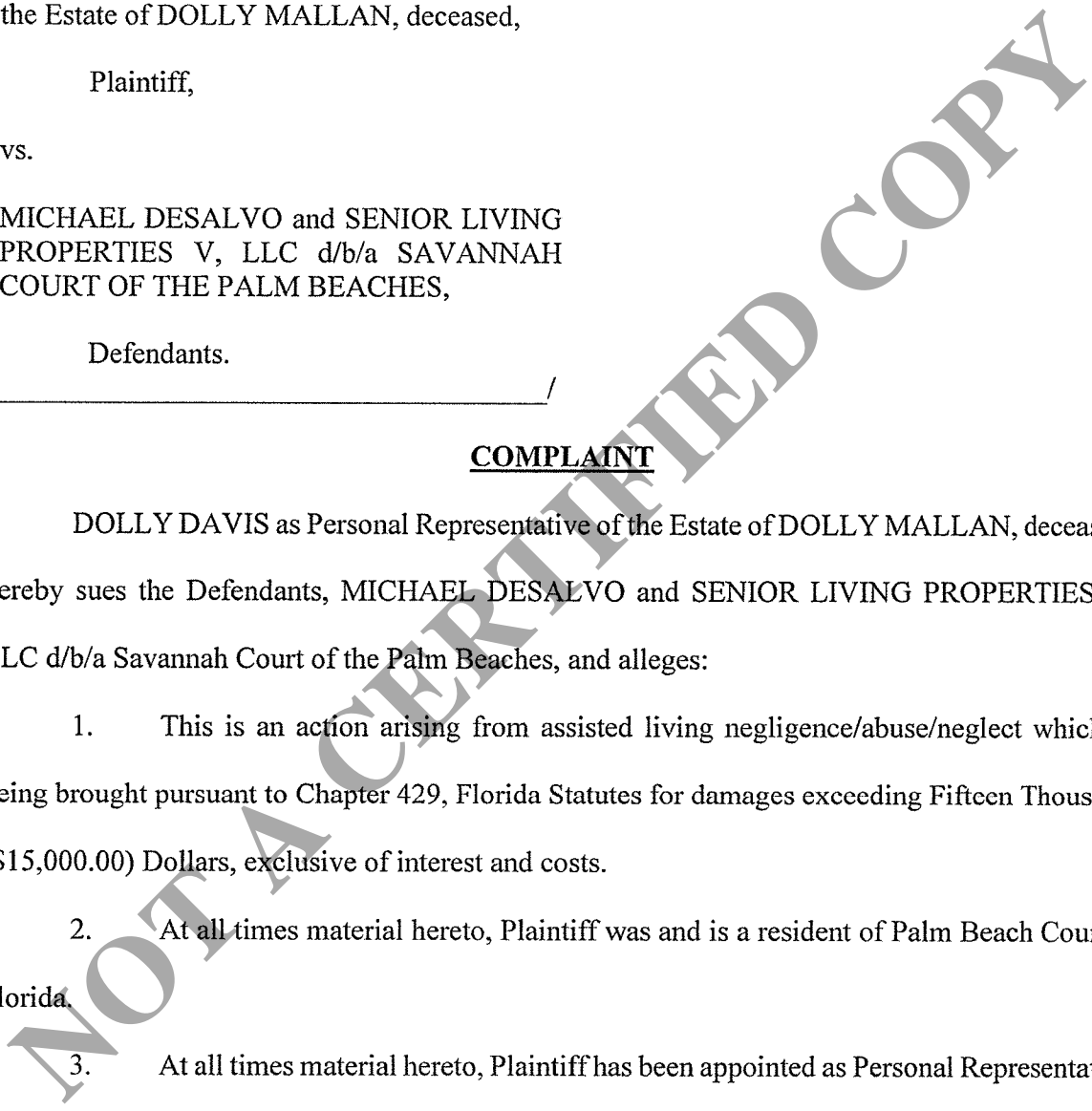
Defendants.

\_\_\_\_\_ /

COMPLAINT

DOLLY DAVIS as Personal Representative of the Estate of DOLLY MALLAN, deceased,  
hereby sues the Defendants, MICHAEL DESALVO and SENIOR LIVING PROPERTIES V,  
LLC d/b/a Savannah Court of the Palm Beaches, and alleges:

1. This is an action arising from assisted living negligence/abuse/neglect which is being brought pursuant to Chapter 429, Florida Statutes for damages exceeding Fifteen Thousand (\$15,000.00) Dollars, exclusive of interest and costs.
2. At all times material hereto, Plaintiff was and is a resident of Palm Beach County, Florida.
3. At all times material hereto, Plaintiff has been appointed as Personal Representative of the Estate of DOLLY MALLAN. (A copy of the Letters of Administration Appointing Personal Representative is attached hereto as Exhibit "A").



4. At all times material hereto the decedent, DOLLY MALLAN was widowed with two adult children. The proper claimants under Florida's Wrongful Death Act are:

- a. The Estate of Dolly Mallan
- b. Surviving daughter, Karen Voorhees
- c. Surviving Son, Benjamin Kelley

5. At all times material hereto, Defendant, MICHAEL DESALVO was and is a Florida resident who was the Executive Director of SENIOR LIVING PROPERTIES V, LLC d/b/a Savannah Court of the Palm Beaches located in West Palm Beach, Palm Beach County, FL. At all material times Defendant MICHAEL DESALVO was employed by the facility and acting in the course and scope of his employment therein.

6. At all times material hereto, Defendant, SENIOR LIVING PROPERTIES V, LLC d/b/a Savannah Court of the Palm Beaches is the licensee of an assisted living facility located at 2090 N Congress Ave, West Palm Beach, FL 33401 and is legally responsible for all aspects of the operation of the subject facility.

7. Plaintiff certifies that she has complied with Chapter 429, Florida Statutes by conducting a pre-suit investigation and review of this matter.

#### FACTS

8. On or about June 22, 2016 Dolly Mallan became a resident of SENIOR LIVING PROPERTIES V, LLC d/b/a Savannah Court of the Palm Beaches. She was 90 years old and in

good health at that time. She lived on the second floor of the facility. Her family would visit often to check up on her and she enjoyed spending time with them.

9. That following year, Hurricane Irma formed in the Atlantic Ocean and by September 4 became a Category 5 Hurricane with catastrophic consequences to human life and safety. It was heading directly for Palm Beach, County, Florida. Prior to landfall, Dolly's son, Benjamin Kelley, called the facility to ensure that the facility was capable of maintaining a safe environment for his mother if the hurricane struck. Mr. Kelley was advised by the head nurse at the facility that everything was going to be okay and that the facility was prepared for the hurricane.

10. On September 10, 2017 Hurricane Irma made landfall in Florida and the facility lost power. Unbeknownst to the family at that time, the facility did not have back-up generators and did not have a plan in place to keep its residents cool from the hot Florida weather. Being a concerned son, Benjamin again called to check on his mother after the hurricane made landfall. He was advised that everything was fine at the facility and that his mother was okay. Unfortunately for Mrs. Mallan, that was not the case. The facility was too hot due to **the lack of air conditioning** and the residents were becoming **dehydrated and overheating**.

11. On the evening of September 12 Benjamin received word that his mother was transferred out of the facility to Good Samaritan Hospital because she was overheating and "really hot".<sup>1</sup> By the time he got to the hospital his mother was unresponsive and never recovered. She

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<sup>1</sup> Mrs. Mallan's medical records indicate that her condition on the morning of September 12 was that she was on the "imminence of death" due to her body temperature of 102.8 degrees as a result of the facility not having power and air conditioning.

passed away on September 15 as a result of her body shutting down from being overheated and dehydrated.

12. As it turns out, the facility was investigated by the West Palm Beach Police Department on September 13, 2017 after receiving a call requesting for the police to perform a welfare check for the well-being of the residents of the facility. Per an anonymous tip, the facility did not have power and the heat conditions were unbearable for the elderly residents. The results of the police department's investigation, described more thoroughly below, revealed the deplorable conditions at the assisted living facility in the wake of the hurricane.

13. Detective Izzo-Higgins, #1704, responded to the welfare check. He is a member of the Palm Beach County State Attorney's Office Elder Task Force.

14. Detective Izzo-Higgins met with Sgt. Colombino and City of West Palm Beach Assistant Fire Chief Emergency Director, Brent Bloomfield. A walk through was conducted at the facility with the permission of the staff. The condition of the facility brought concern regarding the welfare of the residents. Upon walking into the facility, they were struck with a strong odor, as well as the high temperatures throughout the building. Food was left out on tables and several elderly patients looked as though they were uncomfortable and sweating.

15. Employees of the facility were interviewed who advised there were no generators in the assisted living facility unit on either floor. Residents and staff were observed scattered throughout the hallways and common areas. As the police officers walked from the north to the south unit, they were struck with a considerably higher temperature. Residents were observed to be extremely uncomfortable and several residents asked for assistance with cooling the facility. Residents were observed in paper clothing attempting to cool off. Other residents were observed

fanning themselves with handmade fans and/or objects. Employees were tending to and fanning other residents. The doors leading to the exterior of the building were open but there was no breeze.

16. The elevators leading to the second floor were not operable, so the police officers walked up a staircase to the second floor. The second floor was considerably warmer than the first floor. Many of the residents on the second floor were not mobile and thus did not have the physical ability to walk down the staircase to the first floor. Shockingly, it was advised that none of the residents of the second floor were being brought to the first floor. There was no electricity, no battery operated fans or air conditioning units in the south unit. Residents on the second floor also complained of the heat.

17. The police officers interviewed several nurses. The overall consensus of the nurses was the staff did not feel management was providing for the basic needs of the residents in a timely manner. The nurses who voiced their concern wished to remain anonymous fearing their jobs would be compromised if Defendant DESALVO knew what they had said.

18. A short while later, Defendant MICHAEL DESALVO arrived on scene. The Defendant was questioned as to what he was doing to alleviate the hot temperatures in the facility. He did not seem to be the least bit interested about the concerns raised about the temperatures in the facility and the condition of the residents. DEFENDANT DESALVO insisted that he had done everything required by the State of Florida to keep his facility operable. Sgt. Colombino then questioned Defendant DESALVO as to why the residents on the second floor were not brought down to the first floor where it was cooler. Defendant DESALVO then stated that the residents

couldn't be moved downstairs because they were in wheelchairs and the elevators weren't working. Defendant DESALVO then stated that **"They are a bunch of whiny crybabies"**.

19. After Defendant DESALVO made that statement, Sgt. Colombino told him that the upstairs was too hot for the residents to be on that floor without any power or fans to cool them down. Instead of acting to help save the over-heated residents, Defendant DESALVO acted in an unprofessional manner by arguing with Sgt. Colombino and Chief Bloomfield in front of his staff and the residents. Defendant DESALVO was told that his reason for not moving tenants to a cooler area was inappropriate and unacceptable as many were not mobile and most likely the weakest residents that needed the most care. With hesitation, Defendant DESALVO agreed to move the upstairs residents to the cooler first level.

20. Sgt. Colombino advised that Defendant DESALVO was offered generators the previous day, September 12, but declined the offer. After being confronted by the police officers on September 13, Defendant DESALVO finally accepted the loaning of the generators.

21. At approximately 1015 hours, Mayor Muoio, Chief Mooney, Commissioner James and city staff arrived at the facility to interview with WPTV News Channel 5. While in the northern most area of the parking lot, Defendant DESALVO exited the facility and approached the media.

With an open palm, Defendant DESALVO intentionally slapped the camera from the cameraman's face



Defendant DESALVO then swiftly walked toward Mayor Muoio who was standing on the and grabbed the photo identification card hanging from the Mayor's neck and turned it around.

22. On September 13 at 1500 hours, Detective Izzo-Higgins and others again responded to Savannah Court to check on the conditions of the facility, as well as check on the residents. Several residents were interviewed **who appeared to be in discomfort due to the high temperatures.** For the first time there were several generators throughout the building which were cooling off the residents.

**COUNT I – WRONGFUL DEATH AGAINST THE DEFENDANT MICHAEL DESALVO  
PURSUANT TO CHAPTER 429**

23. Plaintiff re-alleges and incorporates by reference the allegations contained in Paragraphs 1 through 22 and further alleges:

24. This claim is maintained pursuant to Chapter 429, Florida Statutes.

25. Pursuant to Florida Statute §429.28, no resident of a facility shall be deprived of any civil or legal rights, benefits, or privileges guaranteed by law, the Constitution of the State of Florida, or the Constitution of the United States as a resident of a facility. Every resident of a facility shall have the right to:

- (i) Live in a safe and decent living environment, free from abuse and neglect.
- (ii) Be treated with consideration and respect and with due recognition of personal dignity, individuality, and the need for privacy.
- (iii) Retain and use his or her own clothes and other personal property in his or her immediate living quarters, so as to maintain individuality and personal dignity, except when the facility can demonstrate that such would be unsafe, impractical, or an infringement upon the rights of other residents.
- (iv) Unrestricted private communication, including receiving and sending unopened correspondence, access to a telephone, and visiting with any person of his or her choice, at any time between the hours of 9 a.m. and 9 p.m. at a minimum. Upon request, the facility shall make provisions to extend visiting hours for caregivers and out-of-town guests, and in other similar situations.
- (v) Assistance with obtaining access to adequate and appropriate health care.



26. Pursuant to Florida Statute §429.29, any resident whose rights are violated shall have a cause of action.

27. Defendant, MICHAEL DESALVO violated, deprived, and infringed upon DOLLY MALLAN's rights, and thereby breached duties owed to her by negligently:

- i) failing to ensure that air conditioning would be operational during and after Hurricane Irma;
- ii) failing to request or obtain generators for the necessity of air conditioning during and after Hurricane Irma;
- iii) refusing generators when offered;
- iv) failing to move the resident to the first floor where it was cooler;
- v) failing to transfer the resident to a facility with working air conditioning and/or generators;
- vi) failing to transfer the resident to a hospital with working air conditioning and/or generators;
- vii) failing to act in a reasonable manner when the power went out and there were not working generators;
- viii) failing to act in a reasonable manner when the facility became too hot and residents became overheated;
- ix) failing to alert Benjamin Kelley, who lives in close proximity to the subject assisted living facility, about the power/ac failure at the facility so that he could take his mother out of danger and to safety; and
- x) failing to follow the facility's own policies and procedures as to HVAC failure, which include resident re-location and temporary dispersal of the resident to other facilities

28. As a direct and proximate result of the failure of Defendant's duty to comply with the requirements of Florida Chapter 429, and to provide adequate and appropriate health care and protective support services, DOLLY MALLAN died.

29. The Plaintiff, claims on behalf of survivor, Karen Voorhees: mental pain, anguish and suffering in the past and future, medical, hospital, burial and funeral expenses. The Plaintiff, claims all damages recoverable for her under Florida's Wrongful Death Act.

30. The Plaintiff, claims on behalf of survivor, Benjamin Kelley: mental pain, anguish and suffering in the past and future, medical, hospital, burial and funeral expenses. The Plaintiff, claims all damages recoverable for him under Florida's Wrongful Death Act.

31. The Plaintiff, claims on behalf of the Estate of Dolly Mallan medical, funeral, burial &/or cremation expenses. The Plaintiff, claims all damages recoverable for the Estate under Florida's Wrongful Death Act.

WHEREFORE, the Plaintiff demands judgment against the Defendant, MICHAEL DESALVO in excess of \$15,000.00 for these damages and all other damages allowable by law, and demands costs, and a trial by jury.

**COUNT II – SURVIVAL DAMAGES AGAINST THE DEFENDANT MICHAEL  
DESALVO PURSUANT TO CHAPTER 429**

32. Plaintiff re-alleges and incorporates by reference the allegations contained in Paragraphs 1 through 22 and further alleges:

33. This claim is maintained pursuant to Chapter 429, Florida Statutes.

34. Pursuant to Florida Statute §429.28, no resident of a facility shall be deprived of any civil or legal rights, benefits, or privileges guaranteed by law, the Constitution of the State of Florida, or the Constitution of the United States as a resident of a facility. Every resident of a facility shall have the right to:

- (i) Live in a safe and decent living environment, free from abuse and neglect.

- (ii) Be treated with consideration and respect and with due recognition of personal dignity, individuality, and the need for privacy.
- (iii) Retain and use his or her own clothes and other personal property in his or her immediate living quarters, so as to maintain individuality and personal dignity, except when the facility can demonstrate that such would be unsafe, impractical, or an infringement upon the rights of other residents.
- (iv) Unrestricted private communication, including receiving and sending unopened correspondence, access to a telephone, and visiting with any person of his or her choice, at any time between the hours of 9 a.m. and 9 p.m. at a minimum. Upon request, the facility shall make provisions to extend visiting hours for caregivers and out-of-town guests, and in other similar situations.
- (v) Assistance with obtaining access to adequate and appropriate health care.

35. Pursuant to Florida Statute §429.29, any resident whose rights are violated shall have a cause of action.

36. Defendant, MICHAEL DESALVO violated, deprived, and infringed upon DOLLY MALLAN's rights, and thereby breached duties owed to her by negligently:

- i) failing to ensure that air conditioning would be operational during and after Hurricane Irma;
- ii) failing to request or obtain generators for the necessity of air conditioning during and after Hurricane Irma;
- iii) refusing generators when offered;
- iv) failing to move the resident to the first floor where it was cooler;
- v) failing to transfer the resident to a facility with working air conditioning and/or generators;
- vi) failing to transfer the resident to a hospital with working air conditioning and/or generators;

- vii) failing to act in a reasonable manner when the power went out and there were not working generators;
- viii) failing to act in a reasonable manner when the facility became too hot and residents became overheated; and
- ix) failing to alert Benjamin Kelley, who lives in close proximity to the subject assisted living facility, about the power/ac failure at the facility so that he could take his mother out of danger and to safety; and
- x) failing to follow the facility's own policies and procedures as to HVAC failure, which include resident re-location and temporary dispersal of the resident to other facilities

37. As a direct and proximate result of the failure of Defendant's duty to comply with the requirements of Florida Chapter 429, and to provide adequate and appropriate health care and protective support services, DOLLY MALLAN suffered until the day of her death.

38. The Plaintiff, claims on behalf of the Estate of DOLLY MALLAN, the following damages: bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, loss of the capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, and aggravation/activation of a previously existing condition.

WHEREFORE, the Plaintiff demands judgment against the Defendant, MICHAEL DESALVO in excess of \$15,000.00 for these damages and all other damages allowable by law, and demands costs, and a trial by jury.

**COUNT III – VIOLATION OF FLORIDA STATUTE §415.1111 AGAINST  
DEFENDANT, MICHAEL DESALVO**

39. Plaintiff realleges and incorporate by reference the allegations contained in Paragraphs 1 through 22 and further alleges:

40. Pursuant to Fla. Stat. §415.1111, a vulnerable adult who has been abused, neglected, or exploited has a cause of action against any perpetrator and may recover actual and

punitive damages for such abuse, neglect, or exploitation. The action may be brought by the personal representative of the estate of a deceased victim without regard to whether the cause of death resulted from the abuse, neglect, or exploitation. The action may be brought in any court of competent jurisdiction to enforce such action and to recover actual and punitive damages for any deprivation of or infringement on the rights of a vulnerable adult. A party who prevails in any such action may be entitled to recover reasonable attorney's fees, costs of the action, and damages. The remedies are in addition to and cumulative with other legal and administrative remedies available to a vulnerable adult.

41. Upon her admission to the assisted living facility, DOLLY MALLAN was a vulnerable adult as she was a person 18 years of age or older whose ability to perform the normal activities of daily living or to provide for her own care or protection was impaired due to a mental, emotional, sensory, long-term physical, or developmental disability or dysfunction, or brain damage, or the infirmities of aging.

42. During her admission to the assisted living facility, DOLLY MALLAN was a victim of neglect when Defendant DESALVO failed or omitted to provide the care, supervision, and services necessary to maintain the physical and mental health of DOLLY MALLAN, including, but not limited to, providing a safe temperature and environment for her to be able to sustain life, which a prudent person would consider essential for the well-being of a vulnerable adult.

43. As a result of the neglect of Defendant, DESALVO, DOLLY MALLAN suffered from serious physical and/or psychological injury and/or a substantial risk of death and eventually died.

WHEREFORE, the Plaintiff demands judgment against Defendant, MICHAEL DESALVO, for all damages allowable by law pursuant to Fla. Stat. §415.1111, and demands attorney's fees, costs, and a trial by jury.

**COUNT IV- WRONGFUL DEATH AGAINST THE DEFENDANT SENIOR LIVING PROPERTIES V, LLC d/b/a Savannah Court of the Palm Beaches**

44. Plaintiff re-alleges and incorporates by reference the allegations contained in Paragraphs 1 through 22 and further alleges:

45. This claim is maintained pursuant to Chapter 429, Florida Statutes.

46. Pursuant to Florida Statute §429.28, no resident of a facility shall be deprived of any civil or legal rights, benefits, or privileges guaranteed by law, the Constitution of the State of Florida, or the Constitution of the United States as a resident of a facility. Every resident of a facility shall have the right to:

- (i) Live in a safe and decent living environment, free from abuse and neglect.
- (ii) Be treated with consideration and respect and with due recognition of personal dignity, individuality, and the need for privacy.
- (iii) Retain and use his or her own clothes and other personal property in his or her immediate living quarters, so as to maintain individuality and personal dignity, except when the facility can demonstrate that such would be unsafe, impractical, or an infringement upon the rights of other residents.
- (iv) Unrestricted private communication, including receiving and sending unopened correspondence, access to a telephone, and visiting with any person of his or her choice, at any time between the hours of 9 a.m. and 9 p.m. at a minimum. Upon request, the facility shall make provisions to extend visiting hours for caregivers and out-of-town guests, and in other similar situations.

- (v) Assistance with obtaining access to adequate and appropriate health care.

47. Pursuant to Florida Statute §429.29, any resident whose rights are violated shall have a cause of action.

48. Defendant, SENIOR LIVING PROPERTIES V, LLC d/b/a Savannah Court of the Palm Beaches violated, deprived, and infringed upon DOLLY MALLAN's rights, and thereby breached duties owed to her by negligently:

- i) failing to ensure that air conditioning would be operational during and after Hurricane Irma;
- ii) failing to request or obtain generators for the necessity of air conditioning during and after Hurricane Irma;
- iii) refusing generators when offered;
- iv) failing to move the resident to the first floor where it was cooler;
- v) failing to transfer the resident to a facility with working air conditioning and/or generators;
- vi) failing to transfer the resident to a hospital with working air conditioning and/or generators;
- vii) failing to act in a reasonable manner when the power went out and there were not working generators;
- viii) failing to act in a reasonable manner when the facility became too hot and residents became overheated; and
- ix) failing to alert Benjamin Kelley, who lives in close proximity to the subject assisted living facility, about the power/ac failure at the facility so that he could take his mother out of danger and to safety; and
- x) failing to follow the facility's own policies and procedures as to HVAC failure, which include resident re-location and temporary dispersal of the resident to other facilities

49. As a direct and proximate result of the failure of Defendant's duty to comply with the requirements of Florida Chapter 429, and to provide adequate and appropriate health care and protective support services, DOLLY MALLAN died.

50. The Plaintiff, claims on behalf of survivor, Karen Voorhees: mental pain, anguish and suffering in the past and future, medical, hospital, burial and funeral expenses. The Plaintiff, claims all damages recoverable for her under Florida's Wrongful Death Act.

51. The Plaintiff, claims on behalf of survivor, Benjamin Kelley: mental pain, anguish and suffering in the past and future, medical, hospital, burial and funeral expenses. The Plaintiff, claims all damages recoverable for him under Florida's Wrongful Death Act.

52. The Plaintiff, claims on behalf of the Estate of Dolly Mallan medical, funeral, burial &/or cremation expenses. The Plaintiff, claims all damages recoverable for the Estate under Florida's Wrongful Death Act.

WHEREFORE, the Plaintiff demands judgment against the Defendant, SENIOR LIVING PROPERTIES V, LLC d/b/a Savannah Court of the Palm Beaches in excess of \$15,000.00 for these damages and all other damages allowable by law, and demands costs, and a trial by jury.

**COUNT V- SURVIVAL DAMAGES AGAINST THE DEFENDANT SENIOR LIVING PROPERTIES V, LLC d/b/a Savannah Court of the Palm Beaches**

53. Plaintiff re-alleges and incorporates by reference the allegations contained in Paragraphs 1 through 22 and further alleges:

54. This claim is maintained pursuant to Chapter 429, Florida Statutes.

55. Pursuant to Florida Statute §429.28, no resident of a facility shall be deprived of any civil or legal rights, benefits, or privileges guaranteed by law, the Constitution of the State of



Florida, or the Constitution of the United States as a resident of a facility. Every resident of a facility shall have the right to:

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- (ii) Be treated with consideration and respect and with due recognition of personal dignity, individuality, and the need for privacy.
- (iii) Retain and use his or her own clothes and other personal property in his or her immediate living quarters, so as to maintain individuality and personal dignity, except when the facility can demonstrate that such would be unsafe, impractical, or an infringement upon the rights of other residents.
- (iv) Unrestricted private communication, including receiving and sending unopened correspondence, access to a telephone, and visiting with any person of his or her choice, at any time between the hours of 9 a.m. and 9 p.m. at a minimum. Upon request, the facility shall make provisions to extend visiting hours for caregivers and out-of-town guests, and in other similar situations.
- (v) Assistance with obtaining access to adequate and appropriate health care.

56. Pursuant to Florida Statute §429.29, any resident whose rights are violated shall have a cause of action.

57. Defendant, SENIOR LIVING PROPERTIES V, LLC d/b/a Savannah Court of the Palm Beaches violated, deprived, and infringed upon DOLLY MALLAN's rights, and thereby breached duties owed to her by negligently:

- i) failing to ensure that air conditioning would be operational during and after Hurricane Irma;
- ii) failing to request or obtain generators for the necessity of air conditioning during and after Hurricane Irma;
- iii) refusing generators when offered;

- iv) failing to move the resident to the first floor where it was cooler;
- v) failing to transfer the resident to a facility with working air conditioning and/or generators;
- vi) failing to transfer the resident to a hospital with working air conditioning and/or generators;
- vii) failing to act in a reasonable manner when the power went out and there were not working generators;
- viii) failing to act in a reasonable manner when the facility became too hot and residents became overheated; and
- ix) failing to alert Benjamin Kelley, who lives in close proximity to the subject assisted living facility, about the power/ac failure at the facility so that he could take his mother out of danger and to safety; and
- x) failing to follow the facility's own policies and procedures as to HVAC failure, which include resident re-location and temporary dispersal of the resident to other facilities

58. As a direct and proximate result of the failure of Defendant's duty to comply with the requirements of Florida Chapter 429, and to provide adequate and appropriate health care and protective support services, DOLLY MALLAN suffered until the day of her death.

59. The Plaintiff claims on behalf of the Estate of DOLLY MALLAN, the following damages: bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, loss of the capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, and aggravation/activation of a previously existing condition.

WHEREFORE, the Plaintiff demands judgment against the Defendant, SENIOR LIVING PROPERTIES V, LLC d/b/a Savannah Court of the Palm Beaches in excess of \$15,000.00 for these damages and all other damages allowable by law, and demands costs, and a trial by jury.

Dated this 25th day of September, 2018.

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MATTHEW K. SCHWENCKE  
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Attorney for Plaintiff

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IN THE CIRCUIT COURT FOR PALM BEACH  
COUNTY,  
FLORIDA  
IN RE: ESTATE OF

PROBATE DIVISION

DOLLY MALLAN

File No. 2017CP005138

Deceased.

Division IH

LETTERS OF ADMINISTRATION  
(single personal representative)

TO ALL WHOM IT MAY CONCERN

WHEREAS, Dolly Mallan, a resident of Palm Beach County, Florida, died on September 15, 2017, owning assets in the State of Florida, and

WHEREAS, Dolly Voorhees Davis has been appointed personal representative of the estate of the decedent and has performed all acts prerequisite to issuance of Letters of Administration in the estate,

NOW, THEREFORE, I, the undersigned circuit judge, declare Dolly Voorhees Davis duly qualified under the laws of the State of Florida to act as personal representative of the estate of Dolly Mallan, deceased, with full power to administer the estate according to law; to ask, demand, sue for, recover and receive the property of the decedent; to pay the debts of the decedent as far as the assets of the estate will permit and the law directs; and to make distribution of the estate according to law.

ORDERED on \_\_\_\_\_, 2017.

SIGNED & DATED

FEB 08 2018

\_\_\_\_\_  
Circuit Judge

ROSEMARIE M. SCHER  
CIRCUIT JUDGE

"Estate must be closed 12 months from the date of order."

